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# federal register

Tuesday
December 31, 1996

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# Presidential Documents

Title 3—

The President

Executive Order 13033 of December 27, 1996

## Adjustments of Certain Rates of Pay and Allowances

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the laws cited herein, it is hereby ordered as follows:

Section 1. *Statutory Pay Systems.* The rates of basic pay or salaries of the statutory pay systems (as defined in 5 U.S.C. 5302(1)), as adjusted under 5 U.S.C. 5303(a), are set forth on the schedules attached hereto and made a part hereof:

(a) The General Schedule (5 U.S.C. 5332(a)) at Schedule 1;

(b) The Foreign Service Schedule (22 U.S.C. 3963) at Schedule 2; and

(c) The schedules for the Veterans Health Administration of the Department of Veterans Affairs (38 U.S.C. 7306, 7404; section 301(a) of Public Law 102–40) at Schedule 3.

Sec. 2. *Senior Executive Service.* The rates of basic pay for senior executives in the Senior Executive Service, as adjusted under 5 U.S.C. 5382, are set forth on Schedule 4 attached hereto and made a part hereof.

Sec. 3. *Executive Salaries.* The rates of basic pay or salaries for the following offices and positions, which remain unchanged pursuant to section 637 of the Treasury, Postal Service, and General Government Appropriations Act, 1997, as incorporated in section 101(f) of Public Law 104–208, are set forth on the schedules attached hereto and made a part hereof:

(a) The Executive Schedule (5 U.S.C. 5312–5318) at Schedule 5;

(b) The Vice President (3 U.S.C. 104) and the Congress (2 U.S.C. 31) at Schedule 6; and

(c) Justices and judges (28 U.S.C. 5, 44(d), 135, 252, and 461(a)) at Schedule 7.

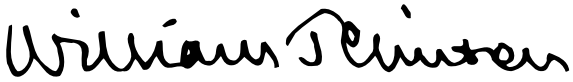
Sec. 4. *Uniformed Services.* Pursuant to section 601 of Public Law 104–201, the rates of monthly basic pay (37 U.S.C. 203(a)), the rates of basic allowances for subsistence (37 U.S.C. 402), and the rates of basic allowances for quarters (37 U.S.C. 403(a)) for members of the uniformed services and the rate of monthly cadet or midshipman pay (37 U.S.C. 203(c)) are set forth on Schedule 8 attached hereto and made a part hereof.

Sec. 5. *Locality-Based Comparability Payments.* (a) Pursuant to sections 5304 and 5304a of title 5, United States Code, locality-based comparability payments shall be paid in accordance with Schedule 9 attached hereto and made a part hereof.

(b) The Director of the Office of Personnel Management shall take such actions as may be necessary to implement these payments and to publish appropriate notice of such payments in the Federal Register.

Sec. 6. *Effective Dates.* Schedule 8 is effective on January 1, 1997. The other schedules contained herein are effective on the first day of the first applicable pay period beginning on or after January 1, 1997.

Sec. 7. *Prior Orders Superseded.* Executive Order 12984 of December 28, 1995, and Executive Order 12990 of February 29, 1996, are superseded.



THE WHITE HOUSE,
*December 27, 1996.*

Billing code 3195–01–P

**SCHEDULE 1--GENERAL SCHEDULE**

(Effective on the first day of the first applicable pay period beginning on or after January 1, 1997)

| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
|---|---|---|---|---|---|---|---|---|---|---|
| GS-1 | $12,669 | $13,091 | $13,512 | $13,932 | $14,355 | $14,602 | $15,017 | $15,436 | $15,454 | $15,844 |
| 2 | 14,243 | 14,583 | 15,055 | 15,454 | 15,628 | 16,088 | 16,548 | 17,008 | 17,468 | 17,928 |
| 3 | 15,542 | 16,060 | 16,578 | 17,096 | 17,614 | 18,132 | 18,650 | 19,168 | 19,686 | 20,204 |
| 4 | 17,447 | 18,029 | 18,611 | 19,193 | 19,775 | 20,357 | 20,939 | 21,521 | 22,103 | 22,685 |
| 5 | 19,520 | 20,171 | 20,822 | 21,473 | 22,124 | 22,775 | 23,426 | 24,077 | 24,728 | 25,379 |
| 6 | 21,758 | 22,483 | 23,208 | 23,933 | 24,658 | 25,383 | 26,108 | 26,833 | 27,558 | 28,283 |
| 7 | 24,178 | 24,984 | 25,790 | 26,596 | 27,402 | 28,208 | 29,014 | 29,820 | 30,626 | 31,432 |
| 8 | 26,777 | 27,670 | 28,563 | 29,456 | 30,349 | 31,242 | 32,135 | 33,028 | 33,921 | 34,814 |
| 9 | 29,577 | 30,563 | 31,549 | 32,535 | 33,521 | 34,507 | 35,493 | 36,479 | 37,465 | 38,451 |
| 10 | 32,571 | 33,657 | 34,743 | 35,829 | 36,915 | 38,001 | 39,087 | 40,173 | 41,259 | 42,345 |
| 11 | 35,786 | 36,979 | 38,172 | 39,365 | 40,558 | 41,751 | 42,944 | 44,137 | 45,330 | 46,523 |
| 12 | 42,890 | 44,320 | 45,750 | 47,180 | 48,610 | 50,040 | 51,470 | 52,900 | 54,330 | 55,760 |
| 13 | 51,003 | 52,703 | 54,403 | 56,103 | 57,803 | 59,503 | 61,203 | 62,903 | 64,603 | 66,303 |
| 14 | 60,270 | 62,279 | 64,288 | 66,297 | 68,306 | 70,315 | 72,324 | 74,333 | 76,342 | 78,351 |
| 15 | 70,894 | 73,257 | 75,620 | 77,983 | 80,346 | 82,709 | 85,072 | 87,435 | 89,798 | 92,161 |

**SCHEDULE 2--FOREIGN SERVICE SCHEDULE**

(Effective on the first day of the first applicable pay period beginning on or after January 1, 1997)

| Step | Class 1 | Class 2 | Class 3 | Class 4 | Class 5 | Class 6 | Class 7 | Class 8 | Class 9 |
|---|---|---|---|---|---|---|---|---|---|
| 1 | $70,894 | $57,446 | $46,548 | $37,718 | $30,563 | $27,322 | $24,425 | $21,835 | $19,520 |
| 2 | 73,021 | 59,169 | 47,944 | 38,850 | 31,480 | 28,142 | 25,158 | 22,490 | 20,106 |
| 3 | 75,211 | 60,944 | 49,383 | 40,015 | 32,424 | 28,986 | 25,912 | 23,165 | 20,709 |
| 4 | 77,468 | 62,773 | 50,864 | 41,215 | 33,397 | 29,855 | 26,690 | 23,860 | 21,330 |
| 5 | 79,792 | 64,656 | 52,390 | 42,452 | 34,399 | 30,751 | 27,491 | 24,575 | 21,970 |
| 6 | 82,186 | 66,596 | 53,962 | 43,725 | 35,431 | 31,674 | 28,315 | 25,313 | 22,629 |
| 7 | 84,651 | 68,594 | 55,581 | 45,037 | 36,494 | 32,624 | 29,165 | 26,072 | 23,308 |
| 8 | 87,191 | 70,651 | 57,248 | 46,388 | 37,589 | 33,603 | 30,040 | 26,854 | 24,007 |
| 9 | 89,806 | 72,771 | 58,966 | 47,780 | 38,716 | 34,611 | 30,941 | 27,660 | 24,727 |
| 10 | 92,161 | 74,954 | 60,735 | 49,213 | 39,878 | 35,649 | 31,869 | 28,490 | 25,469 |
| 11 | 92,161 | 77,203 | 62,557 | 50,690 | 41,074 | 36,718 | 32,825 | 29,344 | 26,233 |
| 12 | 92,161 | 79,519 | 64,433 | 52,211 | 42,306 | 37,820 | 33,810 | 30,225 | 27,020 |
| 13 | 92,161 | 81,904 | 66,366 | 53,777 | 43,576 | 38,955 | 34,824 | 31,131 | 27,831 |
| 14 | 92,161 | 84,361 | 68,357 | 55,390 | 44,883 | 40,123 | 35,869 | 32,065 | 28,666 |

**SCHEDULE 3--VETERANS HEALTH ADMINISTRATION SCHEDULES**
**DEPARTMENT OF VETERANS AFFAIRS**

(Effective on the first day of the first applicable pay period beginning on or after January 1, 1997)

Schedule for the Office of the Under Secretary for Health
(38 U.S.C. 7306)*

| | |
|---|---|
| Deputy Under Secretary for Health | $120,399 ** |
| Associate Deputy Under Secretary for Health | 115,319 *** |
| Assistant Under Secretaries for Health | 111,920 *** |

| | Minimum | Maximum |
|---|---|---|
| Medical Directors | $95,491 | $108,225 *** |
| Service Directors | 83,147 | 103,261 |
| Director, National Center for Preventive Health | 70,894 | 103,261 |

Physician and Dentist Schedule

| | | |
|---|---|---|
| Director Grade | $83,147 | $103,261 |
| Executive Grade | 76,777 | 97,849 |
| Chief Grade | 70,894 | 92,161 |
| Senior Grade | 60,270 | 78,351 |
| Intermediate Grade | 51,003 | 66,303 |
| Full Grade | 42,890 | 55,760 |
| Associate Grade | 35,786 | 46,523 |

Clinical Podiatrist and Optometrist Schedule

| | | |
|---|---|---|
| Chief Grade | $70,894 | $92,161 |
| Senior Grade | 60,270 | 78,351 |
| Intermediate Grade | 51,003 | 66,303 |
| Full Grade | 42,890 | 55,760 |
| Associate Grade | 35,786 | 46,523 |

Physician Assistant and Expanded-Function Dental Auxiliary Schedule ****

| | | |
|---|---|---|
| Director Grade | $70,894 | $92,161 |
| Assistant Director Grade | 60,270 | 78,351 |
| Chief Grade. | 51,003 | 66,303 |
| Senior Grade | 42,890 | 55,760 |
| Intermediate Grade | 35,786 | 46,523 |
| Full Grade | 29,577 | 38,451 |
| Associate Grade | 25,452 | 33,084 |
| Junior Grade | 21,758 | 28,283 |

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* This schedule does not apply to the Assistant Under Secretary for Nursing Programs or the Director of Nursing Services. Pay for these positions is set by the Under Secretary for Health under 38 U.S.C. 7451.

** Pursuant to section 7404(d)(1) of title 38, United States Code, the rate of basic pay payable to this employee is limited to the rate for level IV of the Executive Schedule, which is $115,700.

*** Pursuant to section 7404(d)(2) of title 38, United States Code, the rate of basic pay payable to these employees is limited to the rate for level V of the Executive Schedule, which is $108,200.

**** Pursuant to section 301(a) of Public Law 102-40, these positions are paid according to the Nurse Schedule in 38 U.S.C. 4107(b) as in effect on August 14, 1990, with subsequent adjustments.

## SCHEDULE 4--SENIOR EXECUTIVE SERVICE

(Effective on the first day of the first applicable pay period beginning on or after January 1, 1997)

| | |
|---|---|
| ES-1 | $97,000 |
| ES-2 | 101,600 |
| ES-3 | 106,200 |
| ES-4 | 111,900 |
| ES-5 | 115,700 |
| ES-6 | 115,700 |

## SCHEDULE 5--EXECUTIVE SCHEDULE

(Effective on the first day of the first applicable pay period beginning on or after January 1, 1997)

| | |
|---|---|
| level I | $148,400 |
| level II | 133,600 |
| level III | 123,100 |
| level IV | 115,700 |
| level V | 108,200 |

## SCHEDULE 6--VICE PRESIDENT AND MEMBERS OF CONGRESS

(Effective on the first day of the first applicable pay period beginning on or after January 1, 1997)

| | |
|---|---|
| Vice President | $171,500 |
| Senators | 133,600 |
| Members of the House of Representatives | 133,600 |
| Delegates to the House of Representatives | 133,600 |
| Resident Commissioner from Puerto Rico | 133,600 |
| President pro tempore of the Senate | 148,400 |
| Majority leader and minority leader of the Senate | 148,400 |
| Majority leader and minority leader of the House of Representatives | 148,400 |
| Speaker of the House of Representatives | 171,500 |

## SCHEDULE 7--JUDICIAL SALARIES

(Effective on the first day of the first applicable pay period beginning on or after January 1, 1997)

| | |
|---|---|
| Chief Justice of the United States | $171,500 |
| Associate Justices of the Supreme Court | 164,100 |
| Circuit Judges | 141,700 |
| District Judges | 133,600 |
| Judges of the Court of International Trade | 133,600 |

**SCHEDULE 8--PAY AND ALLOWANCES OF THE UNIFORMED SERVICES**
**(Effective on January 1, 1997)**

**Part I--MONTHLY BASIC PAY**

**YEARS OF SERVICE (COMPUTED UNDER 37 U.S.C. 205)**

| Pay Grade | 2 or less | Over 2 | Over 3 | Over 4 | Over 6 | Over 8 | Over 10 | Over 12 | Over 14 | Over 16 | Over 18 | Over 20 | Over 22 | Over 24 | Over 26 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **COMMISSIONED OFFICERS** | | | | | | | | | | | | | | | |
| O-10 ** | $7,360.20 | $7,619.10 | $7,619.10 | $7,619.10 | $7,619.10 | $7,911.60 | $7,911.60 | $8,349.90 | $8,349.90 | $8,947.20 | $8,947.20 | $9,546.30* | $9,546.30* | $9,546.30* | $10,140.90* |
| O-9 | 6,522.90 | 6,693.90 | 6,836.70 | 6,836.70 | 6,836.70 | 7,010.40 | 7,010.40 | 7,302.00 | 7,302.00 | 7,911.60 | 7,911.60 | 8,349.90 | 8,349.90 | 8,349.90 | 8,947.20 |
| O-8 | 5,908.20 | 6,085.50 | 6,229.80 | 6,229.80 | 6,229.80 | 6,693.90 | 6,693.90 | 7,010.40 | 7,010.40 | 7,302.00 | 7,619.10 | 7,911.60 | 8,106.60 | 8,106.60 | 8,106.60 |
| O-7 | 4,909.20 | 5,243.10 | 5,243.10 | 5,243.10 | 5,478.30 | 5,478.30 | 5,795.70 | 5,795.70 | 6,085.50 | 6,693.90 | 7,154.40 | 7,154.40 | 7,154.40 | 7,154.40 | 7,154.40 |
| O-6 | 3,638.40 | 3,997.50 | 4,259.70 | 4,259.70 | 4,259.70 | 4,259.70 | 4,259.70 | 4,259.70 | 4,404.60 | 5,100.90 | 5,361.30 | 5,478.30 | 5,795.70 | 5,991.60 | 6,285.60 |
| O-5 | 2,910.30 | 3,417.00 | 3,653.40 | 3,653.40 | 3,653.40 | 3,653.40 | 3,763.50 | 3,966.60 | 4,232.40 | 4,549.20 | 4,809.60 | 4,955.70 | 5,128.80 | 5,128.80 | 5,128.80 |
| O-4 | 2,452.80 | 2,987.10 | 3,186.30 | 3,186.30 | 3,245.40 | 3,388.50 | 3,619.80 | 3,823.20 | 3,997.50 | 4,173.30 | 4,287.90 | 4,287.90 | 4,287.90 | 4,287.90 | 4,287.90 |
| O-3 *** | 2,279.40 | 2,548.50 | 2,724.90 | 3,014.70 | 3,159.00 | 3,272.10 | 3,449.40 | 3,619.80 | 3,708.60 | 3,708.60 | 3,708.60 | 3,708.60 | 3,708.60 | 3,708.60 | 3,708.60 |
| O-2 *** | 1,987.80 | 2,170.80 | 2,608.20 | 2,695.80 | 2,751.60 | 2,751.60 | 2,751.60 | 2,751.60 | 2,751.60 | 2,751.60 | 2,751.60 | 2,751.60 | 2,751.60 | 2,751.60 | 2,751.60 |
| O-1 *** | 1,725.90 | 1,796.10 | 2,170.80 | 2,170.80 | 2,170.80 | 2,170.80 | 2,170.80 | 2,170.80 | 2,170.80 | 2,170.80 | 2,170.80 | 2,170.80 | 2,170.80 | 2,170.80 | 2,170.80 |
| **COMMISSIONED OFFICERS WITH OVER 4 YEARS OF ACTIVE DUTY SERVICE AS AN ENLISTED MEMBER OR WARRANT OFFICER** | | | | | | | | | | | | | | | |
| O-3E | - | - | - | $3,014.70 | $3,159.00 | $3,272.10 | $3,449.40 | $3,619.80 | $3,763.50 | $3,763.50 | $3,763.50 | $3,763.50 | $3,763.50 | $3,763.50 | $3,763.50 |
| O-2E | - | - | - | 2,695.80 | 2,751.60 | 2,838.90 | 2,987.10 | 3,101.40 | 3,186.30 | 3,186.30 | 3,186.30 | 3,186.30 | 3,186.30 | 3,186.30 | 3,186.30 |
| O-1E | - | - | - | 2,170.80 | 2,319.30 | 2,404.50 | 2,491.80 | 2,578.20 | 2,695.80 | 2,695.80 | 2,695.80 | 2,695.80 | 2,695.80 | 2,695.80 | 2,695.80 |

* Basic pay for these officers is limited to the rate of basic pay for level V of the Executive Schedule, which is $9,016.80 per month.

** While serving as Chairman or Vice Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, or Commandant of the Coast Guard, basic pay for this grade is calculated to be $11,189.40, regardless of cumulative years of service computed under section 205 of title 37, United States Code. Nevertheless, actual basic pay for these officers is limited to the rate of basic pay for level V of the Executive Schedule, which is $9,016.80 per month.

*** Does not apply to commissioned officers who have been credited with over 4 years of active duty service as an enlisted member or warrant officer.

**SCHEDULE 8--PAY AND ALLOWANCES OF THE UNIFORMED SERVICES (PAGE 2)**

**YEARS OF SERVICE (COMPUTED UNDER 37 U.S.C. 205)**

| Pay Grade | 2 or less | Over 2 | Over 3 | Over 4 | Over 6 | Over 8 | Over 10 | Over 12 | Over 14 | Over 16 | Over 18 | Over 20 | Over 22 | Over 24 | Over 26 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **WARRANT OFFICERS** | | | | | | | | | | | | | | | |
| W-5 | - | - | - | - | - | - | - | - | - | - | - | $3,963.60 | $4,113.60 | $4,232.70 | $4,410.90 |
| W-4 | $2,322.30 | $2,491.80 | $2,491.80 | $2,548.50 | $2,664.60 | $2,781.90 | $2,898.60 | $3,101.40 | $3,245.40 | $3,359.40 | $3,449.40 | 3,560.70 | 3,679.80 | 3,794.40 | 3,966.60 |
| W-3 | 2,110.80 | 2,289.60 | 2,289.60 | 2,319.30 | 2,346.30 | 2,517.90 | 2,664.60 | 2,751.60 | 2,838.90 | 2,923.80 | 3,014.70 | 3,132.30 | 3,245.40 | 3,245.40 | 3,359.40 |
| W-2 | 1,848.60 | 2,000.10 | 2,000.10 | 2,058.30 | 2,170.80 | 2,289.60 | 2,376.60 | 2,463.60 | 2,548.50 | 2,638.20 | 2,724.90 | 2,810.40 | 2,923.80 | 2,923.80 | 2,923.80 |
| W-1 | 1,540.20 | 1,765.80 | 1,765.80 | 1,913.40 | 2,000.10 | 2,085.90 | 2,170.80 | 2,260.20 | 2,346.30 | 2,433.60 | 2,517.90 | 2,608.20 | 2,608.20 | 2,608.20 | 2,608.20 |
| **ENLISTED MEMBERS** | | | | | | | | | | | | | | | |
| E-9* | - | - | - | - | - | - | $2,701.80 | $2,762.40 | $2,824.80 | $2,889.90 | $2,954.70 | $3,011.70 | $3,169.80 | $3,293.40 | $3,478.50 |
| E-8 | - | - | - | - | - | $2,265.60 | 2,330.70 | 2,391.90 | 2,454.00 | 2,519.10 | 2,576.40 | 2,639.70 | 2,794.80 | 2,919.30 | 3,106.50 |
| E-7 | $1,581.90 | $1,707.90 | $1,770.60 | $1,833.00 | $1,895.40 | 1,955.70 | 2,018.40 | 2,081.40 | 2,175.30 | 2,237.10 | 2,298.90 | 2,329.20 | 2,485.50 | 2,609.10 | 2,794.80 |
| E-6 | 1,360.80 | 1,483.50 | 1,545.00 | 1,610.70 | 1,671.30 | 1,731.30 | 1,794.90 | 1,887.30 | 1,946.70 | 2,009.40 | 2,040.00 | 2,040.00 | 2,040.00 | 2,040.00 | 2,040.00 |
| E-5 | 1,194.30 | 1,299.90 | 1,362.90 | 1,422.30 | 1,515.90 | 1,577.70 | 1,639.80 | 1,700.40 | 1,731.30 | 1,731.30 | 1,731.30 | 1,731.30 | 1,731.30 | 1,731.30 | 1,731.30 |
| E-4 | 1,113.60 | 1,176.30 | 1,245.60 | 1,341.60 | 1,394.70 | 1,394.70 | 1,394.70 | 1,394.70 | 1,394.70 | 1,394.70 | 1,394.70 | 1,394.70 | 1,394.70 | 1,394.70 | 1,394.70 |
| E-3 | 1,049.70 | 1,107.00 | 1,151.10 | 1,196.70 | 1,196.70 | 1,196.70 | 1,196.70 | 1,196.70 | 1,196.70 | 1,196.70 | 1,196.70 | 1,196.70 | 1,196.70 | 1,196.70 | 1,196.70 |
| E-2 | 1,010.10 | 1,010.10 | 1,010.10 | 1,010.10 | 1,010.10 | 1,010.10 | 1,010.10 | 1,010.10 | 1,010.10 | 1,010.10 | 1,010.10 | 1,010.10 | 1,010.10 | 1,010.10 | 1,010.10 |
| E-1** | 900.90 | 900.90 | 900.90 | 900.90 | 900.90 | 900.90 | 900.90 | 900.90 | 900.90 | 900.90 | 900.90 | 900.90 | 900.90 | 900.90 | 900.90 |
| E-1*** | 833.40 | - | - | - | - | - | - | - | - | - | - | - | - | - | - |

* While serving as Sergeant Major of the Army, Master Chief Petty Officer of the Navy or Coast Guard, Chief Master Sergeant of the Air Force, or Sergeant Major of the Marine Corps, basic pay for this grade is $4,227.90, regardless of cumulative years of service computed under section 205 of title 37, United States Code.

** Applies to personnel who have served 4 months or more on active duty.

*** Applies to personnel who have served less than 4 months on active duty.

## SCHEDULE 8--PAY AND ALLOWANCES OF THE UNIFORMED SERVICES (PAGE 3)

### Part II--BASIC ALLOWANCE FOR QUARTERS RATES

| Pay Grade | Without dependents Full rate* | Without dependents Partial rate** | With dependents |
|---|---|---|---|
| **COMMISSIONED OFFICERS** | | | |
| O-10 | $824.70 | $50.70 | $1,015.20 |
| O-9 | 824.70 | 50.70 | 1,015.20 |
| O-8 | 824.70 | 50.70 | 1,015.20 |
| O-7 | 824.70 | 50.70 | 1,015.20 |
| O-6 | 756.60 | 39.60 | 914.10 |
| O-5 | 728.70 | 33.00 | 881.10 |
| O-4 | 675.30 | 26.70 | 776.70 |
| O-3 | 541.20 | 22.20 | 642.60 |
| O-2 | 429.30 | 17.70 | 548.70 |
| O-1 | 361.50 | 13.20 | 490.50 |
| **COMMISSIONED OFFICERS WITH OVER 4 YEARS OF ACTIVE DUTY SERVICE AS AN ENLISTED MEMBER OR WARRANT OFFICER** | | | |
| O-3E | $584.40 | $22.20 | $690.60 |
| O-2E | 496.80 | 17.70 | 623.10 |
| O-1E | 427.20 | 13.20 | 575.70 |
| **WARRANT OFFICERS** | | | |
| W-5 | $686.10 | $25.20 | $749.70 |
| W-4 | 609.30 | 25.20 | 687.30 |
| W-3 | 512.10 | 20.70 | 629.70 |
| W-2 | 454.80 | 15.90 | 579.30 |
| W-1 | 380.70 | 13.80 | 501.00 |
| **ENLISTED MEMBERS** | | | |
| E-9 | $500.40 | $18.60 | $659.70 |
| E-8 | 459.30 | 15.30 | 608.10 |
| E-7 | 392.40 | 12.00 | 564.60 |
| E-6 | 355.20 | 9.90 | 521.70 |
| E-5 | 327.60 | 8.70 | 469.20 |
| E-4 | 285.00 | 8.10 | 408.00 |
| E-3 | 279.60 | 7.80 | 379.80 |
| E-2 | 227.10 | 7.20 | 361.50 |
| E-1 | 202.50 | 6.90 | 361.50 |

* Payment of the full rate of basic allowance for quarters at these rates to members of the uniformed services without dependents is authorized by section 403 of title 37, United States Code, and Part IV of Executive Order 11157, as amended.

** Payment of the partial rate of basic allowance for quarters at these rates to members of the uniformed services without dependents who, under section 403(b) or (c) of title 37, United States Code, are not entitled to the full rate of basic allowance for quarters, is authorized by section 1009(c)(2) of title 37, United States Code, and Part IV of Executive Order 11157, as amended.

### Part III--BASIC ALLOWANCE FOR SUBSISTENCE

Officers (per month) $154.16

Enlisted Members (per day):

| | E-1 (less than 4 months of active duty) | All Other Enlisted |
|---|---|---|
| When on leave or authorized to mess separately | $ 6.79 | $ 7.36 |
| When rations in-kind are not available | 7.65 | 8.30 |
| When assigned to duty under emergency conditions where no messing facilities of the United States are available | 10.16 | 10.99 |

### Part IV--RATE OF MONTHLY CADET OR MIDSHIPMAN PAY

The rate of monthly cadet or midshipman pay authorized by section 203(c) of title 37, United States Code, is $558.04.

## SCHEDULE 9--LOCALITY-BASED COMPARABILITY PAYMENTS

(Effective on the first day of the first applicable pay period beginning on or after January 1, 1997)

| Locality Pay Area[1] | Rate |
|---|---|
| Atlanta, GA | 5.65% |
| Boston-Worcester-Lawrence, MA-NH-ME-CT | 7.97% |
| Chicago-Gary-Kenosha, IL-IN-WI | 8.13% |
| Cincinnati-Hamilton, OH-KY-IN | 6.75% |
| Cleveland-Akron, OH | 5.51% |
| Columbus, OH | 6.62% |
| Dallas-Fort Worth, TX | 6.40% |
| Dayton-Springfield, OH | 5.66% |
| Denver-Boulder-Greeley, CO | 7.06% |
| Detroit-Ann Arbor-Flint, MI | 8.14% |
| Houston-Galveston-Brazoria, TX | 11.52% |
| Huntsville, AL | 5.18% |
| Indianapolis, IN | 5.49% |
| Kansas City, MO-KS | 5.10% |
| Los Angeles-Riverside-Orange County, CA | 9.46% |
| Miami-Fort Lauderdale, FL | 6.74% |
| Milwaukee-Racine, WI | 5.58% |
| Minneapolis-St. Paul, MN-WI | 6.53% |
| New York-Northern New Jersey-Long Island, NY-NJ-CT-PA | 9.15% |
| Philadelphia-Wilmington-Atlantic City, PA-NJ-DE-MD | 7.28% |
| Pittsburgh, PA | 5.07% |
| Portland-Salem, OR-WA | 6.13% |
| Richmond-Petersburg, VA | 5.27% |
| Sacramento-Yolo, CA | 6.56% |
| St. Louis, MO-IL | 5.18% |
| San Diego, CA | 7.07% |
| San Francisco-Oakland-San Jose, CA | 10.66% |
| Seattle-Tacoma-Bremerton, WA | 6.62% |
| Washington-Baltimore, DC-MD-VA-WV | 7.11% |
| Rest of U.S | 4.81% |

[1]Locality Pay Areas are defined in 5 CFR 531.603.

[FR Doc. 96–33384
Filed 12–30–96; 8:45 am]
Billing code 3195–01–C

# Rules and Regulations

Federal Register
Vol. 61, No. 252
Tuesday, December 31, 1996

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

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

## DEPARTMENT OF AGRICULTURE

### Economic Analysis Staff

### 7 CFR Ch. XXXIX

### Removal of CFR Chapter

**AGENCY:** Department of Agriculture.

**ACTION:** Final rule.

**SUMMARY:** This final rule removes the regulations of the Economic Analysis Staff (EAS) relating to its organization and functions and availability of information to the public, to reflect an internal reorganization of the Department of Agriculture, which abolished EAS.

**EFFECTIVE DATE:** December 31, 1996.

**FOR FURTHER INFORMATION CONTACT:** Virginia Taylor, Office of the Chief Economist, United States Department of Agriculture, Room 227–E, Jamie L. Whitten Federal Building, Washington, D.C. 20250–3810, or call (202) 720–5955.

**SUPPLEMENTARY INFORMATION:** The Freedom of Information Act (FOIA) requires each Federal agency to publish in the Federal Register regulations regarding its organization and functions and the manner in which the public may obtain information from the agency. Part 3900 set out the organization and functions of EAS. Part 3901 set out the regulations of EAS for obtaining information under the Freedom of Information Act. Pursuant to a reorganization of the Department of Agriculture, EAS was integrated into the Office of the Chief Economist. This document removes Parts 3900 and 3901.

This rule relates to internal agency management. Therefore, pursuant to 5 U.S.C. 553, notice of proposed rulemaking and opportunity for comment are not required. Further, since the rule relates to internal agency management it is exempt from the provisions of Executive Orders 12866 and 12988. In addition, this action is not a rule as defined by the Regulatory Flexibility Act, and thus is exempt from the provisions of that Act.

List of Subjects in 7 CFR Chapter XXXIX

Availability of information to the public; organizations and functions.

**CHAPTER XXXIX [REMOVED]**

Accordingly, under the authority of 5 U.S.C. 301 and 552, 7 CFR Chapter XXXIX is removed.

Done this 23rd of December, 1996, at Washington, D.C.

Keith Collins,

*Chief Economist.*

[FR Doc. 96–33063 Filed 12–30–96; 8:45 am]

BILLING CODE 3410–01–M

## Agricultural Marketing Service

### 7 CFR Part 58

**[DA–96–10]**

**RIN 0581–AB43**

### Grading and Inspection, General Specifications for Approved Plants and Standards for Grades of Dairy Products: Revision of User Fees

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Final rule.

**SUMMARY:** The Agricultural Marketing Service is increasing the fees charged for services provided under the dairy inspection and grading program. This rule will yield an estimated $272,000 in fiscal year 1997. The program is a voluntary, user-fee program conducted under the authority of the Agricultural Marketing Act of 1946, as amended. This action increases the hourly rate to $47.00 per hour for continuous resident services and $52.00 per hour for nonresident services between the hours of 6:00 a.m. and 6:00 p.m. The fee for nonresident services between the hours of 6:00 p.m. and 6:00 a.m. would be $57.20 per hour. These fees represent an increase of four dollars per hour. The fees are being increased to cover the costs of recent salary increases and locality adjustments, the costs necessary to maintain adequate levels of service during changing production and purchasing patterns within the dairy industry, the continued full funding for standardization activities, and other operating costs.

**EFFECTIVE DATE:** January 5, 1997.

**FOR FURTHER INFORMATION CONTACT:** Lynn G. Boerger, USDA/AMS/Dairy Division, Dairy Grading Branch, Room 2750–South Building, P.O. Box 96456, Washington, D.C. 20090–6456, (202) 720–9381.

**SUPPLEMENTARY INFORMATION:** This rule has been determined to be not significant for purposes of Executive Order 12866 and has not been reviewed by the Office of Management and Budget.

This final rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule is not intended to have preemptive effect with respect to any State or local laws, regulations or policies. This rule is not intended to have retroactive effect. There are no administrative procedures which must be exhausted prior to any judicial challenge to this rule or the application of its provisions.

Pursuant to the requirements set forth in the Regulatory Flexibility Act (RFA) 5 U.S.C. 601 *et seq.*, the Agricultural Marketing Service (AMS) has considered the economic impact of this action on small entities.

There are more than 600 users of Dairy Grading Branch's inspection and grading services. Many of these users are small entities under the criteria established by the Small Business Administration (13 CFR 121.601). This rule will raise the fee charged to businesses for voluntary inspection services and grading services for dairy and related products. Even though the fee will be raised, the increase is approximately 8.6 percent and will not significantly affect these entities. These businesses are under no obligation to use these services, and any decision on their part to discontinue the use of the services would not prevent them from marketing their products. The Agricultural Marketing Service (AMS) estimates that overall this rule will yield an additional $272,000 during fiscal year 1997. The rule reflects certain fee increases needed to recover the cost of inspection and grading services rendered in accordance with the Agricultural Marketing Act (AMA) of 1946.

The Agricultural Marketing Service (AMS) has determined that this action will not have a significant impact on a

substantial number of small entities, as defined in the Regulatory Flexibility Act (5 U.S.C. 601).

The Agricultural Marketing Act of 1946, as amended, authorizes the Secretary of Agriculture to provide Federal dairy grading and inspection services that facilitate marketing and help consumers obtain the quality of dairy products they desire. The Act provides that reasonable fees be collected from the users of the services to cover, as nearly as practicable, the cost of maintaining the program.

Since the costs of the grading program are covered entirely by user fees, it is essential that fees be increased when necessary to cover the cost of maintaining a financially self-supporting program. The last fee increase under this program became effective on October 1, 1995. Since that time, Congress increased the salaries of Federal employees by 2.9 percent as of January 7, 1996, which included locality pay. Also, there have been normal increases in other nonpay operating costs that include utilities, office space, and reimbursable travel. In addition, recent congressional action may result in additional salary increases of 3.0 percent in 1997. Although the program's operating reserves were adequate to cover the January 7, 1996, salary increase, this will not be the case for 1997 salary increases, and a fee increase is needed.

The grading program fees need to be increased to cover the costs associated with maintaining adequate levels of service during shifting production patterns within the dairy industry. The industry changes include plant consolidations, geographical shifts of dairy production areas, and changes in the types of dairy products being manufactured and offered for inspection and grading services. To minimize the necessary fee increase, the Department has initiated cost-reduction efforts which include the reduction of staff and program overhead.

On November 14, 1996, the Agricultural Marketing Service published in the Federal Register (61 FR 58345) for public comment a document proposing a $4.00 increase in the hourly fee for both resident and nonresident programs. No comments were received.

Pursuant to 5 U.S.C. 553, it is hereby found that good cause exists for not delaying the effective date of this action until 30 days after publication of this final rule in the Federal Register. A revenue shortfall warrants putting the higher rates into effect as quickly as possible. The increase in fees is essential for effective management and operation of the program and to satisfy the intent of the Agricultural Marketing Act of 1946. A proposed rule setting forth proposed fee increases was published in the Federal Register on November 14, 1996 (61 FR 58345). Therefore, the provisions of this final rule are known to interested parties.

Accordingly, the program fees are being increased as set forth below.

Program Changes Adopted in the Final Rule

This rule document makes the following changes in the regulations implementing the dairy inspection and grading program:

1. Increases the hourly fee for nonresident services from $48.00 to $52.00 for services performed between 6:00 a.m. and 6:00 p.m. The nonresident hourly rate is charged to users who request an inspector or grader for particular dates and amounts of time to perform specific grading and inspection activities. These users of nonresident services are charged for the amount of time required to perform the task and undertake related travel plus travel costs.

2. Increases the hourly fee for continuous resident services from $43.00 to $47.00. The resident hourly rate is charged to those who are using grading and inspection services performed by an inspector or grader assigned to a plant on a continuous, year-round resident basis.

List of Subjects in 7 CFR Part 58

Dairy products, Food grades and standards, Food labeling, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR Part 58 is amended as follows:

## PART 58–GRADING AND INSPECTION, GENERAL SPECIFICATIONS FOR APPROVED PLANTS AND STANDARDS FOR GRADES OF DAIRY PRODUCTS

1. The authority citation for Part 58 continues to read as follows:

Authority: 7 U.S.C. 1621–1627.

2. Section 58.43 is revised to read as follows:

### § 58.43 Fees for inspection, grading, and sampling.

Except as otherwise provided in §§ 58.38 through 58.46, charges shall be made for inspection, grading, and sampling service at the hourly rate of $52.00 for service performed between 6:00 a.m. and 6:00 p.m. and $57.20 for service performed between 6:00 p.m. and 6:00 a.m., for the time required to perform the service calculated to the nearest 15-minute period, including the time required for preparation of certificates and reports and the travel time of the inspector or grader in connection with the performance of the service. A minimum charge of one-half hour shall be made for service pursuant to each request or certificate issued.

3. Section 58.45 is revised to read as follows:

### § 58.45 Fees for continuous resident services.

Irrespective of the fees and charges provided in §§ 58.39 and 58.43, charges for the inspector(s) and grader(s) assigned to a continuous resident program shall be made at the rate of $47.00 per hour for services performed during the assigned tour of duty. Charges for service performed in excess of the assigned tour of duty shall be made at a rate of 1½ times the rate stated in this section.

Dated: December 24, 1996.

Lon Hatamiya,

*Administrator.*

[FR Doc. 96–33267 Filed 12–30–96; 8:45 am]

BILLING CODE 3410–02–P

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## Federal Crop Insurance Corporation

## 7 CFR Parts 401 and 457

**RIN 0563–AB03**

## Common Crop Insurance Regulations; Florida Citrus Fruit Crop Insurance Provisions

**AGENCY:** Federal Crop Insurance Corporation, USDA.

**ACTION:** Final rule.

**SUMMARY:** The Federal Crop Insurance Corporation (FCIC) finalizes specific crop provisions for the insurance of Florida citrus. The provisions will be used in conjunction with the Common Crop Insurance Policy Basic Provisions, which contain standard terms and conditions common to most crops. The intended effect of this action is to provide policy changes to better meet the needs of the insured, include the current Florida Citrus Endorsement with the Common Crop Insurance Policy for ease of use and consistency of terms, and to restrict the effect of the current Florida Citrus Endorsement to the 1997 and prior crop years.

**EFFECTIVE DATE:** January 30, 1997.

**FOR FURTHER INFORMATION CONTACT:** Bill Klein, Program Analyst, Research and Development Division, Product Development Branch, Federal Crop Insurance Corporation, United States

Department of Agriculture, 9435 Holmes Road, Kansas City, MO 64131, telephone (816) 926–7730.

**SUPPLEMENTARY INFORMATION:**

Executive Order No. 12866

The Office of Management Budget (OMB) has determined this rule to be exempt for the purposes of Executive Order No. 12866, and, therefore, this rule has not been reviewed by OMB.

Paperwork Reduction Act of 1995

The information collection requirements contained in these regulations were previously approved by OMB pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35) under OMB control number 0563–0003 at the proposed rule stage.

The amendments set forth in this final rule contains information collections that have been cleared by OMB under the provisions of 44 U.S.C. chapter 35.

No public comments were received.

Unfunded Mandates Reform Act of 1995

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), Public Law 104–4, establishes requirements for Federal agencies to assess the effects of their regulatory actions on state, local, and tribal governments and the private sector.

This rule contains no Federal mandates (under the regulatory provisions of title II of the UMRA) of state, local, and tribal governments or the private sector. Thus, this rule is not subject to the requirements of sections 202 and 205 of the UMRA.

Executive Order No. 12612

It has been determined under section 6(a) of Executive Order No. 12612, Federalism, that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment. The provisions contained in this rule will not have a substantial direct effect on states or their political subdivisions, or on the distribution of power and responsibilities among the various levels of government.

Regulatory Flexibility Act

This regulation will not have a significant impact on a substantial number of small entities. New provisions included in this rule will not impact small entities to a greater extent than large entities. Under the current regulations, all producers are required to complete an application and acreage report. If the crop is damaged or destroyed, insureds are required to give notice of loss and provide the necessary information to complete a claim for indemnity. This regulation does not alter those requirements. The amount of work required of the insurance companies delivering and servicing these policies will not increase significantly from the amount of work currently required. This rule does not have any greater or lesser impact on the producer. Therefore, this action is determined to be exempt from the provisions of the Regulatory Flexibility Act (5 U.S.C. 605), and no Regulatory Flexibility Analysis was prepared.

Federal Assistance Program

This program is listed in the Catalog of Federal Domestic Assistance under No. 10.450.

Executive Order No. 12372

This program is not subject to the provisions of Executive Order No. 12372, which require intergovernmental consultation with state and local officials. See the Notice related to 7 CFR part 3015, subpart V, published at 48 FR 29115, June 24, 1983.

Executive Order No. 12778

The Office of the General Counsel has determined that these regulations meet the applicable standards provided in sections 2(a) and 2(b)(2) of Executive Order No. 12778. The provisions of this rule will not have a retroactive effect prior to the effective date. The provisions of this rule will preempt state and local laws to the extent such state and local laws are inconsistent herewith. The administrative appeal provisions published at 7 CFR parts 11 and 780 must be exhausted before action for judicial review may be brought.

Environmental Evaluation

This action is not expected to have a significant impact on the quality of the human environment, health, and safety. Therefore, neither an Environmental Assessment nor an Environmental Impact Statement is needed.

National Performance Review

This regulatory action is being taken as part of the National Performance Review Initiative to eliminate unnecessary or duplicative regulations and improve those that remain in force.

Background

On Friday, March 15, 1996, FCIC published a proposed rule in the Federal Register at 61 FR 10699–10703 to add to the Common Crop Insurance Regulations (7 CFR part 457), a new section, 7 CFR 457.107 (Florida Citrus Fruit Crop Insurance Provisions). The new provisions will replace and supersede the current provisions for insuring Florida citrus found at 7 CFR 401.143 and will be effective for the 1998 and succeeding crop years. Section 401.143 will also be amended to restrict its effect to the 1997 and prior crop years. By separate rule, § 401.143 will be removed and that section will be reserved.

Following publication of the proposed rule, the public was afforded 30 days to submit written comments, data, and opinions. A total of 32 comments were received from the crop insurance industry. The comments received and FCIC's response are as follows:

*Comment:* The crop insurance industry expressed concern that the proposed changes shown in the Federal Register were to be effective for the 1997 crop year.

*Response:* FCIC originally intended that the proposed rule be made final prior to the contract change date and in sufficient time to provide the industry and insureds time to be made aware of the changes and make adjustments as needed. When the proposed rule was not published until March 15, 1996, it was no longer possible to publish a final rule prior to the April 15, 1996, contract change date. The relevant sections have been amended to specify that the changes will not be implemented until the 1998 crop year.

*Comment:* One comment from the crop insurance industry questioned why optional units were allowed by both (or either) legal description and non-contiguous land for Florida citrus fruit, whereas in other citrus policies, optional units are offered by one or the other or by non-contiguous land only. They questioned whether regional differences are significant enough to preclude standardization.

*Response:* The unit structure in the proposed rule was intended to be the same as that contained in the current policy. The current policy allows optional units by legal description or by non-contiguous acreage. The provision has been amended to clarify the apparent ambiguity created in the proposed rule.

*Comment:* The crop insurance industry stated that the proposed varying levels of deductibles ranging from 25 percent to 50 percent of damage represents a substantial change from the current 10 percent of damage deductible and ''will create an insurance product that is substantially deficient in providing desired protection for growers.'' They requested that the 10 percent deductible level be reinstated in the final rule.

*Response:* FCIC does not have the authority to offer a 10 percent

deductible for any crop. Section 508(b)(6) and 508(c)(6) of the Federal Crop Insurance Act, as amended, only allows coverage up to 85 percent of the individual yield, which requires more than 15 percent damage before an indemnity would be due. FCIC does not currently offer 85 percent coverage for any actual production history based policy. Implementation of an 85 percent coverage for Florida citrus fruit is being considered for the 1998 crop year. If approved, this coverage level will be shown on the County Actuarial Table. Therefore, no change has been made in the provisions.

*Comment:* The crop insurance industry expressed concern that the only justification for changing the 10 percent deductible was to make the provisions more compatible with the Common Crop Insurance Policy. The current program participation is high with the implementation of crop insurance reform and the loss ratio is low, in short the program works. It appears that change is only for change's sake.

*Response:* Although the timing of this change coincides with the Florida Citrus Fruit Crop Insurance Provisions being brought under the Common Crop Insurance Policy, the change is mandated by the above stated limitation contained in the Federal Crop Insurance Act, as amended.

*Comment:* The crop insurance industry expressed concern that the 10 percent deductible change would undermine their attempts to encourage ''buy-up'' sales. Producers buy CAT because they believe that the current program (limited and full coverage) is overpriced.

*Response:* FCIC has no choice but to increase the deductible to be in compliance with the Federal Crop Insurance Act, as amended. With the new coverage levels, ''buy up'' coverage should provide a level of coverage that will meet the insured's risk management needs.

*Comment:* One comment from the crop insurance industry criticized FCIC for not taking into account the needs of producers in making rules. While the proposed changes may favorably impact premium, the coverage will no longer be reasonable.

*Response:* FCIC met with producers and with the Florida Citrus Association, who both provided input and suggestions for the draft Florida Citrus Fruit Crop Provisions. Although FCIC is aware of the industry's opposition to replacing the 10 percent deductible with a proportional deductible, the Federal Crop Insurance Act, as amended, does not allow a 10 percent deductible.

*Comment:* One comment from the crop insurance industry suggested that a large majority of producers take CAT coverage because they feel the premium for limited and additional coverage is too high based on their assessment of the risk. The program is working with the current deductibles and does not need to be changed.

*Response:* FCIC has no choice but to change the current coverage levels. Under the new program, a series of different level deductibles will have separate rates and will allow producers to chose more appropriate levels of coverage, which should result in increased participation in limited and buy-up insurance.

*Comment:* One comment from the crop insurance industry was a request that the language in section 3(a), ''You may select only one percent of the maximum dollar amount of insurance * * *'', be clarified. They understand the language to mean that only one level of coverage may be selected for each type of citrus fruit insured.

*Response:* FCIC has added language to clarify the intent of section 3(a). If more than one kind of citrus fruit is included within a type and each citrus fruit has a different maximum amount of insurance, the insured must select the same coverage level for each kind of citrus fruit. For example, if an insured chooses the 75 percent coverage level for Naval Oranges, then the insured must also choose the 75 percent coverage level for Tangerines since both are included as Type IV citrus fruit.

*Comment:* One comment from the crop insurance industry suggests that neither ineligibility nor a reduction of benefits should be based on the age of the citrus tree. They contend that trees planted at a higher density can produce a marketable crop in as little as three years. They propose that eligibility be based on production of 100 boxes per acre on a unit basis.

*Response:* The proposed rule for Florida Citrus Fruit Crop Insurance Provisions authorized insuring trees that have not reached the fifth growing season after being set out either in the Special Provisions or by written agreement. Thus, if the 100 box requirement proves reasonable after review of the grove's production potential, coverage can be provided. Therefore, no change will be made in the provisions.

*Comment:* One comment from the crop insurance industry maintained that adding the proportional deductible to limited and additional insurance would serve to push producers to CAT.

*Response:* Currently more than 90 percent of the Florida citrus fruit producers have opted for CAT coverage, even with the availability of a 10 percent deductible. With a properly rated proportional deductible, insureds should find the limited and additional levels of insurance to be more affordable and a better risk management tool.

*Comment:* The crop insurance industry recommended establishing a contract change date earlier than March 15. Recommendations ranged from December 31 to February 28.

*Response:* FCIC would be willing to move the contract change date earlier if sufficient price and yield data were available to accurately estimate amounts of insurance. Currently, the data available is incomplete before February and the Actuarial Division believes that moving the date earlier than March 15 will not allow sufficient time to utilize the most recent information. For example, a major January freeze will have a significant effect on citrus fruit production and prices. Therefore, no change will be made to the provisions.

*Comment:* The crop insurance industry recommended that two amounts of insurance be offered. One amount would apply to trees 5 to 7 years and the other for trees more than 7 years. The five year limit could be waived if after inspection it was determined that the acreage could produce 100 boxes per acre.

*Response:* The current actuarial basis for insuring three age groups was based on National Agricultural Statistics Service (NASS) data and extensive research. If further study indicates that insuring based on two age groups would be more equitable, this change can be made in the actuarial table and need not be specified in the policy. Therefore, no change will be made to the provisions.

*Comment:* One comment from the crop insurance industry recommended that reclaimed land be made insurable. Insurability would be based on an inspection for both buy-up and CAT, with no written agreement required.

*Response:* There is reclaimed land that has been rated and, therefore, it is insurable. Other reclaimed land has not been rated and is not insurable except by written agreement. The insurability of reclaimed lands is provided in the Special Provisions. The rating of unrated reclaimed land is an underwriting issue which will be considered for possible future implementation.

*Comment:* The crop insurance industry recommended that Type II (Late Oranges) be covered as fresh fruit if records demonstrate the crop has been sold as fresh. Either designate Type II as

''fresh fruit'' or add varieties to Type II such as 024 Late Orange Juice, and 025 Late Orange Fresh.

*Response:* FCIC agrees with the concept of insuring certain late oranges as fresh fruit. After studying the recommendation it was determined that these late oranges should be added to Type VII, as Late Oranges ''Fresh''.

*Comment:* The crop insurance industry recommended that insurance attach at fruit set so that there would be no gap in coverage.

*Response:* FCIC does not have sufficient underwriting information to change the date insurance attaches at this time. FCIC is currently researching other methods for insuring Florida citrus and one area of study is the date insurance should attach.

*Comment:* One comment from the crop insurance industry recommended that FCIC cover excessive rain and excessive wind damage that did not occur in conjunction with a hurricane or tornado. Fresh fruit blown from the tree and fresh fruit that is scarred or adulterated and cannot be marketed as fresh fruit due to excessive rain or wind would be adjusted on a fresh fruit basis.

*Response:* Insuring damage resulting from excess wind or rain not associated with a hurricane or tornado would greatly increase risk and the associated premium. This change could not be made without a notice and comment period. Therefore, no change will be made to the provisions.

*Comment:* One comment from the crop insurance industry stated that some flexibility may be needed for obtaining signatures and for mail time if a transfer takes place shortly before the acreage reporting date, but the transfer form does not reach the company office until after the acreage reporting date.

*Response:* If the transferor or the transferee signs the properly completed transfer form and gives the form to the crop insurance agent on or before the acreage reporting date, this requirement will be met. Therefore, no change will be made to the provisions.

*Comment:* One comment from the crop insurance industry recommended revising the language in section 10(b)(2)(ii), ''Citrus fruit will be considered undamaged potential production if it is: (i) Or could be marketed as fresh fruit;'' to ''Citrus fruit will be considered undamaged potential production if it is: (i) Marketed or could be marketed as fresh fruit;''.

*Response:* FCIC agrees and has revised the provision accordingly.

*Comment:* One comment from the crop insurance industry recommended that section 10(c)(2)(ii) be amended to delete pink and red grapefruit because proposed changes make it a ''juice only'' fruit.

*Response:* FCIC agrees with the comment and has deleted the words ''pink and red grapefruit of Type III'' from section 10(c)(2)(ii).

*Comment:* One comment from the crop insurance industry recommended that pink and red grapefruit of citrus Type III needs to be omitted from the fruit that are considered a total loss as a result of hail damage in section 10(h).

*Response:* FCIC agrees with the comment and has deleted the words ''pink and red grapefruit of citrus Type III'' from section 10(h).

*Comment:* One comment from the crop insurance industry recommended that the crop provisions be expanded to allow insureds to insure one crop of grapefruit as fresh fruit and a separate crop as juice.

*Response:* FCIC agrees to implement the recommendation and has removed the language in section 6 which required producers to insure all their grapefruit under a single type. Acreage of fresh and processing grapefruit will be identified separately on the acreage report.

*Comment:* The crop insurance industry recommended that the levels of juice content for types I, II, and III used to determine damage whenever a producer's records are deemed unacceptable be amended as follows:

Type I—52 pounds of juice per box
Type II—54 pounds of juice per box
Type III—45 pounds of juice per box

These recommendations are based on improvements in processing technologies and processing equipment implemented during the past few years and documented weighted averages for the last three seasons.

*Response:* FCIC agrees and has made the changes in section 10.

*Comment:* One comment from the crop insurance industry recommended that the written agreement language be more flexible and allow continuous coverage from year to year if no substantive changes occur.

*Response:* Written agreements are intended to provide a deviation from the terms of the policy or to extend coverage. If it is appropriate to continue the practice, the policy or Special Provisions should be amended to include the change or new coverage. Therefore, no change will be made to the provisions.

In addition to the changes described above, and minor reformatting and word changes for clarity, FCIC has made the following changes:

1. Section 1—Added the definition of ''amount of insurance (acre)'' ''FSA'' and changed the definition of ''citrus fruit type'' to add Late Oranges Fresh to Type VII, and changed the definition of ''good farming practices,'' ''non-contiguous,'' and ''written agreement,'' for clarification.

2. Section 6—Removed language that provided that we could exclude from insurance, or limit the amount of insurance on, any acreage that was not insured the previous crop year. This language was not deemed to be necessary because because we currently inspect new acreage or acreage added to an existing unit.

3. Section 8(a)(1)—Clarified that if the application is submitted less than 10 days before the date insurance attaches, insurance will not attach until 10 days after receipt of the application. This provision is designed to prevent producers from applying for insurance only when they believe a loss is probable.

4. Section (8)(b)—Clarify that no premium will be due if the producer relinquishes an insurable interest in any insurable acreage of Florida citrus on or before the acreage reporting date of any crop year, unless a transfer of coverage and right to an indemnity is completed and the insurance provider is notified in writing on or before the acreage reporting date. The transferee must meet the eligibility requirements contained in this policy and the form must be subsequently approved by the insurance provider.

List of Subjects in 7 CFR Parts 401 and 457

Crop insurance, Florida citrus endorsement, Florida citrus fruit.

Final Rule

Accordingly, for the reasons set forth in the preamble, the Federal Crop Insurance Corporation hereby amends 7 CFR parts 401 and 457 as follows:

## PART 401—GENERAL CROP INSURANCE REGULATIONS—REGULATIONS FOR THE 1988 AND SUBSEQUENT CONTRACT YEARS

1. The authority citation for 7 CFR part 401 continues to read as follows:

Authority: 7 U. S. C. 1506(l), 1506(p).

2. Section 401.143 introductory paragraph is revised to read as follows:

### § 401.143 Florida citrus endorsement.

The provisions of the Florida Citrus Endorsement, for the 1990 through 1997 crop years are as follows:

* * * * *

## PART 457—COMMON CROP INSURANCE REGULATIONS; REGULATIONS FOR THE 1994 AND SUBSEQUENT CONTRACT YEARS

3. The authority citation for 7 CFR part 457 continues to read as follows:

Authority: 7 U.S.C. 1506(l), 1506(p) .

4. 7 CFR part 457 is amended by adding a new § 457.107 to read as follows:

### § 457.107 Florida Citrus Fruit Crop Insurance Provisions.

The Florida Citrus Fruit Crop Insurance Provisions for the 1998 and succeeding crop years are as follows:

Department of Agriculture

*Federal Crop Insurance Corporation*

Florida Citrus Fruit Crop Provisions

If a conflict exists among the Basic Provisions (§ 457.8), these Crop Provisions, and the Special Provisions; the Special Provisions will control these Crop Provisions and the Basic Provisions; and these Crop Provisions will control the Basic Provisions.

1. Definitions

*Amount of insurance (acre)*—The dollar amount determined by multiplying the Reference Maximum Dollar Amount shown on the Actuarial Table for the citrus fruit times the coverage level you elect, times your share.

*Box*—A standard field box as prescribed in the State of Florida Citrus Fruit Laws.

*Citrus fruit type*—Any of the following:

(1) Type I—Early and mid-season oranges;

(2) Type II—Late oranges juice;

(3) Type III—Grapefruit for which freeze damage will be adjusted on a juice basis;

(4) Type IV—Navel Oranges, Tangelos and Tangerines;

(5) Type V—Murcott Honey Oranges (also known as Honey Tangerines) and Temple Oranges;

(6) Type VI—Lemons and Limes; and

(7) Type VII—Grapefruit for which freeze damage will be adjusted on a fresh fruit basis, and late oranges fresh.

*Days*—Calendar days.

*FSA*—Farm Service Agency, an agency of the United States Department of Agriculture or a successor agency.

*Freeze*—The formation of ice in the cells of the fruit caused by low air temperatures.

*Good farming practices*—The cultural practices generally in use in the county for the crop to make normal progress toward maturity and produce the expected yield for the type and age of citrus fruit, and are those recognized by the Cooperative State Research, Education, and Extension Service as compatible with agronomic and weather conditions in the county.

*Harvest*—The severance of mature citrus fruit from the tree by pulling, picking, or any other means, or collecting the marketable fruit from the ground.

*Hurricane*—A windstorm classified by the U.S. Weather Service as a hurricane.

*Interplanted*—Acreage on which two or more crops are planted in any form of alternating or mixed pattern.

*Non-contiguous land*—Any two or more tracts of land whose boundaries do not touch at any point, except that land separated only by a public or private right-of-way, waterway, or an irrigation canal, will be considered as contiguous.

*Potential production*—Citrus fruit that would have been produced had damage not occurred, including citrus fruit that:

(1) Was harvested before damage occurred;

(2) Remained on the tree after damage occurred; and

(3) Was lost from either an insured or uninsured cause;

But not including citrus fruit that:

(1) Was lost before insurance attached for any crop year;

(2) Was lost by normal dropping; or

(3) Any tangerines that normally would not meet the 210 pack size (2 and 4/16 inch minimum diameter) under United States Standards by the end of the insurance period for tangerines.

*Written agreement*—A written document that alters designated terms of this policy in accordance with section 11.

2. Unit Division

(a) A unit as defined in section 1 (Definitions) of the Basic Provisions (§ 457.8), (basic unit) will be divided into basic units by each citrus fruit type shown in section 1 of these crop provisions or designated in the Special Provisions.

(b) Unless limited by the Special Provisions, these basic units may be divided into optional units if, for each optional unit you meet all the conditions of this section or if a written agreement to such division exists.

(c) Basic units may not be divided into optional units on any basis other than as described in this section.

(d) If you do not comply fully with these provisions, we will combine all optional units that are not in compliance with these provisions into the basic unit from which they were formed. We will combine the optional units at any time we discover that you have failed to comply with these provisions. If failure to comply with these provisions is determined to be inadvertent, and the optional units are combined into a basic unit, that portion of the additional premium paid for the optional units that have been combined will be refunded to you for the units combined.

(e) All optional units you selected for the crop year must be identified on the acreage report for that crop year.

(f) Each optional unit must meet one of the following criteria, as applicable:

(1) *Optional Units by Section, Section Equivalent, or Farm Service Agency (FSA) Farm Serial Number:* Optional units may be established if each optional unit is located in a separate legally identified section. In the absence of sections, we may consider parcels of land legally identified by other methods of measure including, but not limited to Spanish grants, railroad surveys, leagues, labors, or Virginia Military Lands, as the equivalent of sections for unit purposes. In areas that have not been surveyed using the systems identified above, or another system approved by us, or in areas where such systems exist but boundaries are not readily discernable, each optional unit must be located in a separate farm identified by a single FSA Farm Serial Number; or

(2) *Optional Units on Acreage Located on Non-Contiguous Land:* Optional units may be established if each optional unit is located on non-contiguous land.

3. Insurance Guarantees, Coverage Levels, and Prices for Determining Indemnities

In addition to the requirements of section 3 (Insurance Guarantees, Coverage Levels, and Prices for Determining Indemnities) of the Basic Provisions (§ 457.8):

(a) You may select only one coverage level for each Florida citrus fruit type shown in section 1 of these crop provisions or designated in the Special Provisions, that you elect to insure. If different amounts of insurance are available for citrus fruit within a type, you must select the same coverage level for each citrus fruit. For example, if you choose the 75 percent coverage level for a specific citrus fruit within a type, you must also choose the 75 percent coverage level for all other citrus fruit within that type.

(b) In lieu of the production reporting date contained in section 3 (Insurance Guarantees, Coverage Levels, and Prices for Determining Indemnities) of the Basic Provisions (§ 457.8), potential production for each unit will be determined during loss adjustment.

(c) By the sales closing date contained in the Special Provisions, for the first year of insurance for acreage interplanted with another citrus fruit crop, and anytime the planting pattern of such acreage is changed, you must report the following:

(1) The age of the interplanted trees and type if applicable;

(2) The planting pattern; and

(3) Any other information we request in order to establish your amount of insurance.

(d) We will reduce acreage or the amount of insurance or both, as necessary, based on our estimate of the effect of the interplanted citrus fruit trees on the insured citrus fruit crop. If you fail to notify us of any circumstance that may reduce the acreage or amount of insurance, we will reduce the acreage or amount of insurance or both as necessary any time we become aware of the circumstance.

4. Contract Changes

In accordance with section 4 (Contract Changes) of the Basic Provisions (§ 457.8), the contract change date is March 15 preceding the cancellation date.

5. Cancellation and Termination Dates

In accordance with section 2 (Life of Policy, Cancellation, and Termination) of the Basic Provisions (§ 457.8), the cancellation date is April 30 preceding the crop year. The termination date is April 30 of the crop year.

6. Insured Crop

(a) In accordance with section 8 (Insured Crop) of the Basic Provisions (§ 457.8), the crop insured will be all acreage of each citrus fruit type that you elect to insure, in which you have a share, that is grown in the county shown on the application, and for which a premium rate is quoted in the actuarial table.

(b) In addition to the citrus fruit not insurable in section 8 (Insured Crop) of the Basic Provisions (§ 457.8), we do not insure any citrus fruit:

(1) That cannot be expected to mature each crop year within the normal maturity period for the type;

(2) Produced by trees that have not reached the fifth growing season after being set out, unless otherwise provided in the Special Provisions or by a written agreement to insure such citrus fruit;

(3) Of ''Meyer Lemons'' and oranges commonly known as ''Sour Oranges'' or ''Clementines''; or

(4) Of the Robinson tangerine variety, for any crop year in which you have elected to exclude such tangerines from insurance. (You must elect this exclusion prior to the crop year for which the exclusion is to be effective, except that for the first crop year you must elect this exclusion by the later of April 30 or the time you submit the application for insurance.)

(c) Upon our approval, prior to the date insurance attaches, you may elect to insure or exclude from insurance any insurable acreage that has a potential production of less than 100 boxes per acre. If you:

(1) Elect to insure such acreage, we will consider the potential production to be 100 boxes per acre when determining the amount of loss; or

(2) Elect to exclude such acreage, we will disregard the acreage for all purposes related to this contract.

(d) In addition to the provisions in Section 6(f) (Report of Acreage) of the Basic Provisions (§ 457.8), if you fail to notify us of your election to insure or exclude acreage, and the potential production from such acreage is 100 or more boxes per acre, we will determine the percent of damage on all of the insurable acreage for the unit, but will not allow the percent of damage for the unit to be increased by including such acreage.

7. Insurable Acreage

In lieu of the provisions in section 9 (Insurable Acreage) of the Basic Provisions (§ 457.8), that prohibit insurance attaching to a crop planted with another crop, citrus fruit interplanted with another citrus fruit crop is insurable unless we inspect the acreage and determine that it does not meet the requirements contained in your policy.

8. Insurance Period

(a) In accordance with the provisions of section 11 (Insurance Period) of the Basic Provisions (§ 457.8):

(1) Coverage begins on May 1 of each crop year, except that for the year of application if your application is received by us after April 21, but prior to May 1, insurance will attach on the 10th day after your properly completed application, acreage, and production reports are received in our local office, unless we inspect the acreage during the 10 day period and determine that it does not meet the requirements for insurability contained in your policy. You must provide any information that we require for the crop to determine the condition of the grove to be insured.

(2) The calendar date for the end of the insurance period for each crop year is:

(i) January 31 for tangerines and navel oranges;

(ii) April 30 for lemons, limes, tangelos, early and mid-season oranges; and

(iii) June 30 for late oranges, grapefruit, Temple, and Murcott Honey Oranges.

(b) In addition to the provisions of section 11 (Insurance Period) of the Basic Provisions (§ 457.8):

(1) If you acquire an insurable share in any insurable acreage after coverage begins, but on or before the acreage reporting date of any crop year, and if after inspection we consider the acreage acceptable, then insurance will be considered to have attached to such acreage on the calendar date for the beginning of the insurance period.

(2) If you relinquish your insurable share on any insurable acreage of citrus fruit on or before the acreage reporting date of any crop year, insurance will not be considered to have attached to, no premium will be due and no indemnity paid for, such acreage for that crop year unless:

(i) A transfer of coverage and right to an indemnity, or a similar form approved by us, is completed by all affected parties;

(ii) We are notified by you or the transferee in writing of such transfer on or before the acreage reporting date; and

(iii) The transferee is eligible for crop insurance.

9. Causes of Loss

(a) In accordance with the provisions of section 12 (Causes of Loss) of the Basic Provisions (§ 457.8), insurance is provided only against the following causes of loss that occur within the insurance period:

(1) Fire, unless weeds and other forms of undergrowth have not been controlled or pruning debris has not been removed from the grove;

(2) Freeze;

(3) Hail;

(4) Hurricane; or

(5) Tornado.

(b) In addition to the causes of loss excluded in section 12 (Causes of Loss) of the Basic Provisions (§ 457.8), we will not insure against damage or loss of production due to:

(1) Any damage to the blossoms or trees; or

(2) Inability to market the citrus fruit for any reason other than actual physical damage from an insurable cause specified in this section. For example, we will not pay you an indemnity if you are unable to market due to quarantine, boycott, or refusal of any person to accept production.

10. Settlement of Claim

(a) We will determine your loss on a unit basis. In the event you are unable to provide separate acceptable production records:

(1) For any optional units, we will combine all optional units for which such production records were not provided; or

(2) For any basic units, we will allocate any commingled production to such units in proportion to our liability on the harvested acreage for the units.

(b) In the event of loss or damage covered by this policy, we will settle your claim by:

(1) Calculating the amount of insurance for the unit by multiplying the number of acres by the respective dollar amount of insurance per acre for the citrus fruit and multiplying that result by your share;

(2) Calculating the average percent of damage to the respective citrus fruit, rounded to the nearest tenth of a percent (0.1%). The percent of damage will be the ratio of the number of boxes of citrus fruit considered damaged from an insured cause divided by the undamaged potential production. Citrus fruit will be considered undamaged potential production if it is:

(i) Marketed or could be marketed as fresh fruit;

(ii) Harvested prior to inspection by us; or

(iii) Harvested within 7 days after a freeze;

(3) Subtracting the coverage level percentage from 100 percent;

(i) Subtracting this result from the result of section (10)(b)(2); and

(ii) If the result section (10)(b)(3)(i) is positive, dividing this result by the coverage level percentage;

(4) Multiplying the result of section (10)(b)(3)(ii) by the amount of insurance for the unit for the respective citrus fruit.

(For example, if the average percent of damage is 70 percent and the coverage level is 75 percent (the deductible is 25 percent), the amount payable is 60 percent times the amount of insurance (70% damage - 25 % level deductible)=45% (45% ÷ 75%) 60% adjusted damage times the amount of insurance); and

(5) Totaling all such results of section (10)(b)(4) to determine the amount payable for the unit.

(c) Citrus fruit of Types IV, V, and VII that are seriously damaged by freeze, as determined by a fresh-fruit cut of a representative sample of fruit in the unit in accordance with the applicable provisions of the State of Florida Citrus Fruit laws, and that are not or could not be marketed as fresh fruit, will be considered damaged to the following extent:

(1) If less than 16 percent of the fruit in a sample shows serious freeze damage, the fruit will be considered undamaged; or

(2) If 16 percent or more of the fruit in a sample shows serious freeze damage, the fruit will be considered 50 percent damaged, except that:

(i) For tangerines of Type IV, damage in excess of 50 percent will be the actual percent of damaged fruit; and

(ii) Citrus of Types IV (except tangerines), V, and VII, if it is determined that the juice loss in the fruit exceeds 50 percent, such percent will be considered the percent of damage.

(d) Notwithstanding the provisions of section 10(c) of these crop provisions as to citrus fruit of Types IV, V, and VII, in any unit that is mechanically separated using the specific-gravity (floatation) method into undamaged and freeze-damaged fruit, the amount of damage will be the actual percent of freeze-damaged fruit not to exceed 50 percent and will not be affected by subsequent fresh-fruit marketing. However, the 50 percent limitation on mechanically-separated, freeze-damaged fruit will not apply to tangerines of citrus fruit Type IV.

(e) Any citrus fruit of Types I, II, III, and VI damaged by freeze, but that can be processed into products for human

consumption, will be considered as marketable for juice. The percent of damage will be determined by relating the juice content of the damaged fruit to:

(1) The average juice content of the fruit produced on the unit for the three previous crop years based on your records, if they are acceptable to us; or

(2) The following juice content, if acceptable records are not furnished:

(i) Type I—52 pounds of juice per box
(ii) Type II—54 pounds of juice per box
(iii) Type III—45 pounds of juice per box
(iv) Type VI—43 pounds of juice per box

(f) Any citrus fruit on the ground that is not collected and marketed will be considered as 100 percent damaged if the damage was due to an insured cause.

(g) Any citrus fruit that is unmarketable either as fresh fruit or as juice because it is immature, unwholesome, decomposed, adulterated, or otherwise unfit for human consumption due to an insured cause will be considered as 100 percent damaged.

(h) Citrus fruit of Types IV, V, and VII that are unmarketable as fresh fruit due to serious damage from hail as defined in the applicable United States Standards for Grades of Florida fruit will be considered totally lost.

11. Written Agreements

Designated terms of this policy may be altered by written agreement in accordance with the following:

(a) You must apply to us in writing for each written agreement no later than the sales closing date, except as provided in section 11(e);

(b) The application for a written agreement must contain all variable terms of the contract between you and us that will be in effect if the written agreement is not approved;

(c) If approved by us, the written agreement will include all variable terms of the contract, including, but not limited to, crop type and variety, the guarantee, premium rate, and price election;

(d) Each written agreement will be valid for one year (if the written agreement is not specifically renewed the following year, insurance coverage for subsequent crop years will be in accordance with the printed policy); and

(e) An application for a written agreement submitted after the sales closing date may be approved if, after a physical inspection of the acreage, it is determined that no loss has occurred and the crop is insurable in accordance with the policy and written agreement provisions.

Signed in Washington, DC, on December 20, 1996.

Kenneth D. Ackerman,

*Manager, Federal Crop Insurance Corporation.*

[FR Doc. 96–33068 Filed 12–30–96; 8:45 am]

**BILLING CODE 3410–FA–P**

## Federal Crop Insurance Corporation

## 7 CFR Part 404

## Commodity Credit Corporation

## 7 CFR Part 1437

**RIN 0560–AE85**

## Implementation of the Noninsured Crop Disaster Assistance Program Provisions of the Federal Agriculture Improvement and Reform Act of 1996

**AGENCIES:** Commodity Credit Corporation, Federal Crop Insurance Corporation, USDA.

**ACTION:** Final rule.

**SUMMARY:** This final rule moves the noninsured crop disaster assistance program (NAP) provisions currently in 7 CFR part 404 to 7 CFR part 1437, and implements the amendments to NAP made in Title I of the Federal Agriculture Improvement and Reform Act of 1996 (the 1996 Act). The 1996 Act changes the administration of the program from the Federal Crop Insurance Corporation (FCIC) to the Secretary through the Commodity Credit Corporation. The NAP program will continue to be operated through the Farm Service Agency (FSA). Other amendments include the addition of seed crops and aquaculture (including ornamental fish) as crops eligible for benefits under this part, and relaxes the acreage and production reporting requirements.

**EFFECTIVE DATE:** December 31, 1996.

**FOR FURTHER INFORMATION CONTACT:** Leona Dittus, Director, Emergency and Noninsured Assistance Program Division, FSA, USDA, AG Box 0526, P. O. Box 2415, Washington, D.C. 20013–2415. Telephone (202) 720–3168.

**SUPPLEMENTARY INFORMATION:**

Executive Order 12866

This final rule is issued in conformance with Executive Order 12866 and has been determined to be significant and has been reviewed by the Office of Management and Budget.

Regulatory Flexibility Act

It has been determined that the Regulatory Flexibility Act is not applicable to this rule because neither FSA nor the CCC is required by 5 U.S.C. 553 or any other provision of law to publish a notice of proposed rulemaking with respect to the subject matter of this rule.

Environmental Evaluation

It has been determined by an environmental evaluation that this action will have no significant impact on the quality of the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is needed.

Executive Order 12778

The final rule has been reviewed in accordance with Executive Order 12778. The provisions of this final rule preempt State laws to the extent such laws are inconsistent with the provisions of this rule. The provisions of this rule are not retroactive. Before any judicial action may be brought concerning the provisions of this rule, the administrative remedies must be exhausted.

Executive Order 12372

This program is not subject to the provisions of Executive Order 12372, which require intergovernmental consultation with State and local officials. See the Notice related to 7 CFR part 3015, subpart V, published at 48 FR 29115 (June 24, 1983).

Unfunded Mandates

The provisions of the Unfunded Mandates Reform Act of 1995 are not applicable to this rule because neither FSA nor CCC is required by 5 U.S.C. 553 or any other provision of the law to publish a notice of proposed rulemaking with respect to the subject matter of this rule.

Small Business Regulatory Enforcement Fairness Act of 1996

The Agency gave notice of the proposed rule and accepted comments from the public prior to the publication of the final rule. After the publication of the final rule, Congress passed both the 1996 Act and the Small Business Regulatory Enforcement Fairness Act of 1996. Due to fact that this rule makes slight changes to a rule that was already final when Congress passed these two Acts, it has been determined in accordance with section 808 of the Small Business Regulatory Enforcement Fairness Act of 1996, that it is impracticable, unnecessary and contrary to the public interest to require this rule to conform to the requirements of section 801 of that Act. Accordingly, this rule is effective upon publication in the Federal Register.

Paperwork Reduction Act

The amendments to 7 CFR 1437 set forth in this final rule involve a change in the existing information collection requirements. In accordance with the Paperwork Reduction Act of 1995, CCC received approval from OMB for the

collection of information in this rule that is not related to acreage reports. That collection was cleared as a revision to OMB docket number 0563–0016 at the time this rule was proposed. No comments were received regarding information collections contained in OMB docket 0563–0016.

Upon analysis of the current clearances of information collections associated with the Noninsured Crop Disaster Assistance Program (NAP), CCC found that information collection of acreage reports for this program are not currently approved by OMB. The agency has submitted an emergency information collection request (ICR) to OMB for the approval of these reports as necessary for the proper functioning of the program.

A copy of this emergency ICR, with applicable supporting documentation, may be obtained from Sean O'Neill, FSA, ENAPD, NAB, room 6701–S, STOP 0526, P.O. Box 2415, Washington, DC 20013–2415. Comments and questions about the ICR listed below should be directed to the Office of Information and Regulatory Affairs, Attn. OMB Desk Officer for Agriculture, Office of Management and Budget, Room 10202, Washington, DC 20503 ((202) 395–7340).

*Title:* Annual Certification Requirements, Assignment of Payments, and Power of Attorney (7 CFR Parts 12, 718, 1437, and 720).

*OMB Control Number:* 0560–0004.

*Description:* To be eligible for NAP benefits, producers must report all acreage in the county of the eligible crop (for each planting in the event of multiple planting) in which the producer has a share. Because NAP assistance is calculated on a unit basis, similar to catastrophic risk protection, it is necessary that producers report all acreage of the crop in which they have an interest in the county, not just the acreage which suffered a loss. The 1996 Act mandates the use of a producer's actual production history over a four to ten year period, necessitating precise records. The FSA–578 acreage report form is used under the NAP to collect data used to determine a producer's production of a crop and loss of production (on a yield basis) in the event a disaster occurs. The acreage report is also used in determining the estimated NAP area loss for a crop. If the annual planted acreage were not known the task of determining area, crop, crop production, and producer eligibility for the NAP could be difficult.

Executive Order 12612

It has been determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment. The provisions contained in this rule will not have a substantial direct effect on States or their political subdivisions, or on the distribution of power and responsibilities among the various levels of government.

Federal Assistance Programs

This program is listed in the Catalog of Federal Domestic Assistance under No. 10.450.

Background

Title I of the Federal Agriculture Improvement and Reform Act of 1996 (the 1996 Act) enacted on April 4, 1996, changes the administration of the noninsured crop disaster assistance program (NAP) from Federal Crop Insurance (FCIC) to the Secretary of Agriculture through the Commodity Credit Corporation. NAP will continue to be operated through the Farm Service Agency. Because the program will now be administered by the Commodity Credit Corporation (CCC), the NAP regulations will be moved from 7 CFR part 404 to 7 CFR part 1437. Upon publication of this rule, the current provision for NAP will be removed from part 404 and that part will be reserved.

The regulation reflects a change in references from FCIC and FCIC Manager to CCC and Executive Vice President, CCC, or a designee. Other major changes include:

(1) Section 1437.11 is amended to include seed crops and aquacultural species (including ornamental fish) as crops eligible for benefits under this part.

(2) Section 1437.17 is amended to provide that producers are required to report production for acreage previously reported to CCC as being planted by the immediately subsequent crop year acreage reporting date for the crop.

List of Subjects in 7 CFR Parts 404 and 1437

Agricultural commodities, Disaster assistance, reporting and recordkeeping requirements.

For reasons set out in the Preamble and under the authority of 5 U.S.C. 553, 7 CFR Chapters IV and XIV are amended as set forth below:

## CHAPTER XIV—[AMENDED]

1. Chapter XIV is amended by adding part 1437 to read as follows:

## Part 1437—NONINSURED CROP DISASTER ASSISTANCE PROGRAM REGULATIONS FOR THE 1996 AND SUCCEEDING CROP YEARS

Sec.

1437.1 Applicability.
1437.2 Administration.
1437.3 Definitions.
1437.4 Eligibility.
1437.5 Assistance
1437.6 Area.
1437.7 Yield Determinations.
1437.8 Acreage and Production Reports.
1437.9 Loss Requirements.
1437.10 Application for Payment and Notice of Loss.
1437.11 Payments for Reduced Yield and Prevented Planting.
1437.12 Multiple Benefits.
1437.13 Payment and income limitations.
1437.14 Violations of Highly Erodible Land and Wetland Conservation Provisions
1437.15 Violations Regarding Controlled Substances.
1437.16 Misrepresentation and scheme or device.
1437.17 Refunds to the Corporation.
1437.18 Offsets and assignments.
1437.19 Cumulative Liability.
1437.20 Appeals.
1437.21 Estates, trusts, and minors.
1437.22 Death, incompetence, or disappearance.
1437.23 OMB control numbers.

Authority: 15 U.S.C. 714b and 714c; and 7 U.S.C. 7333

### § 1437.1 Applicability.

For the 1996 and susbsequent crop years, NAP is intended to provide eligible producers of eligible crops with protection comparable to the catastrophic risk protection plan of crop insurance. NAP is also designed to help reduce production risks faced by producers of crops for which Federal crop insurance under the Federal Crop Insurance Act, as amended, is not available. NAP will reduce financial losses that occur when natural disasters cause a catastrophic loss of production or prevented planting of an eligible crop. Payment eligibility is based on an expected yield for the area and the producer's approved yield based on actual production history, or a transitional yield if sufficient production records are not available. Production for both the applicable area expected yield and the individual producer approved yield for the unit must fall below specified percentages in order to be eligible for payments under this part.

The provisions contained in this part are applicable to each eligible producer and each eligible crop for which catastrophic coverage is not otherwise available.

**§ 1437.2 Administration.**

(a) NAP is administered under the general supervision of the Executive Vice-President, CCC (Administrator, Farm Service Agency), and shall be carried out by State and county FSA committees (State and county committees).

(b) State and county committees, and representatives and their employees, do not have authority to modify or waive any of the provisions of the regulations of this part.

(c) The State committee shall take any action required by these regulations that the county committee has not taken. The State committee shall also:

(1) Correct, or require a county committee to correct any action taken by such county committee that is not in accordance with the regulations of this part; or

(2) Require a county committee to withhold taking any action that is not in accordance with this part.

(d) No provision or delegation to a State or county committee shall preclude the Executive Vice President, CCC, or a designee, from determining any question arising under the program or from reversing or modifying any determination made by a State or county committee.

(e) The Deputy Administrator may authorize State and county committees to waive or modify deadlines, except statutory deadlines, and other program requirements in cases where lateness or failure to meet such other requirements does not adversely affect operation of the program.

(f) The State committee will, in accordance with this part, recommend the geographical size and shape of the area where a natural disaster has occurred, and whether the area eligibility requirement has been satisfied. The recommendation of eligibility must be approved by the Executive Vice President, CCC, or a designee.

(g) The Executive Vice President, CCC, or a designee, will determine all yields and prices under this part.

**§ 1437.3 Definitions.**

The definitions set forth in this section shall be applicable for all purposes of administering the noninsured crop disaster assistance program. The terms defined in part 718 of this title and 1400 of this chapter shall also be applicable, except where those definitions conflict with the definitions set forth in this section.

*Act* means the Federal Agriculture Improvement and Reform Act of 1996, Public Law 104–127 (7 U.S.C. 7201 et seq).

*Actual production history* means the history determined in accordance with part 400, subpart G, of this title, except that when referring to NAP the terms of subpart G will mean as follows:

| Insurance terms | NAP terms |
|---|---|
| Agent | Local office representative. |
| Claim | Application for payment. |
| Claim for indemnity | Application for payment. |
| Indemnity payment | NAP payment. |
| Insurable acreage | Eligible acreage. |
| Insurable cause | Natural disaster. |
| Insurable crop | Eligible crop. |
| Insurance company | Provider. |
| Insurance purposes | NAP purposes. |
| Insured | Eligible producer. |
| Insured producer | Eligible producer. |
| Uninsurable acreage | Ineligible acreage. |
| Uninsurable production. | Ineligible production. |
| Uninsured cause of loss. | Assigned production appraisal |
| Uninsured production | Ineligible production |

*Approved yield* means an actual production history yield calculated and approved by CCC, used to determine any NAP payment in accordance with part 400, subpart G, of this title.

*Aquacultural species* means any species of aquatic organism grown as food for human consumption, or fish raised as feed for fish that are consumed by humans, or ornamental fish propagated and reared in an aquatic medium by a commercial operator on private property in water in a controlled environment.

*Area* means the geographic region recommended by the State FSA committee, and approved by CCC in accordance with § 1437.6, where a natural disaster has occurred which may qualify producers in the area for NAP payments.

*Assigned yield* means a yield assigned for a crop year in the base period, in accordance with part 400, subpart G, of this title, if the producer does not file an acceptable production report by the production reporting date.

*Average market price* means the price, or dollar equivalent on an appropriate basis; for example, pound, bushel, ton, for an eligible crop established by CCC for determining NAP payments. Such price will be on a harvested basis without the inclusion of transportation, storage, processing, packing, marketing or other post-harvest expenses and will be based, in part, on historical data.

*Catastrophic coverage* means a catastrophic risk protection plan of insurance offered by FCIC in accordance with part 402 of this title.

*CCC* means the Commodity Credit Corporation, a wholly owned Government corporation within the United States Department of Agriculture.

*County expected yield* means the eligible crop yield established by the State FSA committee and approved by CCC for the county. Such yield information may be obtained from National Agricultural Statistics Service, Cooperative States Research, Education, and Extension Service, credible nongovernmental studies, yields in similar areas, and similar reference material. For planted annual crops, such yield will be based on the acreage planted for harvest.

*Crop year* means the period of time within which the crop is normally grown and designated by the calendar year in which the crop is normally harvested in the area. For crops harvested over two calendar years, the crop year will be the calendar year in which the majority of the crop would have been harvested. For crops grown over more than two calendar years, each year in the growing period will be considered as a separate crop year designated by the calendar year in which the crop sustained a loss. For crops for which catastrophic coverage is available, the crop year will be as defined by such coverage.

*Eligible crop* means an agricultural commodity for which catastrophic coverage is not available and which is commercially produced for food or fiber as specified in this part. Eligible crop shall also include floricultural, ornamental nursery, and Christmas tree crops, turfgrass sod, seed crops, aquaculture (including ornamental fish), and industrial crops. In the case of a crop that historically has multiple plantings in the same crop year that are planted or are prevented from being planted, each planting may be considered a different crop for determining payments under this part. In the case of a crop that has different varieties or types, each variety or type may be considered a separate crop for determining payments under this part, if CCC determines there is a significant difference in price or yield between the varieties or types.

*Expected area yield* means the eligible crop yield established and approved by CCC for the geographic area.

*Forage* means land covered with grass or other vegetation, produced under such range management practices as are necessary to sustain sufficient quality and quantity of grass or vegetation each year to be suitable for grazing or mechanical harvest to feed livestock in a commercial operation. NAP benefits

for forage produced on any Federal or state owned lands are available only for seeded forage.

*Good farming practices* means the cultural practices generally used in the area for the crop to make normal progress toward maturity and produce at least the individual unit approved yield. The practices are normally those recognized by Cooperative State Research, Education, and Extension Service as compatible with agronomic and weather conditions in the area.

*Harvested* means a single harvest crop is considered harvested when the producer has, by hand or mechanically, removed the crop from the field. Crops with multiple harvests in one year or harvested over multiple years are considered harvested when the producer has, by hand or mechanically, removed at least one mature crop from the field. The crop is considered harvested once it is removed from the field and placed in a truck or other conveyance, except:

(1) Hay is considered harvested when in the bale, whether removed from the field or not; and

(2) Grazing is not considered harvesting for the purpose of determining a payment rate factor.

*Livestock* means any farm or other animal excluding aquacultural species and, including but not limited to domestic avian, ruminant, equine, and swine species grown or maintained for any purpose.

*Local office* means the FSA office or other USDA office designated by CCC.

*Native forage* means grass or other vegetation occurring naturally without seeding.

*Natural disaster* means damaging weather, including but not limited to drought, hail, excessive moisture, freeze, tornado, hurricane, excessive wind, or any combination thereof; or adverse natural occurrence such as earthquake, flood, or volcanic eruption; or related condition, including but not limited to heat, insect infestation, or disease, which occurs as a result of an adverse natural occurrence or damaging weather occurring prior to or during harvest that directly causes, accelerates, or exacerbates the destruction or deterioration of an eligible crop, as determined by the Secretary.

*Ornamental fish* means a decorative fish produced in a commercial fishery for sale.

*Ornamental nursery crop* means a decorative plant grown in a container or controlled environment for commercial sale.

*Prevented planting* means the inability to plant a crop with proper equipment during the planting period for the crop or commodity. A producer must prove that the producer intended to plant the eligible crop and that such crop could not be planted due to natural disaster reasonably related to the basis for the area designation under § 1437.6, as determined by the Executive Vice President. The natural disaster that caused the prevented planting must have occurred after the final planting date for the previous crop year and before the final planting date for the crop year in which a request for NAP payment was made. For crops with multiple plantings in a single crop year and one crop has been harvested, the natural disaster must occur, after the harvest of the harvested crop and before the end of the planting period for the next planting of the crop.

*Production report* means a written record showing the commodity's annual production and used to determine the producer's yield for NAP purposes. The report contains yield history by unit, if applicable, including planted acreage for annual crops, eligible acreage for perennial crops, and harvested and FCIC or CCC appraised production for the previous crop years. This report must be supported by verifiable written records, measurement of farm-stored production, or by other records of production approved by CCC. Information contained in an application for payment is considered a production report for the unit for the crop year for which the application was filed.

*Qualifying gross revenues* means:

(1) With respect to a person who receives more than 50 percent of such person's gross income from farming, ranching, and forestry operations, the annual gross income for the taxable year from such operations; and

(2) With respect to a person who receives 50 percent or less of such person's gross income from farming, ranching, and forestry operations, the person's total gross income for the taxable year from all sources.

*Reseeded or replanted crop* means the same crop planted on the same acreage after the first planting of the crop has failed.

*Seed crop* means a crop produced for the purpose of, or intended for use as, commercial propagation for sale.

*Seeded forage* means acreage which is mechanically seeded with grasses or other vegetation at regular intervals, at least every 7 years, in accordance with good farming practices.

*Share* means the producer's percentage of interest in the eligible crop as an owner, operator, or tenant. For the purpose of determining eligibility for payments under this part, the producer's share will not exceed the producer's share at the earlier of the time of loss or the beginning of harvest. Acreage or interest attributed to a spouse, child, or member of the same household may be considered part of the producer's share unless such individual is considered to be a separate person under part 1400 of this chapter.

*Type or Variety* means a scientifically recognized subspecies of a crop or commodity having a particular characteristic or set of characteristics.

*Unit* means, for NAP, all acreage of the eligible crop in the county for the crop year:

(1) In which the person has 100 percent crop share; or

(2) Which is owned by one person and operated by another person on a share basis.

Land rented for cash, a fixed commodity payment, or any consideration other than a share in the crop on such land will be considered as owned by the lessee. No unit other than that stated herein will be permitted.

**§ 1437.4 Eligibility.**

(a) Eligible crops are any commercial agricultural crop (excluding livestock and their by-products), commodity, or acreage of a commodity grown for food or fiber for which catastrophic coverage is not available under part 402 of this title. Different types or varieties of a crop or commodity may be treated as a separate eligible crop, if CCC determines there is a significant difference in price or yield.

(b) NAP payments will be made available for:

(1) Any commercial crop grown for food;

(2) Any commercial crop planted and grown for livestock consumption, including but not limited to grain and forage crops;

(3) Any commercial crop grown for fiber, excluding trees grown for wood, paper, or pulp products;

(4) Any commercially produced aquacultural species (including ornamental fish);

(5) Floriculture crops;

(6) Ornamental nursery crops;

(7) Christmas tree crops;

(8) Turfgrass sod;

(9) Industrial crops;

(10) Seed Crops; and

(11) Any crop, for which crop insurance under the Federal Crop Insurance Act is available in the county, that is affected by a natural disaster that is not named as an insurable peril under the producer's crop insurance policy.

(c) NAP payments will not be available for any acreage in any area for any crop for which catastrophic coverage is available, unless the loss

was caused by a natural disaster that is not covered by catastrophic coverage and all other eligibility requirements under this part are satisfied.

**§ 1437.5 Assistance.**

(a) Producers who are eligible to receive NAP payments for crop years 1996 through 1998 will receive assistance against loss in yield greater than 50 percent of the producer's approved yield for the eligible crop payable at 60 percent of the established average market price for the crop.

(b) Producers who are eligible to receive NAP payments after crop year 1998 will receive assistance against loss in yield greater than 50 percent of the producer's approved yield for the eligible crop payable at 55 percent of the established average market price for the crop.

(c) CCC will adjust the NAP payment rate for crops that are produced with significant and variable expenses that are not incurred because the crop acreage was prevented from being planted or planted but not harvested.

(d) NAP payments will be determined by unit based on all the acreage and production of the crop and eligible prevented from being planted acreage of the crop.

(e) Each producer's NAP payment will be based on the producer's share of the eligible crop.

**§ 1437.6 Area.**

(a) For the purposes of this part, acreage affected by a natural disaster, or any adjustment thereto, will be included in the area recommended by the state FSA committee and submitted to CCC for approval, regardless of whether the commodity produced on the affected acreage suffered a loss.

(b) Except for eligible areas identified in paragraph (f) of this section, an approved area shall include at least five producers of crops on separate and distinct farms for which the area has been approved for NAP payments. Notwithstanding this provision, CCC may approve an area having fewer than five producers if the Executive Vice President, or a designee, determines that such area will suffer significant economic consequences as a result of the disaster.

(c) An area may be designated as follows:

(1) A county;

(2) Aggregated acreage that is at least 320,000 acres; or

(3) Aggregated acreage with not less than $80 million average value for all crops produced annually.

(d) If the aggregated acreage affected by the natural disaster does not meet the minimum requirement specified in paragraph (c) (2) or (3) of this section, the aggregated acreage will be expanded by adding acres from around the affected acreage, until the minimum requirement is met.

(e) The area may not be defined in any manner that intentionally includes or excludes producers or crops.

(f) Notwithstanding the provisions of paragraphs (a) and (c) of this section, for areas outside the 50 states of the United States, the area shall include 10 or more producers of the crop except CCC may approve an area outside the 50 United States having fewer than 10 producers of the crop for which the area is requested if the Executive Vice President determines that such area will suffer significant economic consequences as a result of the disaster.

**§ 1437.7 Yield determinations.**

(a) CCC will establish expected area yields for eligible crops for each county or area for which the NAP is available, using available information, which may include, but is not limited to, National Agricultural Statistics Service data, Cooperative State Research, Education, and Extension Service records, Federal Crop Insurance Corporation data, credible nongovernment studies, yields in similar areas, and reported approved yield data. For planted annual crops, such yields will be based on the acreage planted for harvest.

(b) CCC may make county yield adjustments taking into consideration different yield variations due to different farming practices in the county such as: irrigated, nonirrigated, organic, nonorganic, different types and varieties of a crop and intended use.

(c) In establishing expected area yields for eligible crops:

(1) If the approved area corresponds to a single county, the expected area yield will be the yield established by CCC for that county, including any adjustments permitted by this section;

(2) If the approved area encompasses portions of counties or more than one county, the expected area yield will be the weighted average of the yields established by CCC for those counties in the area, including any adjustments permitted by this section; and

(3) CCC may adjust expected area yields if:

(i) The cultural practices, including the age of the planting or plantings, are different from those used to establish the yield; or

(ii) The expected area yield established on a state or county level is determined to be incorrect for the area.

(d) CCC will establish approved yields for purposes of providing assistance under this part. Approved yields for the eligible crop will be based on the producer's actual production history in accordance with the provisions of part 400, subpart G, of this title.

(e) The approved yield established for the producer for the year in which the NAP payments are offered will be equal to the average of the consecutive crop year yields, as established by CCC, reported and certified by that producer for that eligible crop.

(f) If a producer receives an assigned yield for a year of natural disaster because production records were not submitted by the production reporting deadline, the producer will be ineligible to receive an assigned yield for the year of the next natural disaster unless adequate production records for the eligible crop from all the interim crop years are provided to the local office. The producer shall receive a zero yield for those years the producer is ineligible to receive an assigned yield.

(g) CCC will select certain producers on a random or targeted basis and require those selected to provide records acceptable to CCC to support the information provided. Producers may also be required to support the yield certification at the time of loss adjustment or on post-audit. Each certification must be supported by records acceptable to CCC. Failure to produce records acceptable to CCC will result in CCC establishing the yield in accordance with actual production history and may subject the producer to criminal and civil false claims actions under various Federal statutes as well as refund of any amount received. In addition, sanctions, as set out at § 1437.16, may be imposed for false certification.

(h) Records acceptable to CCC may include:

(1) commercial receipts, settlement sheets, warehouse ledger sheets, or load summaries if the eligible crop was sold or otherwise disposed of through commercial channels provided the records are reliable or verifiable; and

(2) Such documentary evidence as is necessary in order to verify the information provided by the producer if the eligible crop has been sold, fed to livestock, or otherwise disposed of other than through commercial channels such as contemporaneous measurements, truck scale tickets, and contemporaneous diaries, provided the records are reliable or verifiable.

(i) Any producer who has a contract to receive a guaranteed payment for production, as opposed to delivery, of an eligible crop will have the production adjusted upward by the amount of the production corresponding

to the amount of the contract payment received.

(j)(1) Producers will not be eligible to receive an assigned yield if the acreage of the crop in a county for the crop year has increased by more than 100 percent over any year in the preceding seven crop years, unless:

(i) The producer provides adequate records of production costs, acres planted, and yield for the crop year for which NAP payments are being sought; or

(ii) CCC determines that the records provided under this paragraph are inadequate. CCC may require proof that the eligible crop could have been marketed at a reasonable price had the crop been harvested.

(2) The provisions of this section will not apply if:

(i) The crop has been inspected prior to the occurrence of a loss by a third party acceptable to CCC; or

(ii) The FSA county executive director, with the concurrence of the FSA state director, makes a recommendation for an exemption from the requirements and such recommendation is approved by CCC.

**§ 1437.8 Acreage and production reports.**

(a) Producers must file one or more acreage reports at the local office no later than the date specified by CCC for each crop the producer wants to insure future eligibility for the NAP program. The acreage report may be filed by the farm operator. Any producer will be bound by the acreage report filed by the farm operator unless the producer files a separate acreage report prior to the acreage reporting date.

(b) Acreage reports required by paragraph (a) must include all of the following information:

(1) All acreage in the county of the eligible crop (for each planting in the event of multiple planting) in which the producer has a share;

(2) The producer's share at the time of planting or the beginning of the crop year;

(3) The FSA farm serial number;

(4) The crop, practice, and intended use;

(5) All persons sharing in the crop (including the identity of any person having an interest in the crop as producer) and the person's employer identification number or social security number, if the person wishes to receive any payment under the Act;

(6) The date the crop was planted; and

(7) Acreage prevented from being planted.

(c) For each crop for which an acreage report is filed in accordance with this section, the producer must report the production for that acreage by the immediately subsequent crop year acreage reporting date for the crop.

(d) A person's failure to submit the required information by the designated acreage reporting dates may result in the denial of payments under this part. If there is a change of ownership, operation, or share within the farming operation after the acreage reporting date, the local office must be notified not later than 30 calendar days after the change and proof of the change must be provided to maintain eligibility for payments under this part.

**§ 1437.9 Loss requirements.**

(a) To qualify for payment under this part, the loss or prevented planting of the eligible crop must be due to a natural disaster.

(b) Assistance under this part will not cover losses due to:

(1) The neglect or malfeasance of the producer;

(2) The failure of the producer to reseed or replant to the same crop in the county where it is customary to reseed or replant;

(3) The failure of the producer to follow good farming practices for the commodity and practice;

(4) Water contained or released by any governmental, public, or private dam or reservoir project, if an easement exists on the acreage affected for the containment or release of the water;

(5) Failure or breakdown of irrigation equipment or facilities; or

(6) Except for tree crops and perennials, inadequate irrigation resources at the beginning of the crop year.

(c) A producer of an eligible crop will not receive payments under this part unless the projected average or actual yield for the crop, or an equivalent measurement if yield information is not available, in the area falls below 65 percent of the expected area yield. Once this area, and all other, eligibility requirements have been satisfied:

(1) A reduced yield payment will be made to a producer if the total quantity of the eligible crop that the producer is able to harvest on the unit is less than 50 percent of the approved yield for the crop due to natural disaster reasonably related to the basis for the area designation under § 1437.6, factored for the share of the producer for the crop. Production from the entire unit will be used to determine whether the producer qualifies for a payment under this part. The quantity will not be reduced for any quality consideration unless a zero value is established; and

(2) A prevented planting payment under this part will be made if the producer is prevented from planting more than 35 percent of the total eligible acreage intended for planting to the eligible crop. Producers must have intended to plant the crop and prove that they were prevented from planting the crop due to natural disaster reasonably related to the basis for the area designation under § 1437.6, and the producer may be required to prove that such producer had the resources available to plant, grow, and harvest the crop, as applicable.

(d) NAP payments under this part for prevented planting will not be available for:

(1) Tree crops and other perennials, unless the producer can prove resources were available to plant, grow, and harvest the crop, as applicable;

(2) Land that planting history or conservation plans indicate would remain fallow for crop rotation purposes; or

(3) Land used for conservation purposes or intended to be or considered to have been left unplanted under any program administered by USDA, including the Conservation Reserve Program and Wetland Reserve Program.

**§ 1437.10 Application for payment and notice of loss.**

(a) Any person with a share in the eligible crop who would be entitled to a payment under this part must provide a notice of damage or loss within 15 calendar days after the occurrence of the prevented planting (the end of the planting period) or recognizable damage to the crop. The notice must be filed at the local office serving the area where the producer's unit is located. The farm operator may provide the notice for all producers with an interest in the crop. All producers on a farm will be bound by the operator's filing or failure to file the application for payment unless the individual producers elect to timely file their notice.

(b)(1) Applications for payments under this part must be filed, on Form FCI–74, by the applicant with the local office no later than the first acreage reporting date for the crop in the crop year immediately following the crop year in which the loss occurred.

(2) If the producer chooses not to harvest the crop, all eligible acres and crop units for which the producer intends to make an application for payment must be left intact until the units have been appraised or released by an FCIC or CCC approved loss adjuster.

(3) If the producer harvests the crop, the producer must provide such documentary evidence of crop production as CCC may require which

may include leaving representative samples of the crop for inspection.

(c) Failure to make timely application or to supply the required documentary evidence shall result in the denial of payments under this part.

**§ 1437.11 Payments for reduced yields and prevented planting.**

In the event that the area loss requirement has been satisfied for the crop and either:

(a) The producer has sustained a loss in yield in excess of 50 percent of the producer's approved yield established for the crop, the NAP low yield payment will be determined by:

(1) Multiplying the producer's approved yield by the total eligible acreage planted to the eligible crop;

(2) Multiplying the product of paragraph (a)(1) by 50 percent;

(3) Subtracting the total production from the total eligible acreage from the result in paragraph (a)(2);

(4) Multiplying the product of paragraph (a)(3) by the producer's share of the eligible crop;

(5) Multiplying the result of paragraph (a)(4) by the applicable payment factor in accordance with § 1437.5(c); and

(6) Multiplying the result in paragraph (a)(5) by:

(i) For the 1996 through 1998 crop years, 60 percent of the average market price, as determined by CCC, or any comparable coverage, as determined by CCC; or

(ii) For the 1999 and subsequent years, 55 percent of the average market price, as determined by CCC, or any comparable coverage, as determined by CCC; or

(b) The producer has been unable to plant at least 35 percent of the acreage intended for the eligible crop, the NAP payment will be determined by:

(1) Multiplying the producer's acreage intended to be planted to the eligible crop by 35 percent;

(2) Subtracting the result in (b)(1) from the number of eligible prevented planting acres as determined in § 1437.9(c)(2);

(3) Multiplying the result of (b)(2) by the producer's share of the eligible crop;

(4) Multiplying the producer's approved yield by the result of (b)(3);

(5) Multiplying the result of (b)(4) by the approved prevented planting payment factor in accordance with § 1437.5(c); and

(6) Multiplying the result of (b)(5) by:

(i) For the 1996 through 1998 crop years, 60 percent of the average market price, as determined by CCC, or any comparable coverage, as determined by CCC; or

(ii) For the 1999 and subsequent years, 55 percent of the average market price, as determined by CCC, or any comparable coverage, as determined by CCC.

**§ 1437.12 Multiple benefits.**

If a producer is eligible to receive payments under this part and benefits under any other program administered by the Secretary for the same crop loss, the producer must choose whether to receive the other program benefits or payments under this part. The producer is not eligible for both. Such election does not relieve the producer from the requirements of making a production and acreage report. However, if the other USDA program benefits are not available until after an application for benefits has been filed under this part, the producer may refund the total amount of the payment to the local office from which the payment was received.

**§ 1437.13 Payment and income limitations.**

(a) NAP payments shall not be made:

(1) In excess of $100,000 per person per crop year under this part, or

(2) To a person who has qualifying gross revenues in excess of $2 million for the most recent tax year preceding the year for which assistance is requested.

(b) Simple interest on payments to the producer which are delayed will be computed on the net payments ultimately found to be due, from and including the 31st day after the latter of the date the producer signs, dates, and submits a properly completed application for payment on the designated form, the date disputed applications are adjudicated, or the date the area and crop is approved for NAP payments. Interest will be paid unless the reason for failure to timely pay is due to the producer's failure to provide information or other material necessary for the computation or payment.

**§ 1437.14 Violations of Highly Erodible Land and Wetland Conservation Provisions.**

The provisions of part 12 of this title, apply to this part.

**§ 1437.15 Violations Regarding Controlled Substances.**

The provisions of § 718.11 of this title apply to this part.

**§ 1437.16 Misrepresentation and scheme or device.**

(a) If CCC determines that any producer has misrepresented any fact or has knowingly adopted, participated in, or benefitted from, any scheme or device that has the effect of defeating, or is designed to defeat the purpose of this part, such producer will not be eligible to receive any payments applicable to the crop year for which the scheme or device was adopted.

(b) If any misrepresentation, scheme or device, or practice has been employed for the purpose of causing CCC to make a payment which otherwise would not make under this part:

(1) CCC will withhold all or part of the payment that would otherwise be due.

(2) All amounts paid by CCC to any such producer, applicable to the crop year in which the offense occurred, must be refunded to CCC together with interest and other amounts as determined in accordance with this part.

(3) CCC may impose such other penalties or administrative sanctions as authorized by section § 1437.19.

(c) Scheme and device may include, but is not limited to:

(1) Concealing any information having a bearing on the application of the rules of this part;

(2) Submitting false information to the CCC or any county or state FSA committee; or

(3) Creating fictitious entities for the purpose of concealing the interest of a person in the farming operation.

**§ 1437.17 Refunds to the CCC.**

In the event that there is a failure to comply with any term, requirement, or condition for payment made in accordance with this part, or the payment was established as a result of erroneous information provided by any person, or was erroneously computed, all such payments or overpayments will be refunded to CCC on demand, plus interest determined in accordance with part 1403 of this chapter.

**§ 1437.18 Offsets and assignments.**

(a) Except as provided in paragraph (b), any payment or portion thereof to any person shall be made without regard to questions of title under State law and without regard to any claim or lien against the crop, or proceeds thereof, in favor of the owner or any other creditor except agencies of the U.S. Government. The regulations governing offsets and withholdings found at part 1403 of this chapter shall be applicable to payments under this part.

(b) Any producer entitled to any payment may assign any payments in accordance with regulations governing assignment of payment found at part 1404 of this chapter.

**§ 1437.19 Cumulative liability.**

(a) The liability of any producer for any payment or refunds, which is

determined in accordance with this part to be due to CCC will be in addition to any other liability of such producer under any civil or criminal fraud statute or any other statute or provision of law including, but not limited to, 15 U.S.C. 714; 18 U.S.C. 286, 287, 371, 641, 651, 1001, 1014; 15 U.S.C. 714m; and 31 U.S.C. 3729.

(b) All producers on the unit receiving payments under this part will be jointly and severally liable to repay any unearned payments under this part.

**§ 1437.20 Appeals.**

The appeal, reconsideration, or review of all determinations made under this part, except the eligibility provisions for crops, areas, or producers for which there are no appeal rights because they are determined rules of general applicability, must be in accordance with part 780 of this title.

**§ 1437.21 Estates, trusts, and minors.**

(a) Program documents executed by persons legally authorized to represent estates or trusts will be accepted only if such person furnishes evidence of the authority to execute such documents.

(b) A minor who is otherwise eligible will be eligible for payments under this part only if such person meets one of the following requirements:

(1) The minor establishes that the right of majority has been conferred on the minor by court proceedings or by statute;

(2) A guardian has been appointed to manage the minor's property and the applicable program documents are executed by the guardian; or

(3) A bond is furnished under which the surety guarantees any loss incurred for which the minor would be liable had the minor been an adult.

**§ 1437.22 Death, incompetence, or disappearance.**

In the case of death, incompetence or disappearance of any person who is eligible to receive payments under this part, such payments will be disbursed in accordance with part 18 of this title.

**§ 1437.23 OMB control numbers.**

These regulations amend the information collection requirements previously approved by the Office of Management and Budget (''OMB'') under OMB control number 0563–0016.

## Chapter IV [AMENDED]

## Part 404 [REMOVED]

2. 7 CFR part 404 is removed.

Signed at Washington, D.C., on December 24, 1996.

Bruce R. Weber,

*Acting Executive Vice President, Commodity Credit Corporation.*

Signed at Washington, D.C., on December 27, 1996.

Kenneth D. Ackerman,

*Manager, Federal Crop Insurance Corporation.*

[FR Doc. 96–33264 Filed 12–30–96; 8:45 am]

BILLING CODE 3410–05–P

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## Agricultural Marketing Service

## 7 CFR Part 905

**[Docket No. FV96–905–2FR]**

## Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida; Procedures to Limit the Volume of Small Florida Red Seedless Grapefruit

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Final rule.

**SUMMARY:** This final rule adds a section to the rules and regulations currently prescribed under the marketing order for oranges, grapefruit, tangerines, and tangelos grown in Florida. The marketing order is administered locally by the Citrus Administrative Committee (committee). This rule establishes procedures for limiting the volume of small red seedless grapefruit entering the fresh market during the first 11 weeks of each season. The committee believes these procedures could be used, when necessary, to help stabilize the market and improve grower returns.

**EFFECTIVE DATE:** January 30, 1997.

**FOR FURTHER INFORMATION CONTACT:** William G. Pimental, Southeast Marketing Field Office, AMS, USDA, P.O. Box 2276, Winter Haven, Florida 33883–2276; telephone: (941) 299–4770, Fax: (941) 299–5169; or Caroline Thorpe, Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, USDA, P.O. Box 96456, Room 2522–S, Washington, D.C. 20090–6456; telephone: (202) 720–8139, Fax: (202) 720–5698. Small businesses may request information on compliance with this regulation by contacting: Jay Guerber, Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, USDA, P.O. Box 96456, room 2523–S, Washington, DC 20090–6456; telephone: (202) 720–2491, Fax: (202) 720–5698.

**SUPPLEMENTARY INFORMATION:** This final rule is issued under Marketing Agreement and Marketing Order No. 905 (7 CFR Part 905), as amended, regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, hereinafter referred to as the ''order.'' The order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), hereinafter referred to as the ''Act.''

The Department of Agriculture (Department) is issuing this final rule in conformance with Executive Order 12866.

This final rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule is not intended to have retroactive effect. This final rule will not preempt any State or local laws, regulations, or policies, unless they present an irreconcilable conflict with this rule.

The Act provides that administrative proceedings must be exhausted before parties may file suit in court. Under section 608c(15)(A) of the Act, any handler subject to an order may file with the Secretary a petition stating that the order, any provision of the order, or any obligation imposed in connection with the order is not in accordance with law and request a modification of the order or to be exempted therefrom. A handler is afforded the opportunity for a hearing on the petition. After the hearing the Secretary would rule on the petition. The Act provides that the district court of the United States in any district in which the handler is an inhabitant, or has his or her principal place of business, has jurisdiction to review the Secretary's ruling on the petition, provided an action is filed not later than 20 days after date of the entry of the ruling.

Pursuant to the requirements set forth in the Regulatory Flexibility Act (RFA), the Agricultural Marketing Service (AMS) has considered the economic impact of this final rule on small entities.

The purpose of the RFA is to fit regulatory actions to the scale of business subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Act, and rules issued thereunder, are unique in that they are brought about through group action of essentially small entities acting on their own behalf. Thus, both statutes have small entity orientation and compatibility.

There are approximately 100 handlers subject to regulation under the marketing order and approximately 11,000 producers of citrus in the regulated area. Small agricultural service firms, which include handlers, have been defined by the Small Business Administration (13 CFR

121.601) as those whose annual receipts are less than $5,000,000 and small agricultural producers, are defined as those whose annual receipts are less than $500,000. The majority of these handlers and producers of citrus grown in Florida may be classified as small entities.

This final rule adds procedures to the rules and regulations sections of the order. It does not establish any volume regulation. Any implementation of these procedures concerning regulation will require further committee action and additional public rulemaking by the Department.

However, if the procedures in this rule were used and volume regulations established, all growers and handlers would be impacted equitably. Before any implementation would occur, the committee would meet and consider any and all economic data available. The goal of this rule is to provide an additional tool, if needed, to help stabilize the price of red grapefruit. In the past three seasons, during the period covered by this rule, prices of red seedless grapefruit have fallen from an average f.o.b. of $7.80 per box to an average f.o.b. of $5.50 per box. On tree prices for fresh red seedless grapefruit have declined steadily from $9.60 per box during the 1989–90 season, to $3.45 per box during the 1994–95 season. In many cases, prices during the past two seasons have provided returns less than production costs. This price reduction is forcing many small producers out of business. A stabilized price that returns a fair market value would be beneficial to both small and large producers and handlers.

Therefore, based on this information, the AMS has determined that this action will not have a significant economic impact on a substantial number of small entities.

The order provides for the establishment of grade and size requirements for Florida citrus. These grade and size requirements are designed to provide fresh markets with citrus fruit of acceptable quality and size, thereby maintaining consumer confidence for fresh Florida citrus. This helps create buyer confidence and contributes to stable marketing conditions. This is in the interest of producers, handlers, and consumers, and is designed to increase returns to Florida citrus producers. The current minimum grade standard for red seedless grapefruit is U.S. No. 1, and the minimum size requirement is size 56 (at least 3 5/16 inches in diameter).

This rule establishes procedures for limiting the volume of small red seedless grapefruit entering the fresh market during the first 11 weeks of each season. The red seedless grapefruit season runs from mid-September to May. This rule provides an additional tool under the order to help stabilize the market and improve returns to growers. These changes were recommended by the committee at its meeting on May 24, 1996, by a 10 to 4 vote.

Section 905.52 of the Florida citrus marketing order provides authority to limit shipments of any grade or size, or both, of any variety of Florida citrus. Such limitations may restrict the shipment of a portion of a specified grade or size of a variety. Under such a limitation, the quantity of such grade or size that may be shipped by a handler during a particular week shall be established as a percentage of the total shipments of such variety by such handler in a prior period, established by the committee and approved by the Secretary, in which the handler shipped such variety. This rule adds § 905.153 to the rules and regulations, establishing a specified prior period and other procedures necessary to limit the volume of small red seedless grapefruit, sizes 48 and 56, entering the fresh market during the first 11 weeks of the season.

Currently, there are no limitations on the amount of size 48 and size 56 red seedless grapefruit that can be shipped to market. This rule in itself does not limit shipments, but outlines procedures to do so if needed. Implementation of these procedures to limit shipments would require further rulemaking.

The committee recommended this rule to address problems currently facing the industry. For the past few seasons, returns on red seedless grapefruit have been at all time lows, often not returning the cost of production. Fifty-nine percent of red seedless grapefruit is shipped to fresh market channels. There is a processing outlet for grapefruit not sold into the fresh market. The vast majority of processing is squeezing the grapefruit for juice. Because of the properties of the juice of red seedless grapefruit, including problems with color, the processing outlet is limited, and not currently profitable.

Several areas of new plantings in the southern growing region are just beginning to bear fruit. Young trees normally produce mostly small fruit when they first come into production. Florida producers and handlers realize that these new acres will add to the abundance of small sizes of red seedless grapefruit.

The committee believes that to stabilize the market and improve returns to producers, demand for fresh red seedless grapefruit must be stabilized and increased. One problem contributing to the current state of the market is the excessive number of small sized grapefruit shipped early in the marketing season. While there is a market for early grapefruit, the shipment of large quantities of small red seedless grapefruit in a short period, oversupplies the fresh market for these sizes and negatively impacts the market for all sizes.

The committee believes that the overshipment of smaller sized red seedless grapefruit early in the season has contributed to below production cost returns for producers. Based on statistical information from past seasons, there is an indication that once shipments of sizes 48 and 56 reach levels above 250,000 cartons a week, prices decline on those and most other sizes of red seedless grapefruit. Thus, even though later in the season the crop has sized to naturally limit the amount of smaller sizes available for shipment, the price structure in the market has already been negatively affected.

For the majority of the season, larger sizes return better prices than smaller sizes. If these small grapefruit were allowed to remain on the tree to increase in size and maturity, they could provide greater returns to producers. Delaying the harvest of small sizes may also extend the season, thereby increasing the total volume of fresh shipments and improving producer returns. Without volume regulation, the industry has been unable to limit the shipments of small sizes. The committee believes that if shipments of small sizes could be maintained at around 250,000 cartons a week, prices should stabilize and demand for larger, more profitable sizes should increase.

Similar procedures to this rule are already in place for Dancy tangerines under § 905.152. While the committee has not utilized these procedures for several years, they were successfully implemented for several seasons.

Under these procedures, the authority to limit the shipment of sizes 48 and 56 red seedless grapefruit will only be available for the 11-week period from the third Monday in September (week #1) through the first Sunday in December (week #11), hereinafter called the regulatory period. The committee recommended these weeks for regulation because the majority of small sizes are shipped during this period. By the end of the regulatory period, fruit has begun to size naturally, and there are fewer small sizes available.

The committee may recommend that only a certain percentage of size 48 (3 9/16 minimum diameter in inches) and size 56 (3 5/16 minimum diameter in inches) red seedless grapefruit be made available for shipment into fresh market channels for any week or weeks during the regulatory period. Should the committee decide to recommend the limitation of shipments of sizes 48 and 56 red seedless grapefruit, they would meet and recommend to the Secretary a percentage on which to base the amount of sizes 48 and 56 that could be shipped during a particular week or weeks during the regulatory period. The committee realizes that markets for these sizes do exist. Therefore, the percentage set could not be less than 25 percent of the calculated shipment base. These procedures are designed not to eliminate shipments of sizes 48 and 56, but to keep them from saturating the entire market.

Section 905.52 provides that whenever any size limitation restricts the shipment of a portion of a specified size, the quantity of such size that may be shipped by a handler during a particular week shall be established as a percentage of the total shipments of such variety by such handler in such prior period as established by the committee and approved by the Secretary.

This final rule establishes the prior period as an average week within the immediately preceding five seasons. An average week would be calculated as follows. The total red seedless grapefruit shipments by a handler during the 33-week period beginning the third Monday in September and ending the first Sunday in May during the past five seasons would be added and divided by five to establish an average season. This average season is then divided by the 33 weeks in a season to derive the average week. This week is the basis for each shipper for each of the 11 weeks contained in the regulation period.

To illustrate, suppose Handler A shipped a total of 50,000 cartons, 65,000 cartons, 45,000 cartons, 80,000 cartons, and 25,000 cartons of red seedless grapefruit in the last five seasons, respectively. Adding these season totals and dividing by five yields an average season of 53,000 cartons. The average season would then be divided by 33 weeks to yield an average week, in this case, 1,606 cartons. This would be Handler A's base.

The committee chose to use the past five seasons for the average season to provide the most accurate picture of an average season. The use of an average week helps adjust for variations in growing conditions that may affect when fruit matures in different seasons and growing areas. The committee believes that this definition of prior period provides each handler with an equitable base from which to establish shipments.

The average week for handlers with less than five previous seasons of shipments is to be calculated by averaging the total shipments for the seasons they did ship red seedless grapefruit during the immediately preceding five years and dividing that average by 33. New handlers with no record of shipments would have no prior period on which to base their average week. Therefore, if a volume regulation was established before such handlers have shipped any red seedless grapefruit, the new handlers could ship small sizes as a percentage of their total shipments equal to the percentage applied to other handlers' base. Once new handlers have established shipments, the average week would be calculated as an average of the weeks they have shipped during the current season.

To use these new procedures, the committee would meet and recommend a base percentage of sizes 48 and 56 that could enter the fresh market in any week or weeks from the first Monday in September through the first Sunday in December. If approved by the Secretary, this percentage would be applied to each handler's average week of fresh shipments to determine the amount (allocation) of sizes 48 and 56 red grapefruit each handler could ship. Each regulation period would begin Monday at 12:00 a.m. and end at 11:59 p.m. the following Sunday, since most handlers keep records based on Monday being the beginning of the work week.

When a size limitation is recommended to restrict the shipment during a particular week, the committee would compute each handler's allotment by multiplying the handler's average week by the percentage established by regulation for that week. Such set percentage could vary from week to week, but could not be less than 25 percent. The committee would notify each handler prior to the particular week of the quantity of sizes 48 and 56 red seedless grapefruit such handler could handle during a particular week.

To provide handlers with some flexibility, these procedures provide allowances for overshipments, loans, and transfers of allotment. These allowances should allow handlers the opportunity each week to supply their markets while limiting the impact of small sizes.

During any regulation week for which the Secretary has fixed the percentage of sizes 48 and 56 red seedless grapefruit, any person who has received an allotment could handle, in addition to their weekly allotment, an amount of size 48 and 56 red seedless grapefruit not to exceed 10 percent of that week's allotment. The quantity of overshipments would be deducted from the handler's allotment for the following week. Overshipments would not be allowed during week 11 because there would be no allotments the following week from which to deduct the overshipments.

If handlers fail to use their entire allotments in a given week, the amounts undershipped would not be carried forward to the following week. However, a handler to whom an allotment has been issued could lend or transfer all or part of such allotment (excluding the overshipment allowance) to another handler. In the event of a loan of allotment, each party would, prior to the completion of the loan agreement, notify the committee of the proposed loan and date of repayment. If a transfer of allotment is desired, each party would promptly notify the committee so that proper adjustments of the records could be made. In each case, the committee would confirm in writing all such transactions prior to the following week. The committee could also act on behalf of handlers wanting to arrange allotment loans or participate in the transfer of allotment. Repayment of an allotment loan would be at the discretion of the handlers party to the loan.

In considering these procedures, the committee discussed several possible alternatives. One alternative considered was an amendment to the marketing order. The amendment would have changed the language regarding the ''prior period'' in section 905.52. However, this alternative was rejected because of the time required to amend the order.

The committee also discussed limiting or eliminating only shipments of size 56 grapefruit. However, the committee found that it is important to include both sizes 48 and 56 for this regulation to be effective. Also, the committee did not want to eliminate a size entirely. They realize there is a market for small sizes and wish to allow handlers to take advantage of this market without negatively affecting the market for other sizes.

Other concerns were raised during discussion of these procedures. One committee member questioned whether these procedures would allow him to continue to increase his business. It was explained that this action would only put tools in place to allow the limitation

of just a certain percentage of the smaller sized red seedless grapefruit. A handler would not in any way be limited from shipping any amount of larger sizes. Another concern raised was the impact these procedures would have on harvesting. It was explained again that this rule would just establish procedures. However, if implemented, it would require more selective picking of only the sizes desired, something that many producers are doing already.

After a lengthy discussion, the committee decided that it needs to have available a tool to regulate shipments of small sized red seedless grapefruit early in each marketing season. The committee voted to recommend the establishment of these procedures to provide them with that tool.

The committee reports that it expects that more red seedless grapefruit will be produced in Florida during the 1996–97 season than last season. The committee also expects that supplies of fresh Florida red seedless grapefruit will be adequate to meet consumer demand during the entire 1996–97 season.

This rule does not affect the order provision that handlers may ship up to 15 standard packed cartons (12 bushels) of fruit per day exempt from grade and size requirements. Fruit shipped in gift packages that are individually addressed and not for resale, and fruit shipped for animal feed are also exempt from grade and size requirements under specific conditions. Also, fruit shipped to commercial processors for conversion into canned or frozen products or into a beverage base are not subject to the handling requirements under the order.

Section 8(e) of the Act requires that whenever grade, size, quality or maturity requirements are in effect for certain commodities under a domestic marketing order, including grapefruit, imports of that commodity must meet the same or comparable requirements. This rule does not change the minimum grade and size requirements under the order. Therefore, no change is necessary in the grapefruit import regulations as a result of this action.

The proposed rule concerning this action was published in the August 28, 1996, Federal Register (61 FR 44187), with a 30-day comment period ending September 27, 1996. Twenty four comments were received, thirteen in favor and seven in opposition to the proposed rule. The thirteen comments in favor were from handlers and growers. In addition, four comments were received from handlers and growers after the closing date for comments. These comments were in favor of the proposed rule and raised no new issues for those received prior to the close of the comment period.

In his comment, the manager of the committee stated that the committee went to great lengths to ensure that the entire Florida citrus industry was included in the development of the proposed rule. At all times the interests of consumers of fresh Florida grapefruit were foremost.

Ten commenters supporting this action mentioned that past history has shown that the overshipment of small sizes early in the season has resulted in reduced prices. They believe the provisions of this rule should be sufficient to address this problem. One commenter stated that this rule, if instituted, would allow the committee to bring the early volume of small size red grapefruit more closely in line with the normal industry shipments occurring later in the season. Historically, it is in the early weeks of a season when shipments of these small size red grapefruit have substantially exceeded 25 percent of total shipments, resulting in market gluts and the collapse of prices.

Ten commenters stated that regulation to control small sizes in the early season would have a stabilizing effect on the market. Several stated that the rule would provide a mechanism to improve orderly marketing of small size red grapefruit during the early season without causing hardships for any growers or handlers.

Nine of the commenters in favor of the regulation mentioned the provision that limits the percentage set to a minimum of 25 percent. Many of these believe that this will prevent excessive limitation, while allowing handlers to service their customers. Several also said that the 25 percent lower limit assures a good flow to market of these small size red grapefruit. Implementing these procedures could hold shipments of small sizes closer to the percentage shipped during the latter part of the season.

In five of the comments supporting the regulation, the regulatory period of eleven weeks was referenced. The commenters believe that the period of regulation contemplated is when the industry has repeatedly experienced overshipment of small sizes. After the first week in December, the movement of smaller fruit becomes more stable, reducing the need for regulation.

In regards to allotment, eight of the comments cited and supported the flexibility the provisions afford handlers to acquire additional allotment when needed. In their comments, they recognized the overshipment provisions, the ability to transfer allotment, and allotment loans, indicating that handlers should be able to find adequate allotment to meet market demand.

Seven comments in opposition to the proposed rule were received. One of the opposing comments stated that grapefruit should be marketed when ripe. Although grapefruit is a perishable commodity, mature red grapefruit can be stored on the tree and picked as needed to provide the market with a more even distribution of supplies during the season. This on-tree storage feature is particularly valuable early in the season when a large portion of the crop is often mature but small in size. By leaving the fruit on the tree, it can continue to grow to a larger size, and larger sizes usually yield a higher price, thereby increasing returns to growers.

Another of the opposing comments stated that early picking and shipping help avoid losses from weather related problems (frost). A freeze is a possibility in any season. Industry practices and grove location have combined to work to minimize freeze damage and to extend the grapefruit marketing season. The provisions of this rule would not prevent handlers from marketing fruit early. Implementing these procedures would only restrict the movement of small red grapefruit. It is the glut of small red grapefruit that damages the market for all sizes. Based on its analysis, the Economic Analysis Branch, of the Fruit and Vegetable Division, of the AMS, (EAB) has determined that during each of the last three seasons, the on-tree equivalent price for sizes 48 and 56 red Florida grapefruit has dropped below $1.00 per carton. These low prices also pulled the prices for larger sizes down. With on-tree prices dropping below cost of production, the impact on the industry may be similar to the effects of the freeze.

One opposing comment stated that under this regulation, returns to the packinghouse and grower would be lower, the season would be shortened, and that farm laborers would be dismissed earlier. The committee believes using these procedures could increase returns to growers while providing consumers an adequate supply of the commodity in the marketplace. Implementing these procedures could actually lengthen the season. If the grapefruit remain on the tree longer, they will increase in size and be of greater value later in the season. An extended season would also benefit laborers who would be needed for a longer period of time. The aim of this rule is to establish procedures that may be used to provide steady supplies at reasonable and stable prices, thereby

protecting the interests of growers, packers, workers in the industry, and consumers of red grapefruit.

Several opposing comments were received concerning the rule and the possible loss of market share, particularly in export markets that demand sizes 48 and 56, to other grapefruit growing areas. If the provisions of this rule are implemented, handlers will still be able to ship a percentage of small size grapefruit to those markets that require them and use larger sizes to fill their other markets. The provisions established by this rule would prevent market restrictions below 25 percent. Based on past seasons, even if percentages were established at 25 percent, ample quantities should be available to furnish those markets which demand small sizes.

The purpose of implementing this rule would not be to eliminate small size red grapefruit. It is merely to prevent a surplus of small size red grapefruit from damaging the overall grapefruit market.

Another commenter opposing the rule expressed concern that market share could be lost to Texas. According to the EAB, limiting shipments of small Florida grapefruit would probably not result in a major shift to Texas grapefruit because the Texas industry is much smaller and would have higher freight costs to some markets supplied by Florida.

One opposing comment stated that the rule had not been fully explained. The committee has had this rule under advisement since it received industry requests in December 1995. The committee started holding subcommittee meetings in February 1996 and held many informal meetings with industry groups to discuss the proposal. On May 16, 1996, another subcommittee meeting was held, and people who had demonstrated opposition were specifically invited to make comments and get their opinions on record. Throughout the process, the proposal was modified based on questions and concerns of the industry. These changes were shared at industry meetings and through committee mailings.

On May 23, 1996, the committee met and recommended this regulation after much discussion. Several different motions were offered at this meeting. Prior to any vote, the motions were carefully restated, so that members understood the issue they were voting on. All motions advanced were discussed and there was opportunity for questions.

One commenter opposed the method of calculating allotments. He believes that because he has not shipped much fruit early in past seasons that his allotment will not reflect his true shipments. The committee discussed several methods of measuring a handler's volume to determine this base. It was decided that shipments for the five previous years from the period from the third Monday in September to the first Sunday the following May should be used for calculation purposes. This bases allotment on a 33 week period of shipments, not just a handler's early shipments. This was done specifically to accommodate small shippers or light volume shippers, who may not have shipped much grapefruit in the early season. This method of calculation provides a fair allocation of allotment.

This commenter also expressed concern regarding whether his allotment would be enough to cover his customer base. The provisions of this rule provide flexibility through several different options. Handlers have the privilege to transfer, borrow or loan allotment based on their needs in a given week. Handlers also have the option of overshipping their allotment by 10 percent in a week, as long as the overshipment is deducted from the following week's shipments.

One opposing comment stated that restricting movement of grapefruit could do more harm than good and interfere with the orderly marketing of this product. These procedures are designed to promote orderly marketing. The purpose is to furnish sufficient supplies of red grapefruit to fresh markets early in the season, while avoiding the possible price-depressing effect of saturating the market with small sizes. This is particularly important during the first few months of the season when supplies of small sizes are heaviest. The declaration of policy in the Act includes a provision concerning establishing and maintaining such orderly marketing conditions as will provide, in the interest of producers and consumers, an orderly flow of the supply of a commodity throughout the normal marketing season to avoid unreasonable fluctuations in supplies and prices.

Utilizing these procedures will contribute to the Act's objectives of orderly marketing and improving producers' returns. According to EAB, since sizes 48 and 56 red grapefruit are a small part of the total supply of Florida red grapefruit, limiting shipments of these sizes would have only a moderate effect on the total quantity shipped. It may, however, help to prevent the average price for all Florida red grapefruit from being reduced to below the cost of production.

Many opposition comments addressed the proposed rule as if it were in place and implemented. As previously stated, this rule merely establishes procedures. To implement these procedures, the committee would hold public meetings to discuss and recommend a percentage of size regulation to the Secretary. Additional rulemaking would be required, and there would be additional opportunity to comment.

After thoroughly analyzing the comments received and other available information, the Department has concluded that this final rule is appropriate, and that no changes to the rule are being made in response to the comments.

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the information collection requirements that are contained in this rule have been previously approved by the Office of Management and Budget (OMB) and have been assigned OMB No. 0581–0094.

After consideration of all relevant material presented, including the information and recommendations submitted by the committee and other available information, it is hereby found that this rule, as hereinafter set forth, will tend to effectuate the declared policy of the Act.

List of Subjects in 7 CFR Part 905

Grapefruit, Marketing agreements, Oranges, Reporting and recordkeeping requirements, Tangelos, Tangerines.

For the reasons set forth in the preamble, 7 CFR part 905 is amended as follows:

## PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

1. The authority citation for 7 CFR Part 905 continues to read as follows:

Authority: 7 U.S.C. 601–674.

2. A new § 905.153 is added to read as follows: § 905.153 Procedure for determining handlers' permitted quantities of red seedless grapefruit when a portion of sizes 48 and 56 of such variety is restricted.

(a) For the purposes of this section, the prior period specified in § 905.52 is hereby established as an average week within the immediately preceding five seasons. Each handler's average week shall be computed by adding the total volume of red seedless grapefruit handled in the immediately preceding five seasons and dividing the total by 165. The average week for handlers with less than five previous seasons of

shipments shall be calculated by adding the total volume of shipments for the seasons they did ship red seedless grapefruit, divide by the number of seasons, divide further by 33. New handlers with no record of shipments could ship size 48 and 56 red seedless grapefruit as a percentage of total shipments equal to the percentage applied to other handlers' average week; once such handlers have recorded shipments, their average week shall be calculated as an average of total shipments for the weeks they have shipped red seedless grapefruit during the current season. When used in the regulation of red seedless grapefruit, the term season means the weeks beginning the third Monday in September and ending the first Sunday in the following May. The term regulation period means the 11 weeks beginning the third Monday in September and ending the first Sunday in December of the current season.

(b) When a size limitation restricts the shipment of a portion of sizes 48 and 56 red seedless grapefruit during a particular week as provided in § 905.52, the committee shall compute the quantity of sizes 48 and 56 red seedless grapefruit that may be shipped by each handler by multiplying the handler's calculated average week shipments of such grapefruit by the percentage established by regulation for red seedless grapefruit for that week.

(c) The committee shall notify each handler of the quantity of size 48 and 56 red seedless grapefruit such handler may handle during a particular week.

(d) During any regulation week for which the Secretary has fixed the percentage of sizes 48 and 56 red seedless grapefruit, any person who has received an allotment may handle, in addition to their total allotment available, an amount of size 48 and 56 red seedless grapefruit up to 10 percent greater than their allotment. The quantity of the overshipment shall be deducted from the handler's allotment for the following week. Overshipments will not be allowed during week 11. If the handler fails to use his or her entire allotment, the under shipment is not carried forward to the following week.

(e) Any handler may transfer or loan any or all of their shipping allotment (excluding the overshipment allowance) of size 48 and 56 red seedless grapefruit to any other handler. Each handler party to such transfer or loan shall promptly notify the committee so the proper adjustment of records may be made. In each case, the committee shall confirm in writing all such transactions, prior to the following week, to the handlers involved. The committee may act on behalf of handlers wanting to arrange allotment loans or participate in the transfer of allotments.

Dated: December 24, 1996.

Robert C. Keeney,

*Director, Fruit and Vegetable Division.*

[FR Doc. 96–33268 Filed 12–30–96; 8:45 am]

BILLING CODE 3410–02–P

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## 7 CFR Parts 1004, 1005, 1007, 1011, and 1046

**[DA–96–15]**

## Milk in the Middle Atlantic, Carolina, Southeast, Tennessee Valley and Louisville-Lexington-Evansville Marketing Areas; Termination of Certain Provisions of the Order

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Final rule.

**SUMMARY:** This document terminates the base-excess payment plan provisions of the Middle Atlantic, Carolina, Southeast, Tennessee Valley, and Louisville-Lexington-Evansville Federal milk marketing orders due to the expiration of legislative authority to incorporate base-excess plans in Federal milk marketing orders on December 31, 1996.

**EFFECTIVE DATE:** January 1, 1997.

**FOR FURTHER INFORMATION CONTACT:** Nicholas Memoli, Marketing Specialist, USDA/AMS/Dairy Division, Order Formulation Branch, Room 2971, South Building, P.O. Box 96456, Washington, DC 20090–6456, (202) 690–1932, e-mail address Nicholas__X__Memoli@usda.gov.

**SUPPLEMENTARY INFORMATION:** The Department is issuing this final rule in conformance with Executive Order 12866.

This final rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule is not intended to have a retroactive effect. This rule will not preempt any state or local laws, regulations, or policies, unless they present an irreconcilable conflict with this rule.

The Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), provides that administrative proceedings must be exhausted before parties may file suit in court. Under section 608c(15)(A) of the Act, any handler subject to an order may request modification or exemption from such order by filing with the Secretary a petition stating that the order, any provision of the order, or any obligation imposed in connection with the order is not in accordance with the law. A handler is afforded the opportunity for a hearing on the petition. After a hearing, the Secretary would rule on the petition. The Act provides that the district court of the United States in any district in which the handler is an inhabitant, or has its principal place of business, has jurisdiction in equity to review the Secretary's ruling on the petition, provided a bill in equity is filed not later than 20 days after the date of the entry of the ruling.

Small Business Consideration

In accordance with the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), as amended, the Agricultural Marketing Service has considered the economic impact of this action on small entities and believes that this rule could have a significant economic impact on a substantial number of small entities. For the purpose of the Regulatory Flexibility Act, a dairy farm is considered a ''small business'' if it has an annual gross revenue of less than $500,000, and a dairy products manufacturer is a ''small business'' if it has fewer than 500 employees. For the purposes of determining which dairy farms are ''small businesses,'' the $500,000 per year criterion was used to establish a production guideline of 326,000 pounds per month. Although this guideline does not factor in additional monies that may be received by dairy producers, it should be an inclusive standard for most ''small'' dairy farmers. For purposes of determining a handler's size, if the plant is part of a larger company operating multiple plants that collectively exceed the 500 employee limit, the plant will be considered a large business even if the local plant has fewer than 500 employees.

This rule terminates the base-excess plan provisions of five Federal milk orders. Producers with earned base will no longer receive base prices as in the past, but will be paid at least the uniform price throughout the year for their hundredweight of milk.

Under a base-excess payment plan, a producer is paid a ''base price'' for ''base milk'' and an ''excess price'' for production in excess of base milk. During the base-paying period of a base-excess plan, base prices are higher than the uniform prices computed for those months, while the excess prices are below the uniform prices. Using a representative period of May 1996, the difference between the base and uniform prices in the five orders was not greater than $0.26/cwt., while the difference between the uniform and excess prices ranged from $0.45 to $2.81/cwt.

The economic impact of the termination of base-excess plans is likely to be threefold. First, for those producers who have been most successful in shifting their herd's production from the spring to the fall, there will be a reduction in total revenue. The loss in revenue would be determined by multiplying the producer's total hundredweight of milk by the uniform price and subtracting that figure from the producer's base milk at the estimated base price plus the excess milk at the estimated excess price. This calculation would have to be computed for each month of the base-paying period. On the other hand, for those producers who have made no effort to shift production from the spring to the fall, there is likely to be an economic windfall at the difference between the uniform price multiplied by their total production and what the producer's milk would have earned using base and excess prices.

A second economic impact for producers under Orders 5, 7, 11, and 46 will be experienced by those producers who were planning to go out of business and sell their base at the end of the base-building period, but before the start of the base-paying period. These producers will lose the amount of money that they could have realized by selling their base. For example, during the 1995 base-building period, 5500 producers earned base in the Southeast market. The average daily base for a single producer was 2,933 lbs. Based on the average price per pound for base in 1995 ($1.62/lb. based on figures obtained from the Market Administrator's office), an average producer in the Southeast could have obtained $4,751.46 from the sale of such base in 1997.

The final effect of the base-excess plan termination is impossible to measure in advance of the facts. Under the base and excess plans in Orders 5, 7, 11 and 46, dairy farmers who were not on a market during the base-building period are discouraged from pooling their milk on the market during the base-paying period because they would only receive the excess price for their milk. Without a base and excess plan, however, there would be no such disincentive. Theoretically, therefore, it is possible that producers who are not normally associated with these markets will become associated with them during the flush production months to take advantage of a price difference between these generally deficit, high Class I utilization markets and the producers' normal, lower utilization, lower-priced market. To what extent the attachment of this additional milk will lower the uniform price in the 5 base-excess plan markets cannot be determined at this time.

Regardless of the possible economic effects which may result from termination of seasonal base plans upon small entities, there is no alternative to this termination action since the underlying statutory authority expires on December 31, 1996.

In considering the impact of this action on small businesses, the termination of seasonal base plans will also cause a reduction in paperwork. Base-excess plans generate a large volume of paperwork for the Market Administrator's office, as well as for cooperative associations and handlers' with non-member supplies. Termination of such plans will place less of a regulatory burden on those responsible for recordkeeping, administration, and compliance with these provisions.

Statement of Consideration

This order of termination is issued pursuant to the provisions of the Agricultural Marketing Agreement Act and of the orders regulating the handling of milk in the Middle Atlantic, Carolina, Southeast, Tennessee Valley, and Louisville-Lexington-Evansville marketing areas.

It is determined that notice of proposed rulemaking and public procedure thereon is impracticable, unnecessary and contrary to the public interest. The expiration of authority to incorporate seasonal base plans in Federal milk marketing orders on December 31, 1996, necessitates the termination of base-excess plan provisions.

The Department received several letters requesting that seasonal base plans be suspended, rather than terminated. While the Department considered suspending the provisions, we concluded that an order provision cannot be suspended once the underlying legislative authority for that provision has expired. Nevertheless, should Congress pass future legislation authorizing seasonal base plans, it could provide for an expedited procedure to reinstate the order provisions.

After consideration of all relevant material, and other available information, it is hereby found and determined that effective January 1, 1997, the provisions of each of the orders specified below do not tend to effectuate the declared policy of the Act:

List of Subjects in 7 CFR Parts 1004, 1005, 1007, 1011, and 1046

Milk marketing orders.

For the reasons set forth in the preamble, 7 CFR Parts 1004, 1005, 1007, 1011, and 1046 are amended as follows.

1. The authority citation for 7 CFR Parts 1004, 1005, 1007, 1011, and 1046 continues to read as follows:

Authority: 7 U.S.C. 601–674.

## PART 1004—MILK IN THE MIDDLE ATLANTIC MARKETING AREA

**§ 1004.61 [Amended]**

2. In § 1004.61, paragraph (b) is removed and reserved, and the section heading and introductory text are revised to read as follows:

**§ 1004.61 Computation of weighted average differential price and producer nonfat milk solids price.**

For each month the market administrator shall compute a ''weighted average differential price'' and a ''producer nonfat milk solids price'', as follows:

* * * * *

**§ 1004.63 [Amended]**

3. In § 1004.63, the words ''the weighted average differential price for base milk and'' are removed, and the section heading is revised to read as follows:

**§ 1004.63 Announcement of weighted average differential price, nonfat milk solids price and producer nonfat milk solids price.**

* * * * *

**§ 1004.73 [Amended]**

4. In § 1004.73, paragraph (a) introductory text is amended by removing the word ''base'', paragraph (a)(1) is amended by removing the phrase ''for base milk computed pursuant to § 1004.61(b)'' and the word ''base'', and paragraph (b) is removed.

**§ 1004.75 [Amended]**

5. In § 1004.75, paragraph (a), the words ''for base milk computed pursuant to § 1004.61(b)'' are removed.

**§§ 1004.90, 1004.91, 1004.92, 1004.93, 1004.94 and 1004.95 [Removed]**

6. § 1004.90 and the undesignated centerheading preceding it, and §§ 1004.91 through 1004.95 are removed.

## PART 1005—MILK IN THE CAROLINA MARKETING AREA

**§ 1005.32 [Amended]**

7. In § 1005.32, paragraph (a) is removed and reserved.

**§ 1005.61 [Amended]**

8. In § 1005.61, paragraph (a) introductory text is amended by removing the words ''of June through January'', paragraph (a)(6) is amended by removing the words ''for the months of June through January'', paragraph (b)

is removed, and the section heading is revised to read as follows:

**§ 1005.61 Computation of uniform price (including weighted average price).**

* * * * *

**§ 1005.62 [Amended]**

9. In § 1005.62 paragraph (b) is revised to read as follows:

**§ 1005.62 Announcement of uniform price and butterfat differential.**

* * * * *

(b) The 11th day after the end of each month the uniform price pursuant to § 1005.61 for such month.

**§ 1005.71 [Amended]**

10. In § 1005.71, paragraph (a)(2)(i), the letter ''(s)'' at the end of the word ''price(s)'' is removed.

**§ 1005.73 [Amended]**

11. In § 1005.73, paragraph (a)(2) introductory text is amended by removing the letter ''(s)'' at the end of the word ''price(s)'' and the words ''or base milk and excess milk'', paragraph (c)(2) is amended by removing the word ''appropriate'' and the letter ''(s)'' at the end of the word ''price(s)'', paragraphs (d)(4) and (5) are amended by removing the letter ''(s)'' at the end of the word ''rate(s)'' everywhere it appears, and paragraph (d)(3) is removed and reserved.

**§ 1005.74 [Amended]**

12. § 1005.74 is amended by removing the letter ''(s)'' at the end of the word ''price(s)''.

**§ 1005.75 [Amended]**

13. In § 1005.75, paragraph (a) is amended by removing the words ''and the uniform price for base milk''.

**§§ 1005.90, 1005.91, 1005.92, 1005.93, and 1005.94 [Removed]**

14. § 1005.90 and the undesignated centerheading preceding it, and §§ 1005.91 through 1005.94 are removed.

## PART 1007—MILK IN THE SOUTHEAST MARKETING AREA

**§ 1007.32 [Amended]**

15. In § 1007.32, paragraph (a) is removed and reserved.

**§ 1007.61 [Amended]**

16. In § 1007.61, paragraph (a) introductory text is amended by removing the words ''of June through January'', paragraph (a)(6) is amended by removing the words ''for the months of June through January'', paragraph (b) is removed, and the section heading is revised to read as follows:

**§ 1007.61 Computation of uniform price (including weighted average price).**

* * * * *

**§ 1007.62 [Amended]**

17. In § 1007.62, paragraph (b) is amended by removing the word ''applicable'' and the letter ''(s)'' at the end of the word ''price(s)''.

**§ 1007.71 [Amended]**

18. In § 1007.71, paragraph (a)(2)(i) is amended by removing the letter ''(s)'' at the end of the word ''price(s)''.

**§ 1007.73 [Amended]**

19. In § 1007.73, paragraph (a)(1) is amended by removing the phrase ''or if the producer had no established base upon which to receive payments during the base paying months of February through May,'', paragraph (a)(2) introductory text is amended by removing the letter ''(s)'' at the end of the word ''price(s)'' and the words ''or base milk and excess milk'', paragraph (d)(2) is amended by removing the word ''appropriate'' and the letter ''(s)'' at the end of the word ''price(s)'', paragraphs (f)(4) and (5) are amended by removing the letter ''(s)'' at the end of the word ''rate(s)'' and the word ''(are)'' wherever they appear, and paragraph (f)(3) is removed and reserved.

**§ 1007.74 [Amended]**

20. In § 1007.74, the letter ''s'' at the end of the word ''prices'' and the words ''for base and excess milk'' are removed.

**§ 1007.75 [Amended]**

21. In § 1007.75, paragraph (a) is amended by removing the phrase ''and the uniform price for base milk''.

**§§ 1007.90, 1007.91, 1007.92, 1007.93, and 1007.94 [Removed]**

22. § 1007.90 and the undersignated centerheading preceding it, and §§ 1007.91 through 1007.94 are removed.

## PART 1011—MILK IN THE TENNESSEE VALLEY MARKETING AREA

**§ 1011.32 [Amended]**

23. In § 1011.32, paragraph (a) is removed and reserved.

**§ 1011.61 [Amended]**

24. In § 1011.61, paragraph (a) introductory text is amended by removing the words ''of July through February'', paragraph (b) is removed, and the section heading is revised to read as follows:

**§ 1011.61 Computation of uniform price (including weighted average price).**

* * * * *

**§ 1011.62 [Amended]**

25. In § 1011.62 paragraph (b) is amended by removing the word ''applicable'' and the letter ''s'' at the end of the word ''prices''.

**§ 1011.71 [Amended]**

26. In § 1011.71, paragraph (a)(2)(i) is amended by removing the letter ''s'' at the end of the word ''prices''.

**§ 1011.73 [Amended]**

27. In § 1011.73, paragraph (a)(2) introductory text is amended by removing the phrase ''or base milk and excess milk'' and the letter ''(s)'' at the end of the word ''price(s)'', paragraph (c)(2) is amended by removing the word ''appropriate'' and the letter ''(s)'' at the end of the word ''price(s)'', paragraphs (d) (4) and (5) are amended by removing the letter ''(s)'' at the end of the word ''rate(s)'' wherever it appears, and paragraph (d)(3) is removed and reserved.

**§ 1011.74 [Amended]**

28. In § 1011.74, the letter ''(s)'' at the end of the word ''price(s)'' is removed.

**§ 1011.75 [Amended]**

29. In § 1011.75, paragraph (a) is amended by removing the words ''and the uniform price for base milk''.

**§§ 1011.90, 1011.91, 1011.92, 1011.93, and 1011.94 [Removed]**

30. § 1011.90 and the undesignated centerheading preceding it, and §§ 1011.91 through 1011.94 are removed.

## PART 1046—MILK IN THE LOUISVILLE-LEXINGTON-EVANSVILLE MARKETING AREA

**§ 1046.32 [Amended]**

31. In § 1046.32, paragraph (d) is removed and reserved.

**§ 1046.61 [Amended]**

32. In § 1046.61, paragraph (a) introductory text is amended by removing the words ''of July through February'', paragraph (b) is removed, and the section heading is revised to read as follows:

**§ 1046.61 Computation of uniform price (including weighted average price).**

* * * * *

**§ 1046.62 [Amended]**

33. In § 1046.62, paragraph (b) is amended by removing the word ''applicable'' and the letter ''(s)'' at the end of the word ''price(s)''.

**§ 1046.71 [Amended]**

34. In § 1046.71, paragraph (a)(2)(i) is amended by removing the word

''applicable'' and the letter ''(s)'' at the end of the word ''price(s)''.

**§ 1046.73 [Amended]**

35. In § 1046.73, the last sentence in paragraph (a) is removed, paragraph (b) introductory text is amended by removing the letter ''(s)'' at the end of the word ''price(s)'' and the words ''or base milk and excess milk'', paragraphs (d) (4) and (5) are amended by removing the letter ''(s)'' at the end of the word ''rate(s)'' everywhere it appears, and paragraph (d)(3) is removed and reserved.

**§ 1046.74 [Amended]**

36. In § 1046.74, the letter ''(s)'' at the end of the word ''price(s)'' is removed.

**§ 1046.75 [Amended]**

37. In § 1046.75, paragraph (a) is amended by removing the phrase ''and the uniform price for base milk''.

**§§ 1046.90, 1046.91, 1046.92, 1046.93, and 1046.94 [Removed]**

38. § 1046.90 and the undesignated centerheading preceding it, and §§ 1046.91 through 1046.94 are removed.

Dated: December 23, 1996.

Michael V. Dunn,

*Assistant Secretary, Marketing and Regulatory Programs.*

[FR Doc. 96–33000 Filed 12–30–96; 8:45 am]

BILLING CODE 3410–02–P

## DEPARTMENT OF JUSTICE

## Immigration and Naturalization Service

## 8 CFR Part 242

**[INS. No. 1827–96]**

**RIN 1115–AE69**

## Administrative Deportation Procedures for Aliens Convicted of Aggravated Felonies Who Are Not Lawful Permanent Residents

**AGENCY:** Immigration and Naturalization Service, Justice.

**ACTION:** Final rule.

**SUMMARY:** In accordance with section 442(d) of the Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA), this final rule adds a new paragraph to the administrative deportation proceedings regulation. The new paragraph explains how the Immigration and Naturalization Service (Service) will conduct administrative deportation proceedings without immigration court hearings for certain aliens convicted of aggravated felonies in light of two recent statutory changes. The Service is promulgating this final rule to comply with the statutory requirement that the Service publish an implementing regulation by January 1, 1997. The final rule states that the Service will continue to process aliens under the current regulation until March 3, 1997, and will suspend administrative deportation proceedings from March 3, 1997, until the effective date of the implementing regulations for the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

**EFFECTIVE DATE:** March 3, 1997.

**FOR FURTHER INFORMATION CONTACT:** Leonard C. Loveless, Detention and Deportation Officer, Immigration and Naturalization Service, 425 I Street, NW., Washington, D.C. 20536, Telephone (202) 514–2865.

**SUPPLEMENTARY INFORMATION:** Section 130004(a) of the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103–322, created a new section 242A(b) of the Act, 8 U.S.C. 1252a(b), to provide for the deportation without an immigration court hearing of certain aliens convicted of aggravated felonies. On August 24, 1995, the Service published a final rule at 60 FR 43954 to create 8 C.F.R. 242.25 that implemented section 242A(b) of the Act. Section 442 of the Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA) modified section 242A(b) and required that the Attorney General publish implementing regulations by January 1, 1997, to take effect 60 days after publication.

On September 30, 1996, however, Congress passed the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), Public Law 104–208. Section 304(c) of the IIRIRA, effective April 1, 1997, further amended administrative deportation proceedings by nullifying some of the amendments made by the AEDPA and by renumbering the statutory section from section 242A(b) of the Act to section 238(b).

The AEDPA amendments would require significant changes in operational procedures and forms that are not worthwhile, given that those amendments will be effective only for approximately 1 month. For example, the AEDPA added the requirement that administrative deportation proceedings be ''conducted in, or translated for the alien into, a language the alien understands.'' This provision would require the Service to translate all documents used in the proceedings, rather than only the Form I–851, Notice of Intent to Issue Final Administrative Deportation Order. (Current translation and explanation requirements are set forth in 8 CFR 242.25(b)(2)(iv)). Since the IIRIRA has eliminated the statutory translation requirement, it would be unduly burdensome to implement this requirement for 1 month.

Accordingly, as a policy matter, the Service has determined that these implementing regulations will simply announce a suspension of the operation of administrative deportation proceedings, which includes the issuance of both Form I–851 and Form I–851A, Final Administrative Order of Deportation, until the implementing regulations for the IIRIRA, under separate notice of proposed rulemaking, are effective. The Service will continue to process aliens under the current version of 8 CFR 242.25 until March 3, 1997. From that date until the IIRIRA amendments to administrative deportation take effect, the Service will cease all administrative deportation proceedings. During that period, aliens otherwise amenable to administrative deportation will be placed instead in regular deportation proceedings before an immigration judge. This change does not affect the enforceability of administrative deportation orders previously entered.

The Service has determined that the publication of this rule as a final rule is based upon the ''good cause'' exceptions found at 5 U.S.C. 553(b)(3)(B). The Service has determined that public notice and comment on this rule is impracticable because of the January 1, 1997, statutory deadline for publishing a final rule. In addition, public notice and comment is unnecessary because the final rule makes no change that affects an individual's rights. It simply continues until March 3, 1997, the existing rules governing administration deportation. On that date, the Service will suspend administrative deportation proceedings, and proceed under existing regulations governing regular deportation proceedings. Since there will be public notice and comment on the IIRIRA amendments to administrative deportation proceedings, public notice and comment on this final rule is unnecessary.

Regulatory Flexibility Act

The Commissioner of the Immigration and Naturalization Service, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), has reviewed this regulation and, by approving it, certifies that this rule will not have a significant economic impact on a substantial number of small entities because the affected parties are individual aliens who have been ordered deported from the United States.

Executive Order No. 12866

This rule is not considered by the Department of Justice, Immigration and Naturalization Service, to be a ''significant regulatory action'' under Executive Order 12866, section 3(f), Regulatory Planning and Review, and the Office of Management and Budget has waived its review process under section 6(a)(3)(A).

Executive Order No. 12612

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

Executive Order No. 12988

The rule meets the applicable standards set forth in sections 3(a) and (3)(b)(2) of E.O. 12988.

List of Subjects in 8 CFR Part 242

Administrative practice and procedure, Aliens, Deportation.

Accordingly, part 242 of chapter I of title 8 of the Code of Federal Regulations is amended as follows:

## PART 242—PROCEEDINGS TO DETERMINE DEPORTABILITY OF ALL ALIENS IN THE UNITED STATES: APPREHENSION, CUSTODY, HEARING, AND APPEAL

1. The authority citation for part 242 continues to read as follows:

Authority: 8 U.S.C. 1103, 1182, 1186a, 1251, 1252, 1252 note, 1252a, 1252b, 1254, 1362; 8 CFR part 2.

2. In section 242.25 a new paragraph (i) is added to read as follows:

**§ 242.25 Proceedings under section 242A(b) of the Act.**

* * * * *

(i) Effective March 3, 1997, the Service will cease issuance of both Form I–851 and Form I–851A. The Service retains the authority to execute at any time Form I–851A that is final before March 3, 1997. The Service will resume the issuance of Form I–851 and Form I–851A after April 1, 1997, pursuant to regulations implementing section 238(b) of the Act, as amended by the Illegal Immigration Reform and Responsibility Act of 1996.

Dated: December 20, 1996.

Doris Meissner,

*Commissioner, Immigration and Naturalization Service.*

[FR Doc. 96–33092 Filed 12–24–96; 10:56 am]

BILLING CODE 4410–01–M

## FEDERAL ELECTION COMMISSION

## 11 CFR Part 9038

**[Notice 1996–22]**

## Examinations and Audits

**AGENCY:** Federal Election Commission.

**ACTION:** Correcting amendments.

**SUMMARY:** This document contains a correction to final regulations which were published June 16, 1995 (60 FR 31854). The regulations relate to the notification of repayment determinations.

**EFFECTIVE DATE:** December 31, 1996.

**FOR FURTHER INFORMATION CONTACT:** Ms. Susan E. Propper, Assistant General Counsel, 999 E Street, N.W., Washington, D.C. 20463, (202) 219–3690 or toll free (800) 424–9530.

**SUPPLEMENTARY INFORMATION:** On June 16, 1995, the Commission published final rules revising its regulations governing public financing of presidential primary election candidates. 60 FR 31854 (June 16, 1995). These regulations implement provisions of the Presidential Primary Matching Payment Account Act. Unfortunately, the June 16, 1995 Federal Register document contained a nonsubstantive error which may prove to be confusing. The error occurred when the Federal Register typeset the document for publication. The Commission is publishing this document to correct the error.

List of Subjects in 11 CFR Part 9038

Administrative practice and procedure, Campaign funds.

## PART 9038—EXAMINATIONS AND AUDITS

Accordingly, 11 CFR Part 9038 is corrected by making the following correcting amendment:

1. The authority citation for Part 9038 continues to read as follows:

Authority: 26 U.S.C. 9038 and 9039(b).

**§ 9038.2 Repayments. [Corrected]**

2. In section 9038.2, in the last sentence of paragraph (a)(2), the word ''purchases'' is revised to read ''purposes''.

Dated: December 26, 1996.

Lee Ann Elliott,

*Chairman, Federal Election Commission.*

[FR Doc. 96–33292 Filed 12–30–96; 8:45 am]

BILLING CODE 6715–01–M

## FEDERAL RESERVE SYSTEM

## 12 CFR Part 204

**[Regulation D; Docket No. R–0929]**

## Reserve Requirements of Depository Institutions

**AGENCY:** Board of Governors of the Federal Reserve System.

**ACTION:** Final rule.

**SUMMARY:** The Board of Governors of the Federal Reserve System is amending its Regulation D regarding reserve requirements of depository institutions issued pursuant to section 19 of the Federal Reserve Act in order to simplify and update it and reduce regulatory burden. The amendments to modernize Regulation D are in accordance with the Board's policy of regular review of its regulations and the Board's review of its regulations under section 303 of the Riegle Community Development and Regulatory Improvement Act of 1994.

**EFFECTIVE DATE:** April 1, 1997.

**FOR FURTHER INFORMATION CONTACT:** Ann Owen, Economist, Division of Monetary Affairs (202/736–5671); Sue Harris, Economist, Division of Research and Statistics (202/452–3490); or Rick Heyke, Staff Attorney, Legal Division (202/452–3688), Board of Governors of the Federal Reserve System. For the hearing impaired only, Telecommunications Device for the Deaf (TDD), Dorothea Thompson (202/452–3544), Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue, N.W., Washington, DC 20551.

**SUPPLEMENTARY INFORMATION:**

Background

As part of its policy of regular review of its regulations, and consistent with section 303 of the Riegle Community Development and Regulatory Improvement Act of 1994 (Riegle Act), the Board of Governors of the Federal Reserve System (Board) is amending its Regulation D regarding reserve requirements of depository institutions (12 CFR part 204) issued pursuant to section 19 of the Federal Reserve Act. Section 303 of the Riegle Act requires each federal banking agency to review and streamline its regulations and written policies to improve efficiency, reduce unnecessary costs, and remove

inconsistencies and outmoded and duplicative requirements. The amendments are designed to reduce regulatory burden and simplify and update the Regulation.

The Board published a notice of proposed rulemaking in the Federal Register on June 17, 1996 (61 FR 30545) that solicited comments on the proposed amendments described below. In general, the amendments deleted transitional rules relating to the expansion of reserve requirements to nonmember depository institutions, the authorization of NOW accounts nationwide, and other matters that no longer have a significant effect. The Board received a total of 22 comments on the proposal. Comments were received from 9 banking organizations, 8 trade associations, 4 Federal Reserve banks, and one savings bank. Of the comments, 17 generally expressed agreement with the proposal as far as it went.

An issue by issue discussion follows.

*Time Deposits*

Section 204.2(c)(1) currently defines time deposits as deposits from which the depositor may not make withdrawals within six days after the date of deposit (or notice of withdrawal) or partial withdrawal unless such withdrawals are subject to an early withdrawal penalty. Under certain circumstances specified in footnote 1, a time deposit may be paid before maturity without imposing the early withdrawal penalty. A time deposit generally may be paid without penalty from the seventh day after deposit through maturity, absent partial withdrawals. The imposition of an early withdrawal penalty is required under the time deposit definition only during the first six days after deposit. The proposal clarified that the footnote is not intended to impose a prohibition on withdrawals before maturity, but to permit penalty-free withdrawals under certain circumstances during the period when the imposition of an early withdrawal penalty otherwise would otherwise be required.

Six commenters supported the proposal to reword footnote 1 in order to avoid any implication that time deposits generally may not be paid before maturity without penalty, while three others, without disagreeing with the proposal, noted that they had no experience of confusion resulting from the footnote. The final rule adopts the proposal as proposed.

*Nonpersonal Time Deposits*

The definition of nonpersonal time deposit in § 204.2(f)(1)(iii) and (iv) distinguishes between transferable time deposits originally issued before October 1, 1980, and those issued on or after that date. Since the Board believes that most of these deposits have since matured, the Board believes that this distinction is no longer meaningful and proposed to delete it. Three commenters specifically supported the proposal on the basis that this was an obsolete distinction. The Board is adopting this proposal as proposed.

Section 204.2(f)(3) requires that a nonpersonal time deposit with a stated maturity or notice period of 1½ years or more either be subject to a minimum withdrawal penalty of 30 days' interest (if withdrawn more than six days but within 1½ years after the date of deposit) or be treated as a deposit with an original maturity or notice period of less than 1½ years. Since 1991, the reserve requirement ratio has been set at zero for all time deposits regardless of maturity. Moreover, since 1991, the form for reporting reservable liabilities (Form FR 2900) has not required depository institutions to report the amount of time deposits by category of maturity. The requirement to treat time deposits not subject to a minimum penalty of 30 days' interest as having an initial maturity of less than 1½ years is thus of no practical significance. The Board therefore proposed to delete it and footnote 2 to § 204.2(c)(1)(i), which refers to it.

Three commenters specifically supported this proposal. Another commenter expressed concern that by eliminating the requirement, the Board would be unable to distinguish between maturities of time deposits in the future. If, in the future, the Board should wish to distinguish between time deposits based on maturity, the Board could amend Regulation D and/or its reporting forms as appropriate, and could consider at that time whether an additional early withdrawal penalty would be warranted for longer-term deposits. Therefore, the Board is adopting this proposal as proposed.

*Eurocurrency Liabilities*

The definition of Eurocurrency liabilities in § 204.2(h)(1) includes an amount equal to certain assets that were held by a depository institution's International Banking Facility or by non-United States offices of the depository institution or of an affiliated Edge or agreement corporation and that were acquired from the depository institution's United States offices on or after October 7, 1979. The Board proposed to delete the exclusion of assets acquired before October 7, 1979, because the Board believes that the amount of these assets is immaterial. The Board received no specific comments on this proposal and is adopting it as proposed.

*Allocation of Reserve Requirements Exemption*

The allocation of the reserve requirements exemption specified in § 204.3(a)(3)(i) requires that the exemption be allocated first to net transaction accounts in the form of NOW (and similar) accounts and second to other transaction accounts. This provision was related to the phase-in of reserve requirements for nonmember banks and the authorization of NOW and similar transaction accounts nationwide. Since the phase-in is now complete and nonmember institutions are subject to the same reserve requirements as member banks, the provision has ceased to have any effect, and the Board proposed to delete it. Two commenters expressed support for the proposed deletion. Another commenter, while noting that the requirement is obsolete, described its elimination as entirely technical. The Board is adopting this proposal as proposed.

*Deductions Allowed in Computing Reserves*

The deduction in § 204.3(f)(1) limits the amount of cash items in process of collection and balances subject to immediate withdrawal due from domestic depository institutions that may be subtracted from an institution's NOW accounts. Amounts in excess of this limit may be subtracted from other transaction accounts. Since the phase-in of reserve requirements for nonmember banks is now complete, all types of transaction accounts are subject to the same reserve requirements. Therefore, this limitation has ceased to have any effect and the Board proposed to delete it. One commenter specifically supported the Board's proposed deletion, and the Board is adopting this proposal as proposed.

*Federal Reserve Credit for Depository Institutions Maintaining Pass-Through Balances*

Section 19(e) of the Federal Reserve Act prohibits member banks from acting as the medium or agent of a nonmember bank in applying for or receiving discounts from a Federal Reserve Bank except by permission of the Board. Regulation A, Extensions of Credit by Federal Reserve Banks (12 CFR Part 201), was amended in 1993 to delegate authority for granting this permission to the Federal Reserve Bank that extends the credit. 12 CFR 201.6(d). The Board

correspondingly proposed to amend § 204.3(i)(5)(iv) of Regulation D effectively to complete the delegation of this authority to the Federal Reserve Bank that extends the credit. One commenter specifically supported this proposal, and the Board is adopting it as proposed.

*Transition Rules*

The regulation currently includes in § 204.4(a) a transition rule for depository institutions outside of Hawaii that were nonmembers of the Federal Reserve System on July 1, 1979, and that remained nonmembers. With the completion of the phase-in of reserves for such nonmembers on September 10, 1987, this rule ceased to have any effect. Section 204.4(b) contains a transition rule for depository institutions that were not members between July 1, 1979, and September 1, 1980, and that subsequently became members; since reserve requirements for nonmember institutions are fully phased in, this rule also has ceased to have any effect. Section 204.4(d) contains a transition rule for nonmember depository institutions that were engaged in business in Hawaii on August 1, 1978, and that remained nonmembers; this rule ceased to have any effect on January 7, 1993. Therefore, the Board proposed to delete these rules. The Board received three comments supporting the proposed deletion of §§ 204.4(a) and (b), and no comments on its proposed deletion of § 204.4 (d). The Board is adopting these proposals as proposed.

Section 204.4(c) sets forth a transition rule for *de novo* depository institutions with daily average reservable liabilities of less than $50 million whereby their reserve requirement is 40 percent of the reserves otherwise required in maintenance periods during the first quarter after commencing business, increasing to 100 percent in maintenance periods during the eighth and succeeding quarters. The low reserve tranche of a depository institution's net transaction accounts is currently subject to a reserve requirement of 3 percent, as compared with 10 percent for its net transaction accounts in excess of the low reserve tranche. The *de novo* transition rules precede creation of the low reserve tranche in 1982. The low reserve tranche cutoff is indexed to net transaction accounts of all depository institutions; as a result, the cutoff has increased from $25 million initially to $49.3 million for 1997. Thus, almost all transaction accounts of *de novo* depository institutions that could avail themselves of this transition rule are now covered by the low reserve tranche. Moreover, beginning in 1982, $2 million of reservable deposits have been subject to a zero percent reserve requirement; this exemption is indexed to total reservable liabilities of all depository institutions and has increased to $4.4 million for 1997.

In addition, a depository institution's vault cash may be used to meet its reserve requirement. Since *de novo* depository institutions generally have relatively low levels of deposits in relation to the reserve requirement exemption and the low reserve tranche cutoff, most are able to meet reserve requirements with vault cash and the others maintain minimal reserve balances. (Currently 56 depository institutions are receiving *de novo* phase-ins, and 52 of them are fully meeting their reserve requirements with vault cash.) This rule provides minimal benefits in terms of reducing required reserve balances of *de novo* institutions and unnecessarily complicates the processing of deposit reporting and reserve calculations. Consequently, the Board proposed to delete it. In order to avoid disrupting economic expectations based on the *de novo* transition rule, however, the Board proposed to grandfather any institution covered by the *de novo* transition rule on the effective date of the amendments for purposes of determining its required reserves. The Board received two comments supporting its proposal to delete § 204.4(c) and is adopting this proposal as proposed. As proposed, the Board will also grandfather any institution covered by the *de novo* transition rule on the effective date of the amendments.

Section 204.4(e) governs transition requirements in cases of mergers and consolidations. Paragraph (e)(1) covers ''similar'' mergers, where all depository institutions are subject to the same transition rules, and paragraph (e)(2) covers ''dissimilar'' mergers, where the institutions are subject to different transition rules. Currently, no institution is subject to the ''dissimilar'' merger transition rules. With the phase-in of reserve requirements for nonmember institutions, the transition rules (other than the merger and *de novo* rules) have become inoperative. Moreover, as discussed above, the *de novo* rules no longer have a significant effect in most cases. Therefore, the difference between the ''similar'' and ''dissimilar'' merger rules is minimal. In addition, the *de novo* rules would be eliminated under the proposal, with the result that all mergers would be ''similar'' mergers and the ''dissimilar'' merger rule would be inapplicable. Therefore, the Board proposed to delete the ''dissimilar'' merger transition rule and apply the current ''similar'' merger transition rule to all mergers. The Board received two comments supporting its proposed deletion of § 204.4(e), and is adopting this proposal as proposed.

*Reserve Ratios*

Section 204.9(b) sets forth the reserve ratios in effect during the last reserve computation period prior to September 1, 1980, for use in transition adjustments that are no longer applicable. The Board proposed to delete the section, and received two comments supporting its proposal. The Board is adopting this proposal as proposed.

*Deposit Definitions*

Many commenters also commented on provisions of Regulation D other than the proposed changes. Nine commenters suggested that the Board clarify the definition of ''savings deposit,'' and a number of them also suggested that the Board also rewrite the definitions of ''time deposit,'' ''demand deposit,'' and/or ''transaction account.'' One commenter suggested the use of bullet points to distinguish limitations on transfers from exceptions to such limitations. Two commenters appended suggested language designed to clarify the definition of savings account, principally by shortening the sentences.

The Board is publishing concurrently with this notice in the Federal Register a notice of proposed rulemaking to amend the definition of ''savings deposit'' in order to clarify it, and to amend the definition of ''transaction account'' in order to clarify it and conform it to the amended definition of ''savings account.''

One commenter, a trade association, pointed out that many of the questions that it receives regarding the savings deposit definition reflect increased interest in home banking and a consequent desire to avoid any limitation on transfers effected by means of a home computer. Another commenter opined that aggregating the different types of transfers and withdrawals affected by the limitation adds to consumer confusion and increases the monitoring problem for depository institutions, and, together with two other commenters, suggested that the Board eliminate all restrictions on point-of-sale and telephone transfers.[1]

[1] One of these commenters also suggested that the Board pay interest on reserve balances or support legislation to that effect.

On the issue of transfers by means of home computers, the current regulation states explicitly that any ''telephonic (including data transmission) agreement, order, or instruction'' is included in the six transfers and withdrawals limitation. Therefore home banking transfers are included in the limitation.

One commenter requested guidance on the requirement for a penalty of 7 days' simple interest in the event of a withdrawal from a time deposit within 6 days. In particular, this commenter expressed confusion in the case of a second withdrawal within 6 days after a partial withdrawal. In the case of a time deposit account deposited in one lump sum, the Board regards a partial withdrawal from the time deposit as a withdrawal of the entire deposit followed by a new deposit of the balance retained. The regulation therefore provides that a ''time deposit from which partial early withdrawals are permitted must impose additional early withdrawal penalties of at least seven days' simple interest on amounts withdrawn within six days after each partial withdrawal.'' 12 CFR 204.2(c)(1)(i).

The same commenter, in reliance upon a service purporting to explain the Board's regulations, believed that 7 days' simple interest must be charged on withdrawals within 6 days of an additional deposit to the same time deposit. The Board believes that a bank may account for deposits and withdrawals either in order of deposit (FIFO) or in inverse order of deposit (LIFO).[2] Therefore, the regulation does not prescribe an accounting policy to be applied to such withdrawals. However, the Board does expect that a depository institution will be consistent in its choice of policy in this regard.

Another commenter, a trade association, asked if all demand deposits should contain the right to require 7 days' notice of withdrawal pursuant to § 204.2(b)(2). The demand deposits described in § 204.2(b)(2) are in addition to the demand deposits described in § 204.2(b)(1), which do not require 7 days' notice of withdrawal. The demand deposits described in § 204.2(b)(2) are considered demand deposits despite the fact that they may require 7 days' notice of withdrawal.

The Board, in light of the comments received, also considered whether substantive revisions to the definitions of the different types of deposits could be implemented in an effort to simplify the regulation further. It concluded that the practical scope for any such redefinitions is limited. The Board notes that Section 19 of the Federal Reserve Act establishes separate ranges for required reserve ratios on transaction accounts and nonpersonal time and savings deposits, and provides no authority for imposing reserve requirements on personal time and savings deposits. This statutory requirement for different reserve treatment of the various types of deposits creates a need for regulatory definitions to distinguish between the various types of deposits. Moreover, technological change and financial innovation have led to a proliferation of types of deposits and transfer arrangements. Many depository institutions have implemented so-called ''retail sweep'' programs in order to reduce their reserve requirements. These programs have already resulted in a substantial decline in transaction accounts and required reserves. The more widespread adoption of these programs that is evidently in process could impair the predictability of overall reserve demand and hence adversely affect the ability of the Federal Reserve to gauge the supply of reserves consistent with its intended monetary policy stance. These developments could eventually suggest changes in the structure of reserve requirements, potentially including changes in deposit definitions. Depending on the type of change that might be found appropriate, such a change could require legislation or be implemented administratively. The Federal Reserve will continue to monitor closely developments in the federal funds market for evidence about how lower levels of required reserves may influence the implementation of monetary policy and the appropriate structure of reserve requirements. Under the circumstances, the Board believes that a major revision of the definitions that serve as the basis for determining the liabilities against which reserves are required is not appropriate at the present time.

*Other Comments*

One commenter suggested that Regulation D contain an explicit cross reference to the Board Interpretation on multiple savings accounts treated as transaction accounts (12 CFR 204.133, FRRS 2–286). Another believed that the Board's notice of August 25, 1992 (57 Federal Register 38417) discussing several Regulation D issues should be included in the regulation because of difficulty in obtaining a copy. A third suggested that Board Interpretations and Staff Opinions related to Regulation D be streamlined and made consistent with the final rule. Two others suggested that this guidance be replaced with an official staff commentary. The Board will consider streamlining its guidance related to Regulation D or issuing an official staff commentary.

However, the Board believes that specific cross references in the regulation to selected interpretations could be construed to mean that the other guidance is of less importance, and therefore the Board believes that such cross references generally should be avoided.

A Federal Reserve Bank commented that sweeps into and out of retail savings accounts should be prohibited, because of the economic waste involved in this form of avoidance of the transaction limitations otherwise applicable to savings accounts. Alternatively, if the Board permits these sweep accounts, the applicable limitations should be spelled out in the regulation. Another commenter and an industry trade association similarly requested clarification on sweep accounts in the regulation. Regulation D currently limits transfers from savings accounts, with certain exceptions, to six per month or monthly statement cycle. The Board believes that the regulation is clear that two separate accounts, established by agreement with the depositor, one of which is a transaction account and the other of which is a savings account, can be structured so that transfers between the two accounts can take place provided that no more than six transfers and/or withdrawals from the savings account will take place in any month or statement cycle, and so that the savings account will otherwise meet the qualifications required by Regulation D.

A bank holding company objected to the transfer limitations on savings accounts, stating that competitive pressures in the market for business deposits combine with these limitations to make necessary alternative products such as sweep repurchase agreements, with consequent additional legal and system support costs that serve no economic purpose. The commenter suggested that the Board support possible legislation to remove some of these restrictions. Section 19 of the Federal Reserve Act requires the Board to distinguish transaction accounts from other accounts, because it requires different reserve requirements for transaction accounts and other accounts. (Currently, net transaction accounts in excess of the low reserve tranche are subject to a 10 percent

[2] The Board proposed in 1991 to require LIFO accounting in the case of multiple credits. See 56 FR 15522, 15526. In response to comments opposing the proposal, the Board withdrew it.

reserve requirement whereas nonpersonal time deposits are subject to a zero percent reserve requirement and personal time deposits are exempt from reserve requirements by statute.) The Board has based the distinction between transaction accounts and other accounts on the depositor's convenience of access and consequent ability to use savings deposits for transactional purposes.

Another bank requested additional guidance on sweeps from major accounts, principally those held by corporations and partnerships. The commenter has implemented a master repurchase agreement for these accounts to replace a previous arrangement involving funds secured by Treasury and federal agency securities, and requested guidance with respect to agreements and collateral. Regulation D clearly excludes from the definition of deposit any obligation that ''arises from a transfer of direct obligations of, or obligations that are fully guaranteed as to principal and interest by, the United States government or any agency thereof that the depository institution is obligated to repurchase.'' 12 CFR 204.2(a)(1)(vii)(B). In order for a repurchase obligation to qualify under this exclusion and be thus exempted, in effect, from the requirements of Regulations D and Q, the transaction generally must meet regulatory requirements for agreements to repurchase government securities under the Government Securities Act of 1986 (as amended). See, *e.g.*, 17 CFR parts 403, 404, and 450.

A trade association suggested that the Regulation D definition of demand deposit should preempt a state law provision applicable to its members, which defines demand deposit to include any deposit withdrawable within 30 days. The definition in Regulation D is for the purpose of calculating reserve requirements (since demand deposits are included in transaction accounts) and is also employed in Regulation Q. The Board is not aware of any circumstances under which the state law impairs the effectiveness of these regulations.

One Federal Reserve bank reported receiving a number of requests from depository institutions and bank holding companies for the elimination of member bank pass-through restrictions and of the requirement that reserves passed through a correspondent be held in the Federal Reserve district where the respondent is located. The pass-through restrictions are based on section 19(c) of the Federal Reserve Act, which states that reserve balances of member banks must be held at the Federal Reserve bank of which the bank maintaining the balance is a member, and on operating considerations. The Board will be considering these issues further in light of the growth in interstate banking arrangements that span Federal Reserve district lines.

Finally, § 204.3(i)(1)(ii), which specifies procedure for changes in correspondent-respondent relationships for required reserve balances, incorrectly refers to Reserve Banks' operating circulars that do not exist; § 204.3(i)(4)(ii), which assigns to correspondents responsibility for respondents' required reserve balances, incorrectly refers to ''penalties'' for reserve deficiencies rather than ''charges''; and § 204.7(a)(1), which discusses charges for reserve deficiencies, incorrectly refers to ''the 2 percent carryover provided in § 204.3(h),'' whereas § 204.3(h) provides a carryover of 4 percent or $50,000, whichever is greater. Accordingly, the Board is replacing ''in its operating circular'' by ''in its discretion,'' replacing ''penalties'' by ''charges'' in § 204.3(i)(4)(ii) and simplifying § 204.7(a)(1) to refer to ''the carryover provided in § 204.3(h).'' Similarly, the references to ''penalty-free band'' in § 204.3(h) are replaced by references to ''charge-free band.''

## Final Rule

The Board is adopting the revisions to Regulation D substantially as proposed. In addition, the Board is correcting the references to penalties in the sections on correspondent's responsibility and reserve deficiencies, and clarifying the carryover reference in the section on reserve deficiencies. No substantive change to these two sections is intended.

## Final Regulatory Flexibility Analysis

The Regulatory Flexibility Act (5 U.S.C. 601–612) requires an agency to publish a final regulatory flexibility analysis with any notice of proposed rulemaking. One of the requirements of a final regulatory flexibility analysis (5 U.S.C. 604(a))—a statement of the need for, and the objectives of, the rule—is contained in ''Background'' above. The Regulation D amendments being proposed require no additional reporting or recordkeeping requirements and do not overlap with other federal rules.

A second requirement for the final regulatory flexibility analysis is a summary of the issues raised by the public comments in response to the initial regulatory flexibility analysis that was included in the notice of proposed rulemaking. The Board received no comments specifically related to the initial regulatory flexibility analysis, and the comments it received on the rule are discussed in ''Background'' above.

The third requirement for the final regulatory flexibility analysis is a description of any significant alternatives to the rule consistent with the stated objectives of the applicable statutes and designed to minimize any significant impact of the rule on small entities. The rule will apply to all depository institutions regardless of size, except that the transition rule for *de novo* institutions applies only to institutions with total transaction accounts, nonpersonal time deposits, and Eurocurrency liabilities of less than $50 million.

Except for the transition rules relating to dissimilar mergers and *de novo* institutions, the amendments are burden-reducing and no appropriate alternatives to the provisions in the proposal were found which would further reduce burdens. (The Board considered whether substantive revisions to the definitions of deposits could be implemented in an effort to simplify the regulation further, and concluded that a major revision of the definitions is not appropriate at present. See ''Background'' above.) The current transition rules for dissimilar mergers provide a minor temporary potential reduction in reserve requirements for certain merged institutions. However, no institution is currently benefitting from the dissimilar merger rules. The transition rules for *de novo* institutions, which are only applicable to institutions with reservable liabilities of less than $50 million and provide only a temporary benefit, have become much less significant with the increase in the low-reserve tranche cutoff ($49.3 million for 1997). Partly for this reason, only 56 institutions are currently receiving *de novo* phase-in benefits and only 4 of these institutions are not fully meeting their reserve requirements with vault cash. In order to avoid disrupting economic expectations based on the *de novo* transition rule, any institution covered by the *de novo* transition rule on the effective date of the amendments will be grandfathered for the purpose of determining its required reserves. Therefore, the Board believes that the amendments will not have a significant adverse economic impact on a substantial number of small entities.

A number of the comments included suggestions with respect to other provisions of Regulation D that could reduce burdens on all depository institutions, especially with respect to distinguishing time and savings deposits from transaction accounts. The

Board's responses to these comments are set forth under ''Background'' above.

Paperwork Reduction Act

In accordance with the Paperwork Reduction Act notice of 1995 (44 U.S.C. Ch. 3506; 5 CFR Part 1320, Appendix A.1), the Board has reviewed the rule under the authority delegated to the Board by the Office of Management and Budget. No collection of information pursuant to the Paperwork Reduction Act is contained in the rule.

List of Subjects in 12 CFR Part 204

Banks and banking, Federal Reserve System, Reporting and recordkeeping requirements.

Authority and Issuance

For the reasons set forth in the preamble, the Board is amending part 204 of chapter II of title 12 as follows:

## PART 204—RESERVE REQUIREMENTS OF DEPOSITORY INSTITUTIONS (REGULATION D)

1. The authority citation for part 204 continues to read as follows:

Authority: 12 U.S.C. 248(a), 248(c), 371a, 461, 601, 611, and 3105.

2. Section 204.2 is amended as follows:

a. In paragraph (c)(1)(i) introductory text, the introductory text of footnote 1 is amended by removing ''before maturity'' and adding in its place ''during the period when an early withdrawal penalty would otherwise be required under this part'', removing ''the'' after ''imposing'' and adding in its place ''an'', removing ''penalties'' and adding in its place ''penalty'', and footnote 2 is removed.

b. In paragraphs (c)(1)(iv)(C), (c)(1)(iv)(E), and (d)(2), footnotes 3 through 5 are redesignated as footnotes 2 through 4, respectively, and footnote 6 is removed.

c. Paragraph (f)(1)(iii) is revised.

d. Paragraph (f)(1)(iv) is removed and paragraph (f)(1)(v) is redesignated as paragraph (f)(1)(iv).

e. In newly redesignated paragraphs (f)(1)(iv)(C) and (f)(1)(iv)(E), footnotes 7 and 8 are redesignated as footnotes 5 and 6, respectively.

f. Paragraph (f)(3) is removed and footnote 9 is removed.

g. In paragraph (h)(1)(ii)(A), footnote 10 is redesignated as footnote 7 and is amended by removing ''(1) that were acquired before October 7, 1979, or (2)''.

h. In paragraph (h)(2)(ii), footnote 11 is redesignated as footnote 8 and is amended by revising ''Footnote 10'' to read ''footnote 7''.

i. In paragraph (t), footnote 12 is redesignated as footnote 9, and footnote reference 2 is redesignated as footnote reference 9. The revisions are as follows:

### § 204.2 Definitions.

* * * * *

(f)(1) * * *

(iii) A transferable time deposit. A time deposit is transferable unless it contains a specific statement on the certificate, instrument, passbook, statement or other form representing the account that it is not transferable. A time deposit that contains a specific statement that it is not transferable is not regarded as transferable even if the following transactions can be effected: a pledge as collateral for a loan, a transaction that occurs due to circumstances arising from death, incompetency, marriage, divorce, attachment, or otherwise by operation of law or a transfer on the books or records of the institution; and

* * * * *

3. Section 204.3 is amended as follows:

a. Paragraph (a)(3)(i) is removed and the paragraph designation (a)(3)(ii) is removed.

b. Paragraph (f)(1) is revised.

c. In paragraphs (h)(1) and (h)(2), the words ''required clearing balance penalty-free band'' are revised to read ''required charge-free band''.

d. Paragraph (i)(1)(ii) is amended in the last sentence by removing ''in its operating circular'' and adding in its place ''in its discretion''.

e. Paragraph (i)(4)(ii) is amended by removing ''penalties'' in the second sentence and ''penalty'' in the third sentence and adding in their place ''charges'' and ''charge'', respectively.

f. Paragraph (i)(5)(iv) is removed.

The revisions are as follows:

### § 204.3 Computation and maintenance

* * * * *

(f) *Deductions allowed in computing reserves.* (1) In determining the reserve balance required under this part, the amount of cash items in process of collection and balances subject to immediate withdrawal due from other depository institutions located in the United States (including such amounts due from United States branches and agencies of foreign banks and Edge and agreement corporations) may be deducted from the amount of gross transaction accounts. The amount that may be deducted may not exceed the amount of gross transaction accounts.

* * * * *

4. Section 204.4 is revised to read as follows:

### § 204.4 Transitional adjustments in mergers

In cases of mergers and consolidations of depository institutions, the amount of reserves that shall be maintained by the surviving institution shall be reduced by an amount determined by multiplying the amount by which the required reserves during the computation period immediately preceding the date of the merger (computed as if the depository institutions had merged) exceeds the sum of the actual required reserves of each depository institution during the same computation period, times the appropriate percentage as specified in the following schedule:

| Maintenance periods occurring during quarters following merger or consolidation | Percentage applied to difference to compute amount to be subtracted |
|---|---|
| 1 | 87.5 |
| 2 | 75.0 |
| 3 | 62.5 |
| 4 | 50.0 |
| 5 | 37.5 |
| 6 | 25.0 |
| 7 | 12.5 |
| 8 and succeeding | 0 |

### § 204.7 [Amended]

5. Section 204.7 is amended in paragraph (a)(1) by removing ''after application of the 2 percent carryover provided in § 204.3(h)'' and adding in its place ''after application of the carryover provided in § 204.3(h)''.

6. Section 204.8 is amended as follows:

a. In paragraph (a)(2)(i)(B)(5), footnotes 13 and 14 are redesignated as footnotes 10 and 11, respectively.

b. In paragraph (a)(3)(v), footnotes 15 and 16 are redesignated as footnotes 12 and 13, respectively, and revised to read as follows:

### § 204.8 International banking facilities.

(a) *Definitions.* * * *

(3) * * *

(v) * * * [12] * * * [13] * * *

* * * * *

### § 204.9 [Amended]

7. Section 204.9 is amended by removing paragraph (b), by redesignating paragraphs (a)(1) and (a)(2) as paragraphs (a) and (b), respectively.

[12] See footnote 10.

[13] See footnote 11.

By order of the Board of Governors of the Federal Reserve System, December 24, 1996.

William W. Wiles,

*Secretary of the Board.*

[FR Doc. 96–33158 Filed 12–30–96; 8:45 am]

**BILLING CODE 6210–01–P**

## DEPARTMENT OF TRANSPORTATION

## Federal Aviation Administration

## 14 CFR Part 39

**[Docket No. 96–NM–279–AD; Amendment 39–9867; AD 96–26–04]**

**RIN 2120–AA64**

## Airworthiness Directives; Boeing Model 747 Series Airplanes

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

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

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that is applicable to certain Boeing Model 747 series airplanes. This action requires a one-time inspection to detect fatigue cracking of the vertical beam webs and chords of the nose wheel well (NWW) at body station (BS) 300 and BS 320, and repair, if necessary. This action also requires inspections to detect fatigue cracking of the inner chord and web of the fuselage frames at BS 300 and BS 320, and repair, if necessary. This amendment is prompted by a report indicating that the fuselage frames at BS 300 and BS 320 severed approximately 10 inches outboard of the NWW side panel and resulted in accelerated fatigue cracking and subsequent failure of the adjacent NWW vertical beams. The actions specified in this AD are intended to detect and correct such fatigue cracking, which could result in collapse of the NWW pressure bulkhead and subsequent rapid decompression of the airplane.

**DATES:** Effective January 6, 1997.

Comments for inclusion in the Rules Docket must be received on or before March 3, 1997.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 96–NM–279–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

**FOR FURTHER INFORMATION CONTACT:** Bob Breneman, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington; telephone (206) 227–2776; fax (206) 227–1181.

**SUPPLEMENTARY INFORMATION:** The FAA has received a report indicating that the flight crew of a Boeing Model 747–200 series airplane heard a loud noise below the cockpit area during flight descent. The flight continued with an uneventful landing. Investigation revealed that the left-hand side wall of the nose wheel well (NWW) was bulging. Further investigation revealed that the fuselage frames at body stations (BS) 300 and BS 320 had severed approximately 10 inches outboard of the NWW side panel. Additionally, the vertical beam of the NWW at BS 300 contained multiple cracks in the inner chord, a severed web, and a cracked and deformed outer chord. The vertical beam of the NWW at BS 320 also was found to have a severed web and cracks in the radius of the inner chord, as well as severe damage to numerous horizontal stiffeners and clips. The apparent cause of this cracking is fatigue.

Fatigue cracking of the BS 300 and BS 320 fuselage frames in the area of the NWW, if not detected and corrected in a timely manner, could result in collapse of the NWW pressure bulkhead, and subsequent rapid decompression of the airplane.

### Other Relevant Rulemaking

The FAA previously issued AD 90–06–14, amendment 39–6544 (55 FR 10045, March 19, 1990), which is applicable to certain Boeing Model 747 series airplanes. [A correction of that rule was published in the Federal Register on May 18, 1990 (55 FR 20590).] That AD requires repetitive visual inspections to detect fatigue cracking of the vertical beams, webs, clips, side wall web, top panel and intercostals of the NWW. That AD requires that the initial inspection be accomplished prior to the accumulation of 10,000 total flight cycles, and that repetitive inspections be accomplished at intervals of 1,500 or 3,000 flight cycles, depending on the inspection method used.

The FAA also issued AD 91–11–01, amendment 39–6997 (56 FR 22306, May 15, 1991), which also is applicable to certain Boeing Model 747 series airplanes. That AD requires the inspection to detect fatigue cracking of the fuselage frames adjacent to the NWW, prior to the accumulation of 16,000 flight cycles. That AD provides an optional terminating modification that entails installing new fuselage frames (including the frames adjacent to the NWW) with improved durability. That modification is required prior to the accumulation of 20,000 flight cycles in accordance with AD 90–06–06 (aging fleet AD).

The airplane involved in the incident described previously had accumulated 14,341 total flight cycles at the time of structural failure. A visual inspection to detect cracking of the vertical beams of the NWW in accordance with AD 90–06–14 had been performed only 621 cycles prior to the reported failure. The fuselage frames in its NWW area had not yet been replaced with the new, improved durability frames in accordance with AD 91–11–01.

### Explanation of the Requirements of the Rule

Since an unsafe condition has been identified that is likely to exist or develop on other Boeing Model 747 series airplanes of the same type design, this AD is being issued to detect and correct fatigue cracking of BS 300 and BS 320 fuselage frames adjacent to the NWW, which could result in collapse of the NWW pressure bulkhead and possibly result in rapid decompression of the airplane. This AD requires repetitive visual inspections to detect fatigue cracking of the inner chord and web of the left and right side of fuselage frames at BS 300 and BS 320, from the NWW side panel outboard to stringer 39. This AD also requires a one-time visual inspection to detect fatigue cracking of the vertical beam webs and chords of the NWW at BS 300 and BS 320. This AD also requires that any cracking detected during those inspections be repaired in accordance with a method approved by the FAA.

### Interim Action

This is considered to be interim action until final action is identified, at which time the FAA may consider further rulemaking.

### Determination of Rule's Effective Date

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

### Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the

Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

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

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket Number 96–NM–279–AD.'' The postcard will be date stamped and returned to the commenter.

Regulatory Impact

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

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

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, 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:

96–26–04 Boeing: Amendment 39–9867. Docket 96–NM–279–AD.

*Applicability:* Model 747 series airplanes having line numbers 1 through 678 inclusive; on which the Section 41 frame replacement in zone 1 specified in Boeing Service Bulletin 747–53–2272 has not been accomplished; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (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 detect and correct fatigue cracking of body station (BS) 300 and BS 320 fuselage frames adjacent to the nose wheel well (NWW), which could result in collapse of the NWW pressure bulkhead, and subsequent rapid decompression of the airplane, accomplish the following:

(a) Prior to the accumulation of 10,000 total flight cycles, or within 50 flight cycles after the effective date of this AD, whichever occurs later, perform a detailed visual inspection to detect fatigue cracking of the inner chord and web of the left side and right side of BS 300 and BS 320 fuselage frames from the nose wheel well (NWW) side panel outboard to stringer 39, in accordance with normal maintenance practices. Pay particular attention to the area where the NWW vertical beam inner chord interfaces with the fuselage frame.

(1) If no cracking is detected, repeat the detailed visual inspection thereafter at intervals not to exceed 100 flight cycles.

(2) If any cracking is detected, prior to further flight, repair in accordance with a method approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate.

(b) Prior to the accumulation of 10,000 total flight cycles, or within 50 flight cycles after the effective date of this AD, whichever occurs later, perform a detailed one-time visual inspection to detect fatigue cracking of the left and right side vertical beam webs and chords of the NWW at BS 300 and BS 320, in accordance with normal maintenance procedures.

(1) If no cracking is detected, no further action is required by this paragraph.

(2) If any cracking is detected, prior to further flight, repair in accordance with a method approved by the Manager, Seattle ACO.

(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, 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, 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.

(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.

(e) This amendment becomes effective on January 6, 1997.

Issued in Renton, Washington, on December 20, 1996.

S. R. Miller,

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

[FR Doc. 96–33041 Filed 12–30–96; 8:45 am]

BILLING CODE 4910–13–U

## DEPARTMENT OF THE TREASURY

## Internal Revenue Service

## 26 CFR Parts 1, 301, and 602

**[TD 8703]**

**RIN 1545–AS04; RIN 1545–AU47**

## Automatic Extension of Time for Filing Individual Income Tax Returns; Automatic Extension of Time To File Partnership Return of Income, Trust Income Tax Return, and U.S. Real Estate Mortgage Investment Conduit Income Tax Return

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Final regulations.

**SUMMARY:** This document contains final regulations that reflect new and simpler procedures for an individual to obtain an automatic extension of time to file an individual income tax return. This document also contains final regulations that provide new and simpler procedures for a partnership, trust, and Real Estate Mortgage Investment Conduit (REMIC) to obtain an automatic extension of time to file partnership, trust, and REMIC returns.

**EFFECTIVE DATE:** The regulations are effective December 31, 1996.

**FOR FURTHER INFORMATION CONTACT:** Margaret A. Owens, (202) 622–6232 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:**

## Paperwork Reduction Act

The collection of information contained in these final regulations has been reviewed and approved by the Office of Management and Budget in accordance with the Paperwork Reduction Act (44 U.S.C. 3504(h)) under control numbers 1545–1479 and 1545–0148. Responses to this collection of information are required to obtain a benefit (an automatic 4-month extension of time to file an individual income tax return or an automatic 3-month extension of time to file a partnership return of income, a trust income tax return, or a REMIC income tax return).

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.

Estimates of the reporting burden in these final regulations are reflected in the burden estimates of either Form 4868, Application for Automatic Extension of Time to File U.S. Individual Income Tax Return, or Form 8736, Application for Automatic Extension of Time To File U.S. Return for a Partnership, REMIC or for Certain Trusts.

Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be sent to the Internal Revenue Service, Attn: IRS Reports Clearance Officer, T:FP, Washington, DC 20224, and 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.

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

### *Extensions for Individual Income Tax Returns*

On January 4, 1996, temporary regulations (TD 8651) providing new and simpler procedures for individuals to obtain an automatic extension of time to file an individual income tax return were published in the Federal Register (61 FR 260). A notice of proposed rulemaking (IA–41–93) cross-referencing the temporary regulations was published in the Federal Register for the same day (61 FR 338).

Written comments responding to the notice of proposed rulemaking were received. No public hearing was requested or held. After consideration of all the comments, the temporary regulations under sections 6081 and 6651 relating to the automatic extension of time to file individual income tax returns are adopted as revised by this Treasury Decision, and the corresponding temporary regulations are removed. The comments and revisions are discussed below in the section on Explanation of Provisions and Summary of Comments.

### *Extensions for Partnership Returns of Income and Trust Income Tax Returns*

On April 5, 1988, temporary regulations (TD 8190) relating to the automatic extension of time to file partnership returns of income and trust income tax returns were published in the Federal Register (53 FR 11066). A notice of proposed rulemaking (LR–29–88) cross-referencing the temporary regulations was published in the Federal Register for the same day (53 FR 11103).

In accordance with section 860F(e), REMICs have been generally treated as partnerships with regard to extensions of time to file. A REMIC has been allowed an automatic 3-month extension of time to file if (1) an application was prepared on Form 8736, (2) the application was signed by the person duly authorized, (3) the application was filed on or before the date Form 1066, U.S. Real Estate Mortgage Investment Conduit Income Tax Return, was due, (4) the application showed the full amount properly estimated as tax, and (5) the application was accompanied by full remittance of the amount properly estimated as tax that was unpaid as of the date prescribed for filing Form 1066.

Written comments responding to the notice of proposed rulemaking and the request for comments were received. No public hearing was requested or held. After consideration of all the comments, the temporary regulations under section 6081 relating to the automatic extension of time to file partnership returns of income, trust income tax returns, and REMIC income tax returns are adopted as revised by this Treasury decision, and the corresponding temporary regulations are removed. The comments and revisions are discussed below.

## Explanation of Provisions and Summary of Comments

These final regulations provide that individuals may obtain an automatic 4-month extension of time to file an individual income tax return without remitting the unpaid amount of any tax properly estimated to be due with the application for extension of time to file. Under these final regulations, an individual's inability to pay is not a condition for obtaining an automatic 4-month extension. However, taxpayers are encouraged to make payments in order to minimize interest and penalties imposed on unpaid amounts.

The final regulations remove the regulatory requirement that Forms 4868 be signed.

Most commentators responded favorably to the proposed and temporary regulations. Some commentators suggested that the IRS should develop a bulk method for submitting applications for automatic extensions so that return preparers could submit a list of the required information for all their clients on one Form 4868. The final regulations provide that the IRS may prescribe other methods for submitting an application in lieu of a paper application on Form 4868. In April 1996, the IRS provided a method of filing Forms 4868 electronically through the Electronic Transmitted Documents System. See Publication 1346. The IRS continues to offer this method of filing Forms 4868. If there is still a need for other methods, suggestions should be sent to: CC:DOM:CORP:R (REG–209643–93), Room 5226, Internal Revenue Service, POB 7604, Ben Franklin Station, Washington, DC 20044.

One commentator recommended that the requirement to ''properly estimate'' the tax be dropped, since payment of the unpaid amount of tax due is not a condition of obtaining an automatic 4-month extension of time to file an individual income tax return. The requirement has been retained to assist taxpayers in determining the amount of interest and penalties for which they will be liable if timely tax payments are not made, and to thereby encourage

payments, as large as possible, with the application for extension of time to file.

The final regulations provide the requirements for partnerships, trusts, and REMICs to obtain an automatic 3-month extension of time to file partnership, trust, and REMIC returns. The final regulations remove the regulatory requirement that Forms 8736 be signed. Notwithstanding the current instructions to Form 8736, an unsigned Form 8736 will be processed. In addition, these final regulations provide that trusts and REMICs may obtain an automatic 3-month extension of time to file a trust income tax return or a REMIC income tax return without remitting the unpaid amount of any tax properly estimated to be due with the application for extension of time to file.

The final regulations provide that the IRS may prescribe additional methods of obtaining an extension of time to file in lieu of a paper application on Form 8736.

Some commentators suggested that allowing automatic extensions for partnership returns of income and trust income tax returns will give rise to filing difficulties for partners and trust beneficiaries. The Treasury and the IRS took this concern into account when limiting partnership and trust extensions to 3 months rather than the 4 months permitted individuals.

Special Analyses

It has been determined that these final regulations are not a significant regulatory action as defined in EO 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 the notices of proposed rulemaking preceding the regulations were issued prior to March 29, 1996, a Regulatory Flexibility Analysis is not required. Pursuant to section 7805(f) of the Internal Revenue Code, a copy of the notice of proposed rulemaking providing an automatic extension of time to file an individual income tax return that precedes these regulations was submitted to the Chief Counsel for Advocacy of the Small Business Administration for comment on their impact on small business.

Drafting Information

The principal authors of these regulations are Margaret A. Owens, and Philip E. Bennet, Office of the Assistant Chief Counsel (Income Tax & Accounting), IRS. However, other personnel from the IRS and the Treasury Department participated in their development.

List of Subjects

*26 CFR Part 1*

Income taxes, Reporting and recordkeeping requirements.

*26 CFR Part 301*

Employment taxes, Estate taxes, Excise taxes, Gift taxes, Income taxes, Penalties, Reporting and recordkeeping requirements.

*26 CFR Part 602*

Reporting and recordkeeping requirements.

Adoption of Amendments to the Regulations

Accordingly, 26 CFR parts 1, 301, and 602 are amended as follows:

## PART 1—INCOME TAXES

Paragraph 1. The authority citation for part 1 is amended by adding new entries in numerical order to read as follows:

Authority: 26 U.S.C. 7805 * * *

Section 1.6081–2 also issued under 26 U.S.C. 6081(a).

Section 1.6081–4 also issued under 26 U.S.C. 6081(a).

Section 1.6081–6 also issued under 26 U.S.C. 6081(a).

Section 1.6081–7 also issued under 26 U.S.C. 6081(a). * * *

Par. 2. Section 1.6081–2 is added to read as follows:

### § 1.6081–2 Automatic extension of time to file partnership return of income.

(a) *In general.* A partnership required to file a return of income on Form 1065, U.S. Partnership Return of Income, for any taxable year will be allowed an automatic 3-month extension of time to file the return after the date prescribed for filing the return if an application under this section is filed in accordance with paragraph (b) of this section. In the case of a partnership described in § 1.6081–5(a)(1), the automatic extension allowed under this section runs concurrently with an extension of time to file granted pursuant to § 1.6081–5(a).

(b) *Requirements.* In order to satisfy this paragraph (b), an application for an automatic extension under this section must be—

(1) Submitted on Form 8736, Application for Automatic Extension of Time To File U.S. Return for a Partnership, REMIC or for Certain Trusts, or in any other manner as may be prescribed by the Commissioner;

(2) Filed on or before the later of—

(i) The date prescribed for filing the partnership return (without regard to any extensions of the time for filing such return); or

(ii) The expiration of any extension of time to file granted such partnership pursuant to § 1.6081–5(a); and

(3) Filed with the Internal Revenue Service office designated in the application's instructions.

(c) *Payment of section 7519 amount.* An automatic extension of time for filing a partnership return under this section does not extend the time for payment of any amount due under section 7519, relating to required payments for entities electing not to have a required taxable year.

(d) *Section 444 election.* An automatic extension of time for filing a partnership return will run concurrently with any extension of time for filing a return allowed because of section 444, relating to the election of a taxable year other than a required taxable year.

(e) *Effect of extension on partner.* An automatic extension of time for filing a partnership return under this section does not operate to extend the time for filing a partner's income tax return or the time for the payment of any tax due on the partner's income tax return.

(f) *Termination of automatic extension.* The district director, including the Assistant Commissioner (International), or the director of a service center may terminate at any time an automatic extension by mailing to the partnership a notice of termination. The notice must be mailed at least 10 days prior to the termination date designated in such notice. The notice of termination must be mailed to the address shown on Form 8736 or to the partnerships's last known address.

(g) *Penalties.* See section 6698 for failure to file a partnership return.

(h) *Coordination with § 1.6081–1.* Except in undue hardship cases, no extension of time for filing a partnership return of income will be granted under § 1.6081–1 until an automatic extension has been allowed pursuant to the provisions of this section.

(i) *Effective date.* This section is effective for applications for an automatic extension of time to file a partnership return of income filed on or after December 31, 1996.

### § 1.6081–2T [Removed]

Par. 3. Section 1.6081–2T is removed.

### § 1.6081–3T [Removed]

Par. 4. Section 1.6081–3T is removed.

Par. 5. Section 1.6081–4 is amended as follows:

1. Paragraphs (a) and (c) are revised.

2. Paragraphs (d) and (e) are added.

The revised and added provisions read as follows:

**§ 1.6081–4 Automatic extension of time for filing individual income tax returns.**

(a) *In general*—(1) *Period of extension.* An individual who is required to file an individual income tax return will be allowed an automatic 4-month extension of time to file the return after the date prescribed for filing the return provided the requirements contained in paragraphs (a)(2), (3), and (4) of this section are met. In the case of an individual described in § 1.6081–5(a)(5) or (6), the automatic 4-month extension will run concurrently with the extension of time to file granted pursuant to § 1.6081–5.

(2) *Manner for submitting an application.* An application must be submitted—

(i) On Form 4868, Application for Automatic Extension of Time to File U.S. Individual Income Tax Return; or

(ii) In any other manner as may be prescribed by the Commissioner.

(3) *Time and place for filing application.* Except in the case of an individual described in § 1.6081–5(a)(5) or (6), the application must be filed on or before the date prescribed for filing the individual income tax return. In the case of an individual described in § 1.6081–5(a)(5) or (6), the application must be filed on or before the expiration of the extension of time to file granted pursuant to § 1.6081–5. The application must be filed with the Internal Revenue Service office designated in the application's instructions.

(4) *Proper estimate of tax.* An application for extension must show the full amount properly estimated as tax for the taxable year.

(5) *Coordination with § 1.6081–1.* Except in undue hardship cases, no extension of time for filing an individual income tax return will be granted under § 1.6081–1 until an automatic extension has been allowed pursuant to the provisions of this paragraph (a).

* * * * *

(c) *Termination of automatic extension.* The district director, including the Assistant Commissioner (International), or the director of a service center may terminate at any time an automatic extension by mailing to the taxpayer a notice of termination. The notice must be mailed at least 10 days prior to the termination date designated in such notice. The notice of termination must be mailed to the taxpayer at the address shown on Form 4868 or to the taxpayer's last known address.

(d) *Penalties.* See section 6651 for failure to file an individual income tax return or failure to pay the amount shown as tax on the return. In particular, see § 301.6651–1(c)(3) of this chapter (relating to a presumption of reasonable cause in certain circumstances involving an automatic extension of time for filing an individual income tax return).

(e) *Effective date.* This section is effective for applications for an automatic extension of time to file an individual income tax return filed on or after December 31, 1996.

**§ 1.6081–4T [Removed]**

Par. 6. Section 1.6081–4T is removed.

Par. 7. Section 1.6081–6 is added under the undesignated centerheading ''Extension of Time for Filing Returns'' to read as follows:

**§ 1.6081–6 Automatic extension of time to file trust income tax return.**

(a) *In general.* A trust required to file an income tax return on Form 1041, U.S. Income Tax Return for Estates and Trusts, for any taxable year will be allowed an automatic 3-month extension of time to file the return after the date prescribed for filing the return if an application under this section is filed in accordance with paragraph (b) of this section.

(b) *Requirements.* To satisfy this paragraph (b), an application for an automatic extension under this section must—

(1) Be submitted on Form 8736, Application for Automatic Extension of Time To File U.S. Return for a Partnership, REMIC or for Certain Trusts, or in any other manner as may be prescribed by the Commissioner;

(2) Be filed on or before the date prescribed for filing the trust income tax return with the Internal Revenue Service office designated in the application's instructions; and

(3) Show the full amount properly estimated as tax for the trust for the taxable year.

(c) *Effect of extension on beneficiary.* An automatic extension of time to file a trust income tax return under this section will not operate to extend the time for filing the income tax return of a beneficiary of the trust or the time for the payment of any tax due on the beneficiary's income tax return.

(d) *Termination of automatic extension.* The district director, including the Assistant Commissioner (International), or the director of a service center may terminate at any time an automatic extension by mailing to the trust a notice of termination. The notice must be mailed at least 10 days prior to the termination date designated in such notice. The notice of termination must be mailed to the address shown on Form 8736 or to the trust's last known address.

(e) *Penalties.* See section 6651 for failure to file a trust income tax return or failure to pay the amount shown as tax on the return.

(f) *Coordination with § 1.6081–1.* Except in undue hardship cases, no extension of time for filing a trust income tax return will be granted under § 1.6081–1 until an automatic extension has been allowed pursuant to the provisions of this section.

(g) *Effective date.* This section is effective for applications for an automatic extension of time to file a trust income tax return filed on or after December 31, 1996.

Par. 8. Section 1.6081–7 is added under the undesignated centerheading ''Extension of Time for Filing Returns'' to read as follows:

**§ 1.6081–7 Automatic extension of time to file Real Estate Mortgage Investment Conduit (REMIC) income tax return.**

(a) *In general.* A Real Estate Mortgage Investment Conduit (REMIC) required to file an income tax return on Form 1066, U.S. Real Estate Mortgage Investment Conduit Income Tax Return, for any taxable year will be allowed an automatic 3-month extension of time to file the return after the date prescribed for filing the return if an application under this section is filed in accordance with paragraph (b) of this section.

(b) *Requirements.* To satisfy this paragraph (b), an application for an automatic extension under this section must—

(1) Be submitted on Form 8736, Application for Automatic Extension of Time To File U.S. Return for a Partnership, REMIC or for Certain Trusts, or in any other manner as may be prescribed by the Commissioner;

(2) Be filed on or before the date prescribed for filing the REMIC income tax return with the Internal Revenue Service office designated in the application's instructions; and

(3) Show the full amount properly estimated as tax for the REMIC for the taxable year.

(c) *Effect of extension on residual or regular interest holders.* An automatic extension of time to file a REMIC income tax return under this section will not operate to extend the time for filing the income tax return of a residual or regular interest holder of the REMIC or the time for the payment of any tax due on the residual or regular interest holder's income tax return.

(d) *Termination of automatic extension.* The district director, including the Assistant Commissioner (International), or the director of a

service center may terminate at any time an automatic extension by mailing to the REMIC a notice of termination. The notice must be mailed at least 10 days prior to the termination date designated in such notice. The notice of termination must be mailed to the address shown on Form 8736 or to the REMIC's last known address.

(e) *Penalties.* See sections 6698 and 6651 for failure to file a REMIC income tax return or failure to pay the amount shown as tax on the return.

(f) *Coordination with § 1.6081–1.* Except in undue hardship cases, no extension of time for filing a REMIC income tax return will be granted under § 1.6081–1 until an automatic extension has been allowed pursuant to the provisions of this section.

(g) *Effective date.* This section is effective for applications for an automatic extension of time to file a REMIC income tax return filed on or after December 31, 1996.

## PART 301—PROCEDURE AND ADMINISTRATION

Par. 9. The authority citation for part 301 continues to read in part as follows:

Authority: 26 U.S.C. 7805. * * *

Par. 10. Section 301.6651–1 is amended by revising paragraph (c)(3) to read as follows:

**§ 301.6651–1 Failure to file tax return or to pay tax.**

* * * * *

(c) * * *

(3) If, for a taxable year ending on or after December 31, 1995, an individual taxpayer satisfies the requirement of § 1.6081–4(a) of this chapter (relating to automatic extension of time for filing an individual income tax return), reasonable cause will be presumed, for the period of the extension of time to file, with respect to any underpayment of tax if—

(i) The excess of the amount of tax shown on the individual income tax return over the amount of tax paid on or before the regular due date of the return (by virtue of tax withheld by the employer, estimated tax payments, and any payment with an application for extension of time to file pursuant to § 1.6081–4 of this chapter) is no greater than 10 percent of the amount of tax shown on the individual income tax return; and

(ii) Any balance due shown on the individual income tax return is remitted with the return.

* * * * *

**§ 301.6651–1T [Removed]**

Par. 11. Section 301.6651–1T is removed.

## PART 602—OMB CONTROL NUMBERS UNDER THE PAPERWORK REDUCTION ACT

Par. 12. The authority citation for part 602 continues to read as follow:

Authority: 26 U.S.C. 7805.

Par. 13. In § 602.101, paragraph (c) is amended by removing the entries for §§ 1.6081–2T, 1.6081–3T, and 1.6081–4T from the table, revising the entry for § 1.6081–4, and adding the following entries in numerical order to the table to read as follows:

**§ 602.101 OMB Control numbers.**

* * * * *

(c) * * *

| CFR part or section where identified and described | Current OMB control No. |
|---|---|
| * * * * * | |
| 1.6081–2 | 1545–0148<br>1545–1054<br>1545–1036 |
| * * * * * | |
| 1.6081–4 | 1545–0188<br>1545–1479 |
| 1.6081–6 | 1545–0148<br>1545–1054 |
| 1.6081–7 | 1545–0148<br>1545–1054 |
| * * * * * | |

Margaret Milner Richardson,

*Commissioner of Internal Revenue.*

Approved: December 11, 1996.

Donald C. Lubick,

*Acting Assistant Secretary of the Treasury.*

[FR Doc. 96–32379 Filed 12–30–96; 8:45 am]

BILLING CODE 4830–01–P

## DEPARTMENT OF JUSTICE

## 28 CFR Part 92

**RIN 1105–AA47**

## Office of Community Oriented Policing Services; FY 1996 Police Corps Program

**AGENCY:** Office of the Police Corps and Law Enforcement Education, Office of Community Oriented Policing Services, Department of Justice.

**ACTION:** Final rule.

**SUMMARY:** This rule adopts without change an interim rule published by the Office of Community Oriented Policing Services, U.S. Department of Justice, in the Federal Register on September 24, 1996, which established a framework for the Police Corps, authorized by the Police Corps Act, Title XX, Subtitle A of the Violent Crime Control and Law Enforcement Act of 1994. One comment was received before the comment period expired on October 24, 1996.

**DATES:** Final rule is effective December 31, 1996.

**FOR FURTHER INFORMATION CONTACT:** L. Anthony Sutin, Deputy Director/General Counsel, Office of Community Oriented Policing Services, U.S. Department of Justice, 1100 Vermont Avenue, NW., Washington, DC 20530; telephone (202) 514–3750.

**SUPPLEMENTARY INFORMATION:** The purpose of this rule is to provide guidance to States and individuals interested in applying to participates in the Police Corps. The rule addresses eligibility requirements, application criteria and procedures, and certain post-application requirements. The rule is not intended to be a comprehensive compilation of the administrative requirements of the Police Corps; the authorizing statute (42 U.S.C. 14091 *et seq.*) is quite detailed in a number of respects and those requirements and provisions are not repeated in the regulation (but are set forth in the following overview). In addition, other program requirements and procedures will be formulated by the participating States in light of their circumstances and needs.

One commenter requested that college and university police forces be made eligible for assignment of Police Corps officers. The rule does not address this issue beyond restating the statute's requirement that Police Corps participants be assigned to a ''State or local police force.'' The Office intends to defer to participating States the determination of whether a particular college or university police force qualifies as a ''State or local police force'' under the laws of those particular States and meet the other statutory requirements for receiving an assignment of Police Corps officers.

Based on other inquiries received by the Office relating to the program, the following additional points of background clarification are offered. First, while the Police corps does make available educational assistance to dependent children of fallen law enforcement officers, this assistance is limited to children of officers who served in a State that participate in the Police Corps. See 28 CFR 92.2(c)(3). Second, nothing in the statute or rule requires Police Corps participants who will receive scholarships for graduate study to resign their officer position upon commencement of graduate study,

to the extent consistent with their employment and educational commitments.

The Office of Community Oriented Policing Services is adopting the interim rule as final without change.

The Catalog of Federal Domestic Assistance Number for the Police Corps is 16.712.

Administrative Requirements

*Executive Order 12866*

This regulation has been drafted and reviewed in accordance with Executive Order 12866, section 1(b), Principles of Regulation. The Office of Community Oriented Policing Services has determined that this final rule is not a ''significant regulatory action'' under Executive Order 12866, section 3(f), Regulatory Planning and Review, and, accordingly, this final rule has not been reviewed by the Office of Management and Budget.

*Regulatory Flexibility Act*

The Director, Office of the Police Corps and Law Enforcement Education, Office of Community Oriented Policing Services, in accordance with the Regulatory Flexibility Act, codified at 5 U.S.C. 605(b), has reviewed this regulation and, by approving it, certifies that this regulation will not have a significant economic impact on a substantial number of small entities. This final rule builds upon the statutory outline of a program providing scholarships and educational assistance to individuals in exchange for a commitment to serve as a law enforcement officer for four years, and the award of such scholarships or assistance imposes no requirements on small businesses or other small entities.

*Paperwork Reduction Act*

Information collection associated with this regulation has been approved by the Office of Management and Budget under the provisions of the Paperwork Reduction Act of 1995. The OMB control number for this collection is 1103–0035.

List of Subjects in 28 CFR Part 92

Law enforcement officers, Scholarships and fellowships, Student aid.

Accordingly, the interim rule adding 28 CFR part 92, which was published in the Federal Register on September 24, 1996, at 61 FR 49971, is adopted as a final rule without change.

Dated: December 19, 1996.

Joseph E. Brann,

*Director.*

[FR Doc. 96–33294 Filed 12–30–96; 8:45 am]

BILLING CODE 4410–AT–M

## ENVIRONMENTAL PROTECTION AGENCY

## 40 CFR Parts 244 and 245

**[FRL–5670–6]**

## Solid Waste Programs; Management Guidelines for Beverage Containers and Resource Recovery Facilities Guidelines; Removal of Obsolete Guidelines

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

**ACTION:** Direct final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is removing from the Code of Federal Regulations (CFR) two guidelines pertaining to solid waste management which are obsolete. The activities addressed in these 1976 guidelines have been included in numerous state and local statutes and regulations and other Federal rules, or have been superseded by such Presidential actions as Executive Order 12873, ''Federal Acquisition, Recycling, and Waste Prevention.'' Deleting these guidelines from the CFR will have no measurable impact on solid waste management.

In the proposed rules section of today's Federal Register, EPA is proposing to withdraw Parts 244 and 245 from Title 40 of the CFR. The accompanying proposal incorporates the contents of this direct final rule. If adverse comments are received on that notice of proposed rulemaking, EPA will withdraw the direct final rule and address the comments received in a subsequent final rule. No additional opportunity for public comment will be provided.

**DATES:** This final rule will be effective on March 3, 1997 unless EPA receives adverse comments on the accompanying proposal within January 30, 1997. If such adverse comment is received, EPA will withdraw this direct final rule, and provide timely notice in the Federal Register.

**ADDRESSES:** Written comments (one original and two copies) should reference docket number F–96–MRBF–FFFFF and be addressed to: RCRA Docket and Information Center (RIC), Office of Solid Waste (5305W), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460. Supporting docket materials can be viewed at and hand deliveries of comments can be made to the following address: Crystal Gateway I, first floor, 1235 Jefferson Davis Highway, Arlington, VA. The RIC is open from 9 a.m. to 4 p.m. Monday through Friday, excluding federal holidays. To review docket materials, it is recommended that the public make an appointment by calling 703 603–9230. The public may copy a maximum of 100 pages from any regulatory docket at no charge. Additional copies cost $0.15/page.

**FOR FURTHER INFORMATION CONTACT:** Deborah Gallman, (703) 308–7276, U.S. EPA, Office of Solid Waste and Emergency Response, 401 M Street, S.W., (5306W), Washington, D.C. 20460, or the RCRA Hotline, phone (800) 424–9346 or TDD (800) 553–7672 (hearing impaired) or (703) 412–9810 or TDD (703) 412–3323 in the Washington, D.C., metropolitan area.

**SUPPLEMENTARY INFORMATION:**

I. Authority

This rule is being issued under the authority of sections 1008, 2002, 6001, and 6004 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 and the Hazardous and Solid Waste Amendments of 1984; 42 U.S.C. 6961.

II. Introduction

On March 4, 1995, the President directed all Federal agencies and departments to conduct a comprehensive review of the regulations they administer and by June 1, 1995, to identify those rules that are obsolete or unduly burdensome. EPA has conducted a review of all its rules, including rules issued under the Resource Conservation and Recovery Act (RCRA). Based on that review, EPA is today withdrawing parts 244 and 245 from the CFR. In addition to the removal of parts 244 and 245, the EPA of Office of Solid Waste and Emergency Response identified a number of other rules that were obsolete as a matter of law or policy, and rules that needed clarifications in order to make certain provisions easier to read and understand. EPA has already published rules to address this (see 60 FR 33912 and 61 FR 18501) and plans to publish additional actions to further eliminate unnecessary rules and clarify others as appropriate. The Office of Solid Waste and Emergency Response intends to continue to evaluate its regulations to determine if they can be further simplified or stremlined.

## III. Obsolete Guidelines

### *A. 40 CFR Part 244—Solid Waste Management Guidelines for Beverage Containers*

On September 21, 1976, EPA issued guidelines for reducing beverage container waste. The guidelines, published in 40 CFR Part 244, were mandatory for Federal facilities and recommended for adoption by state and local governments and private agencies. These guidelines were intended to achieve a reduction in beverage container solid waste and litter, resulting in savings in waste collection and disposal costs to the Federal government. They were also intended to achieve the conservation and more efficient use of energy and other resources through the development of effective beverage distribution and container collection systems. The guidelines would achieve these goals by making all beverage containers on Federal facilities returnable and by encouraging reuse or recycling of the returned containers. To accomplish the return of a beverage container, a deposit of at least five cents on each returnable beverage container was to be paid upon purchase by the consumer and refunded to the consumer. The guidelines allowed Federal agencies not to implement the provisions in various situations where the requirements were not practical.

When these guidelines were promulgated in 1976, there were few other requirements for recycling beverage containers or other materials. Since then, Federal agencies have met the challenge of recycling by implementing, in-house or by contract, programs for collection of a number of recyclable materials, including beverage containers. Many state and local governments now require or encourage such collection programs. Under RCRA Section 6001, Federal facilities must meet such municipal or state recycling requirements. Furthermore, in 1993, President Clinton issued Executive Order 12873, ''Federal Acquisition, Recycling, and Waste Prevention.'' Section 705 of the Executive Order requires each Executive agency that has not already done so to initiate a program to promote cost effective waste prevention and recycling of reusable materials at all of its facilities. Recycling programs implemented pursuant to Section 705 must be compatible with applicable state and local governments to promote recycling and waste reduction in the community.

During the first year after E.O. 12873 was signed, many Federal departments and agencies implemented or expanded recycling programs. To make this effort more efficient, the General Services Administration (GSA) provides contracts for collection of recyclables in many Federal offices. For more information on Federal collection programs and examples of agency accomplishments, see the docket to this rule.

With the implementation of RCRA Section 6001, E.O. 12873, and state and local recycling collection mandates and programs, there is no longer a need for separate guidelines for Federal facilities on beverage containers. Indeed, these other requirements establish a more comprehensive and integrated recycling program. Therefore, EPA is withdrawing 40 CFR Part 244.

### *B. 40 CFR Part 245—Resource Recovery Facilities Guidelines*

On September 21, 1976, EPA issued guidelines for resource recovery facilities that were applicable to the recovery of resources from residential, commercial, or institutional solid wastes. The guidelines delineated minimum actions for Federal agencies for planning and establishing resource recovery facilities. Resource recovery facilities were defined in the guidelines as ''any physical plant that processes residential, commercial, or institutional solid wastes biologically, chemically, or physically, and recovers useful products, such as shredded fuel, combustible oil or gas, steam, metal, glass, etc. for recycling.'' In addition, the guidelines included recommended actions for state, interstate, regional, and local governments. These guidelines applied to all Federal agencies with jurisdiction over any real property or facility, the operation or administration of which involved such agency in residential, commercial, or institutional solid waste disposal activities either in-house or by contract. Federal land that was used solely for the disposal of non-Federal solid waste was not considered real property or a facility for the purpose of these guidelines.

Since the promulgation of Part 245, more comprehensive programs and guidelines have been developed to address Federal and state solid waste activities related to resource recovery facilities. For example, the 40 CFR Part 256 guidelines, promulgated in July, 1979, were developed to assist in the development and implementation of state solid waste management plans, in accordance with Section 4002(b) of the Solid Waste Disposal Act as amended by RCRA. These guidelines address the minimum requirements for approval of state plans, including resource recovery programs, facility planning and implementation. In particular, Section 256.30 requires that state plans address policies and strategies for resource recovery, conservation activities, and local government contracts for the supply of solid waste to resource recovery facilities. Also, § 256.40 requires that state plans ''provide for adequate resource conservation, recovery, storage, treatment and disposal facilities and practices necessary to use or dispose of solid and hazardous waste in an environmentally sound manner.'' Since the promulgation of Part 256, many states have developed Federally approved solid waste management plans, and in some cases the state requirements are more stringent than the Federal guidelines. Under RCRA section 6001 Federal facilities must comply with such state resource recovery requirements.

The activities promoted under 40 CFR Part 245, dealing with recovery of resources and resource recovery facilities, are also addressed in many state and local recycling programs mentioned above and in many comprehensive statewide solid waste management laws enacted since 1976. These laws and programs provide a more integrated framework for resource recovery facilities than 40 CFR Part 245 does. Since 40 CFR Part 256 and related state and local laws incorporate the older Part 245 requirements for facility planning and implementation for resource recovery programs, the guidelines in 40 CFR Part 245 are considered obsolete. Accordingly, EPA is removing these resource recovery guidelines from the CFR.

## IV. Analysis under Executive Order (E.O.) 12866, the Unfunded Mandates Reform Act of 1995, and the Paperwork Reduction Act

Because the withdrawal of these guidelines from the CFR reflects their current obsolescence and has no regulatory impact, this action is not a ''significant'' regulatory action within the meaning of E.O. 12866, and does not impose any Federal mandate on state, local, or tribal governments or the private sector within the meaning of the Unfunded Mandates Reform Act of 1995. For the same reasons, their deletion from the CFR does not affect requirements under the Paperwork Reduction Act.

## V. Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), as amended by the Small Business Regulatory Enforcement Fairness Act of 1996, generally requires an agency to prepare, and make available for public comment, a

regulatory flexibility analysis that describes the impact of a proposed or final rule on small entities (i.e., small businesses, small organizations, and small governmental jurisdictions). However, no regulatory flexibility analysis is required if the head of an agency certifies the rule will not have a significant adverse economic impact on a substantial number of small entities. Today's rule is deregulatory in nature. The effect of today's final rule is to remove obsolete guidelines which are mandatory only for Federal facilities. Therefore, I certify that today's rule will not have a significant economic impact on a substantial number of small entities. As a result, no Regulatory Flexibility Analysis is needed.

VI. Submission To Congress And The General Accounting Office

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

List of Subjects

*40 CFR Part 244*

Environmental Protection, Beverages, Government property, Recycling.

*40 CFR Part 245*

Government property, Recycling.

Dated: December 20, 1996.

Carol M. Browner,

*Administrator.*

For the reasons set forth in the preamble and under the authority of 42 U.S.C. sections 6907, 6912, 6961, and 6964, Title 40, Chapter I of the Code of Federal Regulations is amended as follows:

## PART 244—[REMOVED]

1. Part 244 is removed.

## PART 245—[REMOVED]

2. Part 245 is removed.

[FR Doc. 96–32967 Filed 12–30–96; 8:45 am]

BILLING CODE 6560–50–P

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

## Health Care Financing Administration

## 42 CFR Parts 401 and 405

**[BPD–869–CN]**

## Medicare Program; Waiver of Recovery of Overpayments

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

**ACTION:** Correction notice.

**SUMMARY:** On September 19, 1996, we published a final rule (61 FR 49269), which duplicated in HCFA's regulations the content of two sections of the Social Security Administration's (SSA) regulations concerning waiver of recovery of overpayments. Since SSA was restructuring its regulations to apply only to the Federal Old-Age, Survivors and Disability Insurance Program, we established the content of these sections in 42 CFR part 405 to preserve the content of the SSA regulations that are applicable to the Medicare Program. This notice corrects an error in the authority citation in that document.

**EFFECTIVE DATE:** These regulations are effective on October 21, 1996.

**FOR FURTHER INFORMATION CONTACT:** David Walczak, (410) 786–4475.

**SUPPLEMENTARY INFORMATION:** On September 19, 1996, we published a final rule (61 FR 49269) concerning waiver of recovery of overpayments. This notice corrects an error in the authority citation in that document.

On page 49271, in column one, under part 405, amendment 1, the authority citation for part 405, ''Authority: Secs. 1102, 1862, and 1871 of the Social Security Act (42 U.S.C. 1302, 1395y, and 1895hh).'' is corrected to read, ''Authority: Secs. 1102, 1861, 1862(a), 1871, 1874, and 1881 of the Social Security Act (42 U.S.C. 1302, 1395x, 1395y(a), 1395hh, 1395kk, and 1395rr), and sec. 353 of the Public Health Service Act (42 U.S.C. 263a), unless otherwise noted.''

(Catalog of Federal Domestic Assistance Program No. 93.773, Medicare—Hospital Insurance; and Program No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: December 19, 1996.

Michael W. Carleton,

*Acting Deputy Assistant Secretary for Information Resources Management.*

[FR Doc. 96–33090 Filed 12–30–96; 8:45 am]

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## 42 CFR Parts 417 and 434

**[OMC–010–F]**

**RIN 0938–AF74**

## Medicare and Medicaid Programs; Requirements for Physician Incentive Plans in Prepaid Health Care Organizations

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

**ACTION:** Final rule.

**SUMMARY:** This final rule amends the regulations established by a March 27, 1996, final rule with comment period. The regulations govern physician incentive plans operated by Federally-qualified health maintenance organizations and competitive medical plans contracting with the Medicare program, and certain health maintenance organizations and health insuring organizations contracting with the Medicaid program.

As explained in the March 27 rule, the provisions of this final rule will also have an effect on certain entities subject to the physician referral rules in section 1877 of the Social Security Act.

**DATES:** *Effective date.* These regulations are effective on January 1, 1997.

**FOR FURTHER INFORMATION CONTACT:** Beth Sullivan, (410) 786–4596.

**SUPPLEMENTARY INFORMATION:**

I. Background

*A. Introduction*

Prepaid health care organizations, such as health maintenance organizations (HMOs), competitive medical plans (CMPs), and health insuring organizations (HIOs) are entities that provide enrollees with comprehensive, coordinated health care in a cost-efficient manner. The goal of prepaid health care delivery is to control health care costs through preventive care and case management and provide enrollees with affordable, coordinated, quality health care services. Titles XVIII and XIX of the Social Security Act (the Act) authorize contracts with prepaid health care organizations (hereinafter referred to as ''organizations'' or ''prepaid plans'') for the provision of covered health services to Medicare beneficiaries and Medicaid recipients, respectively. Such organizations may contract under either a risk-based or cost-reimbursed contract.

*B. Medicare*

Section 1876 of the Act authorizes the Secretary to enter into contracts with eligible organizations (HMOs that have been Federally qualified under section

1310(d) of the Public Health Service Act and CMPs that meet the requirements of section 1876(b)(2) of the Act) to provide Medicare-covered services to beneficiaries and specifies the requirements the organizations must meet. Payment under these contracts may either be made on a risk capitation basis, under which a fixed amount is paid per Medicare enrollee per month, or on a reasonable cost basis, under which costs are reimbursed retrospectively. Implementing Federal regulations for the organization and operation of Medicare HMOs and CMPs, contract requirements, and conditions for payment are located at 42 CFR 417.400 through 417.694.

The amount paid to risk HMOs/CMPs is the projected actuarial equivalence of 95 percent of what Medicare would have paid if the beneficiaries had received services from fee-for-service providers or suppliers. Organizations paid on a risk basis are liable for any difference between the Medicare prepaid amounts and the actual costs they incur in furnishing services, and they are therefore ''at risk.''

Cost-reimbursed organizations are paid monthly interim per capita payments that are based on a budget. Later, a retrospective cost settlement occurs to reflect the reasonable costs actually incurred by the organization for the covered services it furnished to its Medicare enrollees.

*C. Medicaid*

Section 1903(m) of the Act specifies requirements that must be met for States to receive Federal financial participation (FFP) for contracts with organizations (HMOs, and certain HIOs) to furnish, either directly or through arrangements, specific arrays of services on a risk basis. Federal implementing regulations for these contract requirements and conditions for payment are located at 42 CFR part 434.

States determine the per capita monthly rates that are to be paid to risk-based organizations. FFP is available for these payments at the matching rate applicable in the State as long as HCFA determines that the contracts comply with detailed requirements in section 1903(m)(2)(A) and 42 CFR part 434.

II. Legislative and Regulatory History

Section 9313(c) of the Omnibus Budget Reconciliation Act of 1986 (OBRA '86), Public Law 99–509, prohibited, effective April 1, 1989, hospitals and prepaid health care organizations with Medicare or Medicaid risk contracts from knowingly making incentive payments to a physician as an inducement to reduce or limit services to Medicare beneficiaries or Medicaid recipients. Under the OBRA '86 provisions, parties who knowingly made or accepted these payments would have been subject to specified civil money penalties. Additionally, the provisions required that the Secretary report on incentive arrangements in HMOs and CMPs. Section 4016 of the Omnibus Budget Reconciliation Act of 1987 (OBRA '87), Public Law 100–203, extended the original implementation date for the OBRA '86 physician incentive provisions to April 1, 1991. Subsequently, sections 4204(a) and 4731 of the Omnibus Budget Reconciliation Act of 1990 (OBRA '90), Public Law 101–508, repealed, effective November 5, 1990, the prohibition of physician incentive plans in prepaid health care organizations and enacted requirements, effective January 1, 1992, for regulating these plans.

Specifically, section 4204(a)(1) of OBRA '90 added paragraph (8) to section 1876(i) of the Act to specify that each Medicare contract with a prepaid health care organization must stipulate that the organization must meet the following requirements if it operates a physician incentive plan:

- That it not operate a physician incentive plan that directly or indirectly makes specific payments to a physician or physician group as an inducement to limit or reduce medically necessary services to a specific individual enrolled with the organization.
- That it disclose to us its physician incentive plan arrangements in detail that is sufficient to allow us to determine whether the arrangements comply with Departmental regulations.
- That, if a physician incentive plan places a physician or physician group at ''substantial financial risk'' (as defined by the Secretary) for services not provided directly, the prepaid health care organization: (1) Provide the physician or physician group with adequate and appropriate stop-loss protections (under standards determined by the Secretary) and (2) conduct surveys of currently and previously enrolled members to assess the degree of access to services and the satisfaction with the quality of services.

Section 4204(a)(2) of OBRA '90 amended section 1876(i)(6)(A)(vi) of the Act to add violations of the above requirements to the list of violations that could subject a prepaid health care organization to intermediate sanctions and civil money penalties.

Section 4731 of OBRA '90 enacted similar provisions for the Medicaid program by amending sections 1903(m)(2)(A) and 1903(m)(5)(A) of the Act.

Section 13562 of OBRA '93 amended section 1877 of the Act, which prohibits physicians from referring Medicare patients to an entity for the furnishing of certain designated health services if the physician (or an immediate family member) has a financial relationship with that entity. A financial relationship can consist of either an ownership or investment interest in the entity or a compensation arrangement with the entity. OBRA '93 provides an exception to the section 1877 physician referral prohibition that incorporates the physician incentive plan rules implemented in this final rule. Under this exception, compliance with these physician incentive rules is one of several conditions that must be satisfied if a physician's or family member's personal services compensation arrangement with an entity involves compensation that varies based on the volume or value of referrals. OBRA '93 also extended the provisions in section 1877 to Medicaid.

In the December 14, 1992 issue of Federal Register, we published, in conjunction with the Office of Inspector General, our proposal for implementing the requirements in sections 4204(a) and 4731 of OBRA '90 (57 FR 59024). On March 27, 1996, again in conjunction with the Office of Inspector General, we published, at 61 FR 13430, a final rule with comment period that set forth in regulations incentive plan requirements that govern Federally-qualified HMOs and CMPs contracting with the Medicare program and certain HMOs and HIOs contracting with the Medicaid program. On September 3, 1996, we published, at 61 FR 46384, a final rule correction that clarified and changed some of the dates by which prepaid health plans had to comply with the requirements of the March 27 rule. Readers who desire additional background information are referred to the above cited Federal Register documents.

III. Provisions of the March 27, 1996 Rule

This section contains a brief summary of the provisions of the March 27, 1966 rule. If we received public comments on a particular provision, a fuller description of the provision is given in section IV of this preamble (Analysis of and Responses to Public Comments), and we indicate that in this section. Note that we do not describe below those provisions of the March 27, 1996 rule that amended 42 CFR Part 1003 (Civil Money Penalties, Assessments

and Exclusions) since they are not the subject of this revised final rule.

The requirements for physician incentive plans are set forth in § 417.479. Paragraph (a) of that section specifies that the contract between HCFA and an HMO or CMP must specify that the HMO or CMP may operate a physician incentive plan only if: (1) No specific payment is made directly or indirectly under the plan to a physician or physician group as an inducement to reduce or limit medically necessary services furnished to an individual enrollee, and (2) the stop-loss protection, enrollee survey, and disclosure requirements of § 417.479 are met.

Section 417.479(b) provides that the physician incentive plan requirements apply to physician incentive plans between HMOs/CMPs and individual physicians or physician groups with whom the HMOs or CMPs contract to provide medical services to enrollees. It further provides that the requirements apply only to physician incentive plans that base compensation (in whole or in part) on the use or cost of services furnished to Medicare beneficiaries or Medicaid recipients.

Section 417.479(c) defines the following terms for purposes of § 417.479: Bonus, capitation, payment, physician group, physician incentive plan, referral services, risk threshold, and withhold.

Section 417.479(d) prohibits payment of any kind made directly or indirectly under the incentive plan as an inducement to reduce or limit medically necessary services covered under the HMO's or CMP's contract that are furnished to an individual enrollee.

Section 417.479(e) sets forth a general rule for determining when substantial financial risk occurs. (See section IV.)

Section 417.479(g) mandates that, if an HMO or CMP operates an incentive plan that places physicians or physician groups at substantial financial risk, it must conduct enrollee surveys that meet specified requirements and ensure that all physicians and physician groups at substantial financial risk have either aggregate or per-patient stop-loss protection that meets specified requirements. (See section IV.)

Section 417.479(h) requires that organizations with physician incentive plans disclose information about those plans to us and to any Medicare beneficiary who requests it. (See section IV.)

Section 417.479(i) sets forth requirements related to subcontracting arrangements. (See section IV.)

Section 417.479(j) specifies that we may apply intermediate sanctions, or the Office of Inspector General may apply civil money penalties, if we determine that an HMO or CMP fails to comply with the physician incentive plan requirements. In addition, failure to comply with the physician incentive plan requirements was added to the list of bases for imposition of sanctions at § 417.500.

The March 27, 1996 final rule also amended the Medicaid rules at § 434.70 (Conditions for Federal financial participation (FFP)) to specify that FFP is available in expenditures for payments to an HMO or HIO only if it complies with the physician incentive plan requirements. The final rule also incorporated these requirements into §§ 434.44 (Special rules for certain HIOs) and 434.67 (Sanctions against HMOs with risk comprehensive contracts).

## IV. Analysis of and Responses to Public Comments

We received 38 timely items of correspondence on the March 27, 1996 final rule with comment period. Commenters included prepaid plans, national and local associations of managed care providers, physician associations, a State medical association, and consumer advocacy groups. This section of the preamble contains a summary of the comments and our responses. Note that a national association that indicated that it represents approximately 1,000 health plans and identified below as ''a major association'' submitted comments. Although some of the comments below are attributed only to the major association, individual health plans also made some of these same comments.

### *Applicability*

*Comment:* A commenter asked whether the regulations apply to enrollees who are enrolled through the prepaid plan's commercial line of business if the enrollees are also Medicare beneficiaries. For example, if an individual who is over 65 but is actively working is covered by the prepaid plan's commercial product through his or her employer, would the physician incentive arrangement between the prepaid plan and the physician(s) treating that individual under the commercial product be subject to the regulations?

*Response:* Yes, the regulations apply to these plans. The employer's plan is the first payer, and the Medicare capitation payment is adjusted downward, but the enrollee is still a Medicare beneficiary.

*Comment:* One commenter stated that the regulation defines ''physician group'' as a corporation or other group that ''*distributes income* from the practice among *members*.'' [Emphasis added by commenter.] The commenter stated that community health centers (CHCs) are clearly not included within this definition. As a result, the commenter is unable to ascertain whether plans contracting with CHCs will be required to provide to CHCs the stop-loss protection described in the regulation. The commenter recommends that the definition of ''physician group'' be changed as regards distribution of income and membership so as to include CHCs. The commenter pointed out the following: CHCs are by definition public or private nonprofit entities. As tax-exempt entities, they cannot ''distribute'' income like a for-profit entity does. CHC physicians are not ''members'' of the corporation. Usually they are employees or, in some instances, contractors.

*Response:* We disagree that the definition needs to be revised. We believe the commenter has misinterpreted the definition as describing profit sharing among the members of a for-profit entity. The term ''income'' does not equate to ''profits.'' The definition does include CHCs.

### *Disclosure*

We received several comments concerning the disclosure requirements in the March 27 rule. Specifically, § 417.479(h)(1) requires each HMO or CMP with a physician incentive plan to provide us with information concerning its physician incentive plans as required or requested by us. The disclosure must contain the following information in detail sufficient to enable us to determine whether the incentive plan complies with the requirements of § 417.479:

- Whether services not furnished by the physician or physician group are covered by the incentive plan. If only the services furnished by the physician or physician group are covered by the plan, disclosure of other aspects of the plan need not be made.
- The type of incentive arrangement.
- If the incentive plan involves a withhold or bonus, the percent of the withhold or bonus.
- The amount and type of stop-loss protection.
- The panel size, and if patients are pooled, the pooling method used.
- In the case of a capitated physician or physician group, capitation paid to primary care physicians for the most recent year broken down by percent for primary care services, referral services to specialists, and hospital and other types of provider services.

• In the case of an HMO or CMP that is required to conduct beneficiary surveys, the survey results.

Section 417.479(h)(2) requires an HMO or CMP to provide the above information to us (1) upon application for a contract; (2) upon application for a service area expansion; and (3) within 30 days of a request by us. This section also requires an HMO or CMP to notify us at least 45 days before implementing a change in the type of incentive plan, a change in the amounts of risk or stop-loss protection, or expansion of the risk formula to cover services not furnished by the physician group that the formula had not included previously.

Section 417.479(h)(3) of the March 27 rule requires an HMO or CMP to provide the following information to any Medicare beneficiary who requests it:

• Whether it uses a physician incentive plan that affects the use of referral services.

• The type of incentive arrangement.

• Whether stop-loss protection is provided.

• If it was required to conduct a beneficiary survey, a summary of the survey results.

Section 417.479(i) requires a prepaid plan that contracts with a physician group that places the individual physician members at substantial financial risk for services they do not furnish to disclose to us any incentive plan between the physician group and its individual physicians that bases compensation to the physician on the use or cost of services furnished to Medicare beneficiaries or Medicaid recipients. The disclosure must include the information specified in § 417.479 (h)(1)(i) through (h)(1)(vii) and be made at the times specified in § 417.479(h)(2).

Section 434.70(a) provides that Federal financial participation is available in expenditures for payment to HMOs or HIOs only for periods that the HMO or HIO has (1) supplied the information listed in § 417.479(h)(1) to the State Medicaid agency; and (2) supplied the information on physician incentive plans listed in § 417.479(h)(3) to any Medicaid recipient who requests it. The timeframes for disclosure to the State Medicaid agency are the same as those for Medicare.

*Comment:* One commenter suggested that health plans be permitted to deem themselves to have transferred substantial financial risk without having to describe to us the specific incentive arrangements and analyses of each arrangement. The commenter also questioned our authority for requiring disclosure of incentive arrangements and believed that disclosure presents an enormous administrative burden. The commenter asked: If an HMO agrees to provide stop-loss and to conduct surveys, must it still disclose the information to HCFA as required by the regulation?

*Response:* Yes, under the statute and the regulation, health plans must disclose this information. This information serves many purposes. For example, it will be used to monitor compliance, evaluate the impact of the regulation, and ensure the delivery of high quality health care. In addition, this information will be useful to beneficiaries in ensuring that they get needed care. Section 1876(i)(8) of the Act requires the HMO or CMP provide the Secretary with descriptive information regarding the plan that is sufficient to permit the Secretary to determine whether the plan is in compliance with the physician incentive plan requirements. Congress clearly intended health plans to disclose information about the nature of physician incentive compensation arrangements and the extent to which physicians are being placed at substantial risk by the arrangements.

In preparing both the March 27 regulation and these amendments and clarifications, we have tried to limit the information being reported to only that which is essential for us to carry out this explicit statutory responsibility to ensure that plans are in compliance. We are not requiring extensive detail about the compensation arrangements being used, but rather are seeking information about the general nature and scope of these arrangements.

*Comment:* One commenter believed that the information to be disclosed to us under the regulation is proprietary and should be protected under the Freedom of Information Act (FOIA). The commenter stated that we should adopt the same policy we use for disclosure of a risk contractor's adjusted community rating (ACR). The commenter believed that the physician incentive information merits comparable treatment.

*Response:* To the degree that physician incentive information constitutes ''trade secrets or commercial or financial information obtained from a person [that is] privileged or confidential,'' the information will be protected from release under exemption (b)(4) of the FOIA (5 U.S.C. 552(b)(4).) In accordance with 45 CFR 5.65 (c) and (d), the submitter of such information may designate all or part of the information as confidential and exempt from disclosure at the time the information is submitted to the government. Also, the Freedom of Information and Privacy Office, HCFA, upon receipt of a FOIA request for the information, will ask that the involved submitter specify what it believes to be confidential commercial or financial information. In both situations, we will follow procedures set forth at 45 CFR 5.65(d), with the initial disclosure decisions independently made by our Freedom of Information Officer. The information specified as available to a beneficiary upon request will be available under FOIA. For instance, whether or not the incentive plan covers referral services, the type of incentive arrangement (for example, withhold or capitation), and whether adequate stop-loss protection is in place would be available under FOIA.

*Comment:* One commenter did not believe that disclosure requirements would pose an undue burden on plans, because ''plans routinely provide information to patients at the time of enrollment.'' The commenter stresses the time that notice is provided as well as the substance of what is provided. The commenter believed that all financial information should be provided at enrollment (and annually thereafter), but also notes that plans should report information regarding the scope of benefits and procedures for review of grievances. The commenter stated that one of its internal publications includes a statement on incentive plans, asserting that these plans ''should be disclosed to the patient upon enrollment and at least annually thereafter.'' The commenter elaborated on that assertion by stating, ''[we] strongly support disclosure to patients of physician incentive plans affecting Medicare and Medicaid patients'' and ''strongly support disclosure by all managed care plans to patients of information regarding the scope of benefits and procedures for review of grievances.''

The commenter also stated the disclosures are necessary to serve as notice to patients that incentives exist. The commenter went on to state that it believes the information is necessary in place of outcomes measures until such measures are widely accepted and available.

In contrast, a major association of health plans asked that we give plans broad discretion to decide how this information will be presented.

Another commenter contended that section 1876(i)(8) of the Act does not give us the authority to require that a prepaid plan release information about its incentive plans to Medicare beneficiaries and Medicaid recipients, and that there is no such grant of authority in parallel medical provisions. The commenter added that, even if it

were to assume that a general authority conferred upon us allows us to impose this obligation, the regulation goes far beyond what the commenter believes to be reasonable. The commenter noted that, under the regulation, every beneficiary or recipient in the country, regardless of location and regardless of the relationship to the prepaid plan, may obtain information about the incentive plan. The commenter recommended that only enrollees of the prepaid plan or beneficiaries or recipients who file an application to join the plan should be entitled to obtain the information. The commenter also recommended that the information be limited to the following: (1) Whether the physician has an arrangement with the prepaid plan that has the potential to compensate him or her for controlling the services he or she provides; (2) that the amount of risk is limited because of stop-loss protection; and (3) the results of any enrollee survey will be provided, upon request, including information about quality of care.

*Response:* Some of the information may be confidential and will be protected by FOIA. Nonetheless, we intend to require plans to publish in the evidence of coverage (EOC) notices that beneficiaries can request summary information on the HMO's physician incentive plans. These EOC notices are available at enrollment. We will provide further guidance on this in the future.

On the question of our legal authority to require disclosure to beneficiaries, we believe that in requiring disclosure of information on physician incentive plans, Congress intended that this information be used in the best interests of the beneficiary. While the statute refers only to disclosure of this information to the Secretary, this information is clearly of interest to beneficiaries as well. Requiring plan disclosure directly is simply more efficient than having the Secretary provide this information to beneficiaries, which the Secretary clearly has legal authority to do.

We do not agree that this information should be made available only to an enrollee or applicant for enrollment in a managed care plan. This information is potentially very important and useful to a beneficiary in deciding whether to select managed care rather than fee-for-service care and which of the available managed care plans to select.

*Comment:* A major association of health plans stated that we should make available to the public all the information on incentive plans that we and the States receive. The commenter did not explain why the information should be made public, but just noted that there is ''no valid reason to keep this information from the public'' and that publication would allow health policy researchers to better understand the relationship between specific risk arrangements and access and quality of care provided to enrollees.

*Response:* We plan to publish aggregate information on physician incentive plans obtained under the regulation; therefore, the information will be public. Publication of additional information, beyond that specified in the regulation, however, would be a substantial administrative task and would not advance the purposes of the law.

*Comment:* One commenter stated that requiring the HMO or CMP to collect information about incentive plans operated by physician groups or subcontractors is not the most efficient or effective means of collecting the necessary information. The commenter suggested that we collect the information directly from the physician groups and subcontractors. This commenter believed we should allow a physician group to attest that it has no physician incentive plan or no physician incentive plan related to use of referral services for Medicare or Medicaid enrollees and that HMOs should be allowed to rely upon that attestation.

*Response:* The HMO/CMP is responsible for ensuring that the requirements of this regulation are met if a physician group or individual physicians are placed at substantial financial risk by a subcontractor or physician group. Requiring that the HMO or CMP collect the information ensures that it is aware of all arrangements subject to the regulations. In addition, since lines of communication between the physician group or subcontractor and the prepaid plan are already in place, the HMO or CMP is the most efficient conduit for the disclosure of information. We will allow physician groups to make attestations and will provide further guidance on this item. We will also develop a disclosure form that will describe the minimum amount of information that the prepaid plan must obtain from physician groups.

*Substantial Financial Risk*

We received significant comments on our definition of ''substantial financial risk.'' Section 417.479(e) provides that substantial financial risk occurs when an incentive arrangement places a physician or physician group at risk for amounts beyond the risk threshold (25 percent), if the risk is based on the use or costs of referral services. Amounts at risk based solely on factors other than a physician's or physician group's referral levels do not contribute to the determination of substantial financial risk.

Section 417.479(f) provides that physician incentive plans with any of the following features place physicians at substantial financial risk if the risk is based (in whole or in part) on use or costs of referral services, and the patient panel size is not greater than 25,000 patients, or is greater than 25,000 patients only as a result of pooling patients:

- Withholds greater than 25 percent of potential payments.
- Withholds less than 25 percent of potential payments if the physician or physician group is potentially liable for amounts exceeding 25 percent of potential payments.
- Bonuses greater than 33 percent of potential payments minus the bonus.
- Withholds plus bonuses if the withholds plus bonuses equal more than 25 percent of potential payments. The threshold bonus percentage for a particular withhold percentage may be calculated using the formula: Withhold % = −0.75(Bonus %)+25%.
- Capitation arrangements if—

+ The difference between the maximum possible payments and minimum possible payments is more than 25 percent of the maximum possible payments; or

+ The maximum and minimum possible payments are not clearly explained in the physician's or physician group's contract.

- Any other incentive arrangements that have the potential to hold a physician or physician group liable for more than 25 percent of potential payments.

Section 417.479(f) defines ''potential payments'' as the maximum anticipated total payments (based on the most recent year's utilization and experience and any current or anticipated factors that may affect payment amounts) that could be received if use or costs of referral services were low enough.

*Comment:* A major association contended that the methodology for determining substantial financial risk is flawed because a substantial number of affected prepaid plans will be viewed as transferring substantial financial risk and be subject to the stop-loss and enrollee survey requirements. The association pointed out that we stated in the proposed rule that the original choice of a 25 percent threshold for substantial financial risk was based on the assumption that only ''outlier'' risk levels would be considered ''substantial.'' The association contends

that our methodology in fact covers ''mainstream'' arrangements, and thus implicitly suggests that they are outliers. The association believes that the proportion of outliers in a given population should be quite small (typically in the range of 5 percent) and that a methodology that purports to only identify outliers is invalid to the extent it includes a proportion of the population beyond that represented by the extreme. The association has concluded, based on extensive communications with its membership and its work group, that application of the methodology in the March 27 rule will result in the inclusion of substantial numbers of what it contends to be ''mainstream'' incentive arrangements as involving substantial financial risk. The association stated that, based upon information from its member organizations, a large number of plans combine capitation or withholds with bonuses, and the result is that the risk level exceeds 25 percent.

The association reminded us that, in the preamble of the proposed rule, we stated that we anticipate most prepaid plans will not incur significant additional costs because most of them already meet the requirements that are specified in this regulation, but that if new information regarding the influence of various elements of physician incentive plans becomes available, we will evaluate it to determine if the approach in our proposed regulations should be reconsidered. The association contended that a reevaluation of this structure is clearly necessary at this time and that the regulations need to be modified to address five areas: (1) The association believes that the risk threshold should be refined to allow for the transfer of a larger portion of risk for referral services; (2) the association believes that the regulation needs a mechanism to estimate the amount of risk transferred if a precise calculation cannot be made; (3) the association recommends that maximum and minimum thresholds be calculated based on standards that are more ''realistic'' in its view; (4) the association would like more latitude in the pooling rules to allow large physician groups that spread risk across large total numbers of health plan patients to be exempt from the requirements; and (5) the association suggests that a good cause exemption be available to allow for the approval of physician incentive plans that, for policy reasons, should not be considered as transferring substantial financial risk, although the circumstances were not envisioned when the regulations were drafted.

To achieve the above objectives, the association presented a number of recommendations. These recommendations and our response to each of them follow, but first we respond to the above comment that many plans would be identified as outliers.

*Response:* At the time we were developing these regulations in proposed form, it was our understanding that most physician incentive plans created financial incentives to reduce unnecessary referrals through the use of bonuses or withholds or some combination of the two. On the assumption that a specific amount of payment was ''at risk'' (whether an amount withheld when referrals are high or a bonus paid if they are low), we had to come up with a threshold beyond which risk would be considered ''substantial.'' As the commenting association correctly notes, we used an outlier approach to determine what level of risk would be considered ''substantial'' under this methodology. This resulted in a figure of 25 percent of potential payments. It is our view that 25 percent represents a significant amount of income to lose. This may be in addition to discounts that physicians may give to various patients or prepaid plans. Many consumer and physician groups, in fact, believe that 25 percent is too high. We now recognize that an increasing number of plans use capitation arrangements under which referral service costs must be covered with capitation amounts, and that these plans will be determined to be at substantial financial risk if the maximum and minimum potential payments are not clearly explained in the physician's or physician group's contract. Raising the risk threshold to a higher level will not affect these plans since they would still be deemed to involve substantial financial risk and trigger stop-loss insurance requirements. However, in most of these cases, the physicians already have stop-loss protection comparable to the requirements of this regulation. With regard to suggestions to lower the threshold, here, again, changing the threshold would not affect these plans. We thus believe that the 25 percent threshold should remain in place.

*Recommendation:* The association recommended that an exception to the 25 percent risk threshold be created for certain bonus arrangements. This exception would permit prepaid plans to supplement their incentive programs by offering an opportunity for a bonus, in addition to capitation payments or withholds, or an opportunity for an additional bonus where a bonus is already in place. The supplemental bonus could not exceed 15 percent of the ''payments.''

*Response:* Under the March 27, 1996 rule, any combination of incentive arrangements that exceeds the 25 percent threshold, whether labeled a bonus or withhold, puts the physician or physician group at substantial financial risk. We adopted this policy towards bonuses because (1) if the same amount of money is at risk based on referral levels, it should not matter whether this money is labeled a withhold or a bonus, and (2) we did not want plans to avoid these rules merely by ''re-labeling'' withholds or other arrangements as bonuses. The incentive arrangement described in this comment would exceed the 25 percent threshold for substantial financial risk as we interpret this term and, accordingly, should not be permitted in our view.

*Recommendation:* The association recommended that a prepaid plan that capitates physicians or physician groups be permitted to estimate the portion of the capitation allocated to referral services for purposes of determining whether there is substantial financial risk. This is because it is the association's belief that many large prepaid plans do not have, and cannot obtain, this information. The association believes that the regulatory requirement that contracts specify the allocation between services provided by the physician or physician group and the amount allocated for referral services (provided outside the physician group or the physician's practice) has two objectives: (1) To provide a basis for the calculation of risk transference to determine whether substantial financial risk is transferred; and (2) to apprise the physician or physician group of the portion of its capitation ''at risk.'' The association contends that we could achieve the first of these two objectives by allowing the prepaid plan to estimate the expected portion of referrals through the use of historical data or actuarial tables. The prepaid plan could be required to certify that its decision was made in good faith based on the best available data. In accepting this proposal, the association contends that we would be meeting our responsibilities under E.O. 12866 to find an alternative regulatory approach that imposes the least burden on society while still achieving its objective.

The association questioned whether the second objective it has presumed, to apprise the physician or physician group of the portion of its capitation ''at

risk,'' is meaningful today since physicians are far more aware of the implications of risk assumption than they once were.

As an alternative approach, the association suggested that the physician/physician group put in the contract the estimated portion of services that would not be provided by the physician or physician group. The association stated that, although this amount may change over time, it would not support revisions to the contract to reflect changes made within the discretion of the individual physician or physician group. The association notes that this alternative approach would not be the most desirable because it would require the burdensome step of recontracting with large numbers of physicians.

*Response:* As indicated in the March 27, 1996 rule, prepaid plans have the option of specifying in the contract maximum and minimum payment amounts. As long as the difference between these amounts does not exceed 25 percent of the maximum amount, the physician or physician group is not at substantial financial risk. Without specifying these limits, physicians who are capitated for all services are potentially at risk of losing 100 percent of their income. Given this potential loss, they may feel the pressure to reduce necessary services.

Prepaid plans have the opportunity to include a provision in their contract with a physician group that would require the physician group to specify the level of potential risk for referral services. Relying on historical or actuarial data may not be reflective of risk in current contracts. While it may be true that physicians today are more aware of the implications of risk assumption, there is no evidence that the ability to manage this risk has substantially changed. Further, while physician groups may want the flexibility to change risk sharing arrangements on an ad hoc basis, we have to question the impact of these changes on patient care decisions.

*Recommendation:* The association recommends that the regulation be amended to allow for the pooling of the total prepaid enrollment from the prepaid plan and across prepaid plans for purposes of determining substantial financial risk. The regulation exempts from the requirements of the regulations physicians or physician groups who provide services to 25,000 Medicare or Medicaid enrollees of the prepaid plan. The association maintains that this approach, which does not allow for the pooling of patients, is unnecessarily and inappropriately rigid and conservative. The association stated that it believed the 25,000 patient exemption is permitted because physician groups with a patient base this large can assume the risk for referral services greater than the risk threshold without the need for stop-loss coverage. As the number of enrollees under the responsibility of the physician group increases, so does the ability of the physician group to assume that risk. The association believed that this risk is reduced regardless of whether the patients are Medicare, Medicaid, or commercial. Similarly, this risk is reduced regardless of whether the patients are the enrollees of a single prepaid plan or the enrollees of several prepaid plans. Thus, for purposes of qualifying for the substantial financial risk exemption, a prepaid plan should be allowed to consider the total number of prepaid enrollees served by a physician group. These pooled enrollees should, in the association's view, include all enrollees of that prepaid plan and enrollees of other prepaid plans that have selected the physician or physician group, provided that the physician or physician group is at risk for the provision of services to those enrollees.

*Response:* In the preamble, we provided evidence from analyses by Rossiter and Adamache (1990) (Health Care Financing Review, vol. 12, prepaid plan. 19–30) that supported the decision that physician groups with more than 25,000 patients are able to adequately spread risk and are so unlikely to lose money that we could determine them to not be at substantial financial risk.

We have decided to allow pooling of Medicare, Medicaid, and commercial members for purposes of determining substantial financial risk because this kind of pooling is consistent with the rationale for permitting pooling (that is, the spreading of risk). The physician group may also pool patients across more than one managed care plan with which it has a contract. Note, however, that, as revised by this final rule, § 417.479(h)(1)(v) allows for pooling of patients for purposes of determining substantial financial risk and meeting various stop-loss requirements. This section then specifies that pooling is permitted only if: (1) Pooling is otherwise consistent with the relevant contracts governing the compensation arrangements for the physician or physician group; (2) the physician or physician group is at risk for referral services with respect to each of the categories of patients being pooled; (3) the terms of the compensation arrangements permit the physician or physician group to spread the risk across the categories of patients being pooled; (4) the distribution of payments to physicians from the risk pool is not calculated separately by patient category; and (5) the terms of the risk borne by the physician or physician group are comparable for all categories of patients being pooled.

In general, the purpose of these conditions is to ensure that all patients included in the risk pool are being treated under comparable payment arrangements; that is, the risk or reward to the physician or physician group would be the same for referring services for any individual patient in the pool. The patient categories refer to Medicare, Medicaid, and commercial members. The type of incentive arrangements, such as withholds and capitation would usually be the same throughout the pool to be considered comparable. Pools over the 25 percent risk threshold can be combined with those arrangements below the 25 percent risk threshold. The pool represents the total dollars on which the payout is made to the doctor or the stop-loss threshold is assessed.

This final rule, however, eliminates the arrangement that allows the HMO, CMP, or HIO to pool across physician groups to reduce the stop-loss requirements. We believe physician behavior is influenced by the number of patients using the physician group, rather than total enrollment in the HMO, CMP, or HIO. A physician group that has a small number of patients does not spread its risk throughout the prepaid plan, but only within its group. Allowing pooling across groups does not provide patients enough protection.

*Recommendation:* The association recommended that the regulations apply a ''reasonableness test'' in calculating compensation under a physician incentive plan. The association noted that plans often use formulas to calculate the amount of the withhold to be returned or the bonus to be distributed. These formulas allow for distributions of a certain percentage of savings to the physician or physician group when utilization or costs are less than projected. These arrangements often do not cap the upside potential gain from a bonus although natural limits may exist because there is no expectation that the scenario in which no services are provided will occur. The physicians and physician groups understand these de facto limits, and it would be unnecessarily burdensome to require prepaid plans to amend thousands of contracts to insert bonus limits in their contracts. The regulations should be amended to confirm that prepaid plans may use an amount for purposes of determining the maximum

payment that is realistic rather than the theoretical highest payment level. The same standard should be applied in calculating minimum levels.

*Response:* We believe that past behavior is no guarantee of future behavior. Physicians could still feel the pressure if they are placed at substantial financial risk, regardless of past payments. Therefore, the incentive plan contracts must contain these limits explicitly.

*Recommendation:* The association recommends that the regulation should allow for a ''good cause'' exemption from the requirements of the regulation in the event that substantial financial risk is transferred. The association argued that in an ever-changing health care delivery system, the regulation should provide for flexibility to adapt to unanticipated circumstances. The association notes that our regulations frequently allow for good cause exemptions from requirements, and it contends that circumstances may arise in the future that merit an exemption from the regulatory requirements. According to the association, inclusion of a good cause exemption would give us the flexibility to approve appropriate physician incentive plans without the need to amend our regulations. An example of one instance in which a good cause exemption may be appropriate is if the prepaid plan can demonstrate that the physician group is assured of receiving compensation on an encounter basis comparable to or at a certain percentage of the resource-based relative value scale fee schedule amount.

The association stated that it is currently exploring functional ways in which a good cause exemption could be designed and appropriately implemented.

*Response:* We have no legal authority to permit plans to fail to comply with the rules in section 1876(i)(8) for ''good cause.'' Moreover, even if we did, we do not know of any systematic basis for providing a good cause exemption to this regulation. The example cited by the commenter can be written into the contract to ensure that the physician receives a certain percentage of the fee schedule amount. However, the issue is not guaranteeing a minimum level of income. Rather it is setting parameters so that decisions are not made because of a concern with unforseen circumstances, such as adverse selection, bad incentive plan design, etc. Our goal is to protect beneficiaries in these circumstances.

*Comment:* A group that advocates on behalf of individuals with disabilities recommended that we consider alternative methods to determine the appropriate levels of stop-loss insurance for those involved in the care of persons or communities who are at high risk for unexpected, adverse medical events (For example, urban providers with a high patient load of pregnant women with histories of substance abuse). The group stated that these providers may have difficulties determining an accurate estimate of expected expenditures based on a previous year's per-patient costs. The group suggested that other methods to determine substantial financial risk may include:

(1) The use of several years of longitudinal data to determine a realistic substantial risk level (in order to adjust for the periodicity of certain illnesses); or

(2) The use of retrospective analyses to determine the incidence of unexpected events within the provider's pool, with adjustments made to correct for current levels of expected ''substantial risk'' related to the likelihood of these previous events.

This group further recommended that we examine alternative methods of determining substantial risk for providers who are likely to care for ''medically needy'' eligibles. The association gave the following example, a preferred provider organization (PPO) medical specialist provider may care for a substantial number of persons with life-threatening illness, such as cancer, Alzheimer's or AIDS. If patients switch from private to public health insurance while under the care of the medical provider (due to ''spending down'' into poverty), the provider's determination of ''substantial risk'' may be underestimated. In this case, the PPO medical specialist may be subject to various levels of financial incentives (through both private and public funded health plans) without having to demonstrate adequate quality of care or financial liability provisions.

*Response:* The goal of the substantial financial risk analysis is to determine whether stop-loss protection is needed. The stop-loss protection is designed to provide protection if the physician group experiences patients with a greater than average risk. Thus, there is no need to set a different substantial financial risk threshold for high risk cases. The stop-loss protection addresses this concern.

*Comment:* A commenter recommended that we consider lowering the threshold at which plans are required to provide stop-loss coverage for CHCs. The commenter suggested that we consider whether it is appropriate to compare risks to CHCs with risks to other kinds of primary care providers. The commenter pointed out that CHCs provide services almost exclusively to Medicaid/Medicare beneficiaries and impoverished uninsured patients. Thus, CHCs essentially have no capacity to generate revenues to offset losses sustained on referrals under a capitated rate. In addition, the commenter suggested that the schedule reducing the amount of protection required should be modified so that it decreases more slowly as a CHC's patient panel increases. The commenter said such a change is justified because CHCs may incur even greater risk as their capitated patient enrollment increases because the CHC's patients are likely to be in poorer health than the average patient.

*Response:* We are giving additional consideration to the impact of the current risk threshold on physician incentive plans with CHCs. During the implementation of this regulation, we will collect data on the impact of the 25 percent threshold on CHCs, and consider whether some form of relief may be appropriate. We are concerned, however, that lowering the threshold as the commenter suggests would require a substantial number of these centers to provide stop-loss protection to their physicians that they may not be able to afford.

*Comment:* A commenter asked whether ancillary services are considered referral services.

*Response:* For purposes of § 411.479, if the physician group performs the ancillary services then the services are not referral services. If the physician group refers patients to other providers of services for the ancillary services, then the services are referral services.

*Comment:* A commenter pointed out that a response in the March 27 final rule at 61 FR 13438, column 2, states that, if the HMO uses a combination of withhold and/or bonus arrangements, these arrangements will be aggregated for purposes of determining whether the physician is placed at substantial financial risk. The commenter adds that, in column 3 of that page, however, the response states that we are not requiring disclosure of every incentive arrangement between a physician group and its physicians, only those under which the physician is placed at substantial financial risk. A prepaid plan wanted to know how it could be expected to know that in the aggregate the arrangements created substantial financial risk if the physician group is not required to disclose the individual arrangements.

*Response:* The above comment reflects a misconception. The quote from the third column addresses what

information must be disclosed by the prepaid plan to us, not what information the physician group must disclose to the prepaid plan. It is incumbent upon the prepaid plan to obtain from the physician group all the information that it needs to determine whether individual physicians are placed at substantial financial risk. This can be a subject addressed as part of the contract negotiations between the prepaid plan and the physician group.

*Comment:* A commenter stated that the methodology used to determine substantial financial risk has consequences that they believe we never intended. For example, certain bonus arrangements could be construed as transferring substantial financial risk. The commenter described a program under which bonuses that are added to a base capitation are aimed at rewarding the primary care physician (PCP) for high quality care, full service capacity, long office hours, accepting all new patients, and cost-effectiveness. The commenter offered the following illustration: a PCP might get $10.50 per member/per month (PMPM) as capitation, $1.50 PMPM for scoring well on member surveys and office record reviews, $1.00 PMPM for being open to new patients, and $1.50 PMPM for having average utilization. The total compensation would then be $14.50 PMPM. The commenter stated it does not believe that these quality performance and service bonuses are the ''substantial financial risk'' with which we are concerned. The commenter stated that there is no downside risk here, but there is the ability to add to income for good performance. If the intent is to include these bonus arrangements, the commenter wanted to know whether the relevant amount was the maximum attainable bonus or the average bonus paid to all PCPs in the network. The commenter also pointed out that, in applying our methodology to calculate substantial financial risk, a physician who is paid a higher quality office component than a second physician (both with the same utilization), would be found to have assumed a greater financial risk than the second, even though the first physician's revenues were greater.

*Response:* While we are supportive of a quality bonus payment, there is very limited experience with its use, and whether a physician will actually receive it is speculative. We will revisit the issue when more information is available on the nature, extent, and experience with quality bonuses.

*Subcontracting*

A number of commenters, including a major association, made the same comment on the provisions of section 417.479(i), which requires that the disclosure, stop-loss protection, and survey requirements of § 417.479 be satisfied when an HMO or CMP contracts with a physician group that places the individual physician members at substantial financial risk for services they do not furnish. The major association's comment, which was the most comprehensive, is presented below.

*Comment:* One major association challenged our legal authority to reach arrangements between a contracting physician group and its individual physicians (or between an ''intermediate entity'' and physicians or a physician group). The association pointed out that section 1876(i)(8)(B) of the Act defines a physician incentive plan as—

> any compensation arrangement *between* an eligible organization and physician or physician group that may directly or indirectly have the effect of reducing or limiting services provided with respect to individuals enrolled with the organization. [Emphasis added by the association.]

The association argued that, regardless of the policy considerations that favor extending the reach of these rules to subcontracts (for example, the possibility that failure to do so could create a ''loophole'' that could be abused), doing so was inconsistent with the ''plain meaning'' of this statute. The association accordingly contended that our interpretation was legally impermissible, regardless of the policy considerations in its favor.

The association also argued that expanding the scope of the regulation to cover other incentive plans without a new opportunity for notice and comment violated the Administrative Procedure Act (APA). The association pointed out that the APA requires that there be a general notice of proposed rulemaking published in the Federal Register that includes, among other things, the terms or substance of a proposed rule or a description of the subjects and issues involved. The association included the following quotation from a decision by the Court of Appeals for the District of Columbia Circuit discussing a standard that the court applied for determining whether the APA requirement has been met:

> Statutory duty to submit proposed rule for comment does not include obligation to provide new opportunities for comments whenever final rule differs from proposed rule; rather, an agency adopting final rules that differ from proposed rules is required to renotice when changes are so major that original notice did not adequately frame subjects for discussion. (*Air Transport Association of America* v. *C.A.B.*, 732 F.2d 219 (D.C. Cir. 1984))

The association argued that revising the proposed rule to extend its provisions to subcontractor arrangements was a sufficiently ''major'' change that a new notice and opportunity for comment was required under the above standard.

Finally, the association contended that support for its position could be found in language from earlier legislation directing HHS to study incentive arrangements. This language referred to ''incentive arrangements offered by health maintenance organizations and competitive medical plans to physicians.''

*Response:* We believe that in referring both to individual ''physician[s]'' and to ''physician group[s],'' Congress intended to cover all incentive arrangements that could provide incentives for a physician treating an HMO enrollee to reduce or limit services; both those affecting only an individual physician and those affecting a group of physicians as a whole. A letter from the original author of this legislation confirms that this was his intent in drafting this language.

As noted above, the association attempts to place significance on the use of the word ''between'' in the definition of physician incentive plan in section 1876(i)(8)(B) (quoted above). The association reads this as limiting the scope of the definition of physician incentive plan to arrangements in a contract directly between a prepaid plan and a physician or physician group. In fact, however, an individual physician who serves a prepaid plan's enrollees as a member of a physician group does have a relationship with that prepaid plan, albeit an indirect one. There is an indirect but clear link ''between'' that physician and the prepaid plan whose enrollees the physician treats. The only difference is that instead of a single direct contract between the physician and the prepaid plan, the physician has a contract with the group, and the group in turn contracts with the prepaid plan.

Even though this is a two or more step arrangement rather than a single direct contract, there nonetheless is a physician incentive plan involving the prepaid plan's enrollees that exists ''between'' the physician providing services to a prepaid plan's enrollees and the prepaid plan that is accountable for these services. There is simply an added layer of organization and legal arrangements ''between'' the physician and the prepaid plan. During our review

of applications for Medicare contracts, we currently review the plan's contracting arrangements to ensure that subcontracts actually signed by the physician at the ''retail'' end of the prepaid plan's health care delivery network inform physicians of their responsibility to carry out the prepaid plan's obligations under section 1876. This longstanding practice is fully consistent with our view that an individual physician contract with a physician group is part of the total arrangement ''between'' that physician and the prepaid plan that is accountable for the services the physician is providing to the plan's members. For instance, we hold the plan accountable for the quality of care delivered by all components subcontracting with the plan including the care delivered by the physicians.

For all of the above reasons, we believe that it is fully consistent with the words of the statute to reach all incentive arrangements that exist ''between'' doctors providing the care and a prepaid plan accountable for that care, whether they are contained in a physician's contract with a physician group or other intermediate entity, or in the contract the group or entity has with the prepaid plan. (With respect to the association's reliance on language in past legislation, we do not believe that it has any relevance in interpreting section 1876(i)(8). Indeed, it is inconsistent with the language in section 1876(i)(8), since it references only arrangements with a physician, and not those with a physician group.)

In addition to being consistent with the words of the statute, we believe that our interpretation is consistent with the purpose of the statute, which is to protect Medicare beneficiaries enrolled in prepaid plans from the possible effects of financial incentives to deny or limit medically necessary care. It is irrelevant to this statutory objective whether incentives are contained in the prepaid plan's contract with a physician group, or in the group's contract with the physician. It is fully consistent with the intent and purpose of section 1876(i)(8) to reach any plan that could contain the incentives Congress wanted to address. As suggested above, it also would make no sense to establish a regulatory scheme that could be circumvented simply by erecting a ''protective shield'' between the prepaid plan and individual physicians in the form of an intermediate entity or physician group structure. The possibility of such a ''loophole'' permitting plans to circumvent these regulations was a major factor in our decision to extend the reach of these regulations to subcontractors.

We also disagree with the association that the change we made in the final rule violated the APA under the standards of the *Air Transport Association* case cited by the association. Indeed, we believe that this type of revision is precisely the kind the court had in mind when it wrote that there is no ''obligation to provide new opportunities for comments whenever a final rule differs from a proposed rule.'' We believe that it is clear that this is *not* a change ''so major that original notice did not adequately frame [the] subject [ ] for discussion.'' Clearly the ''original notice'' *did* ''frame'' this as a ''subject [ ] for discussion,'' since commenters in fact commented on this question. A second notice thus was not required under the *Air Transport* decision.

In any event, even if a second opportunity to comment had been required under the *Air Transport* standard, any such requirement has now been satisfied through the notice and comment process culminating in this revised rule.

*Stop-loss*

We received several comments on the stop-loss requirements in the March 27 rule. Section 417.479(g)(2) requires that HMOs or CMPs that operate incentive plans that place physicians or physician groups at substantial financial risk ensure that these physicians or physician groups have either aggregate or per-patient stop-loss protection in accordance with the following requirements:

- If aggregate stop-loss protection is provided, it must cover 90 percent of the costs of referral services (beyond allocated amounts) that exceed 25 percent of potential payments.
- If the stop-loss protection provided is based on a per-patient limit, the stop-loss limit per patient must be determined based on the size of the patient panel. In determining patient panel size, the patients may be pooled using one of the approved methods (discussed below) if pooling is consistent with the relevant contract between the physician or physician group and the prepaid plan. Stop-loss protection must cover 90 percent of the costs of referral services that exceed the per patient limit. The per-patient stop-loss limit is as follows:
- Less than 1,000 patients—$10,000.
- 1,000 to 10,000 patients—$30,000.
- 10,000 to 25,001 patients—$200,000.
- Greater than 25,000 patients:

+ Without pooling patients—none; and

+ As a result of pooling patients—$200,000.

Section 417.479(h)(1)(v) provides that, for purposes of determining panel size, patients may be pooled according to one of the following methods:

- Including commercial, Medicare, and/or Medicaid patients in the calculation of the panel size.
- Pooling together, by the HMO or CMP, of several physician groups into a single panel.

Section 417.479(g)(2)(iii) provides that the HMO or CMP may provide the stop-loss protection directly or purchase it, or the physician or physician group may purchase the stop-loss protection. This section also provides that, if the physician or physician group purchases the stop-loss protection, the HMO or CMP must pay the portion of the premium that covers its enrollees or reduce the level at which the stop-loss protection applies by the cost of that protection.

*Comment:* A major association stated that enormous confusion exists among its membership as to the meaning and application of the stop-loss provisions. The association urged us to reevaluate not only the substantive requirements, but the manner in which we expressed the information and to explain more clearly our intentions. The association's comments on this issue fall into two categories: (1) The obligation for payment of the stop-loss coverage and (2) the substantive requirements for stop-loss. In making its comments, the association also offered recommendations for amendments to the regulations. We summarize the association's comments and recommendations below:

*Comment 1.* The association believed that the responsibility of paying for the stop-loss protection should be a negotiable issue between the HMO or CMP and its physician group or physician. The association argued that the language used in section 1876(i)(8) of the Act requiring HMOs or CMPs to provide stop-loss can be reasonably interpreted to impose an obligation that the stop-loss coverage be made available to the physician or physician group.

The association also maintained that public policy supports allowing the financial responsibility for stop-loss coverage to be determined between the parties and not mandated by us. The association noted that a common element in a capitation arrangement between an organization and a physician group is a requirement that stop-loss be obtained to protect the physician group from undue risk. This stop-loss could be purchased by the prepaid plan or by the physician group.

The association stated that typically, these arrangements provide that the physician group, and not the prepaid plan, has the responsibility to pay for the stop-loss coverage. Another option the association noted would be to give the physician group the option either of purchasing the stop-loss coverage made available by the prepaid plan or purchasing the stop-loss coverage itself. The association pointed out that in all cases, the cost of the stop-loss coverage is an element of the compensation (the capitation would be reduced if the prepaid plan pays for the stop-loss coverage and would be higher if the physician group does).

The association stated that stop-loss coverage at the levels required by the regulations is very expensive to obtain and that requiring prepaid plans to bear that cost would result in an enormous financial burden shifted from physician groups to prepaid plans. To avoid this, and consistent with the discussion above, the association recommended that we allow the prepaid plan and the physician group or physician to negotiate the financial responsibility for the stop-loss coverage.

*Response:* After further analysis, and for the reasons set forth in the above comment, we are amending the regulation to require only that the HMO or CMP provide us proof that the physician groups have adequate stop-loss protection in place. We believe this is consistent with the primary goal of the regulation of ensuring that if the physicians are at substantial risk, they have adequate stop-loss protection. In addition, we have further information that physician groups may have access to more affordable stop-loss as a result of their participation in a number of HMOs or CMPs.

*Comment 2.* The association recommended that we revise the regulations to reflect what it believes to be more appropriate stop-loss levels, to account for existing stop-loss arrangements, and to provide an appropriate means of applying the stop-loss requirements to bonus and withhold arrangements. The association believed that the stop-loss limits are inappropriately low. It stated that a $10,000 limit might be appropriate for a panel size less than 250 patients, but is not reasonable for a 1,000 patient panel. The association stated that one of its members projects that the cost of stop-loss over $10,000 for hospital services for a Medicare enrollment would be about 20 percent of the total medical cost; this could be about $80 to $100 per member per month depending on geographic area. Therefore, the association believed that it is incumbent upon us to reevaluate the stop-loss limits and to replace the existing limits with ones that are more appropriate and less costly to obtain.

In addition, the association maintained that the stop-loss requirements fail to identify how prepaid plans can analyze stop-loss coverage that is already being provided to the physicians or physician groups to determine whether it meets the regulatory standard. The association stated that while it assumes we would allow prepaid plans to obtain ''credit'' for stop-loss coverage that already exists, it may be exceedingly difficult to compare the coverage. For example, existing stop-loss coverage may have a lower attachment point (that is, deductible), but higher coinsurance amounts or vice versa. Some stop-loss coverage may vary by disease. Also, some coverage may vary depending on whether the cost is related to inpatient care or specialty care. Some prepaid plans apply individual and aggregate stop-loss simultaneously. Some stop-loss limits are linked to utilization levels and not cost levels. Some physician groups decline the coverage offered by the prepaid plan because it may be less costly to obtain the coverage for all their patients rather than only those who are enrollees of a single prepaid plan. In light of this, the association recommended that we do the following:

- Reevaluate the stop-loss limits in light of actuarial input on the appropriate need for stop-loss coverage and its cost.
- Allow a prepaid plan to retain the services of an actuary who would assign an actuarial value to the stop-loss coverage currently being provided to the physician or physician group. Allow the prepaid plan to meet the stop-loss requirements by providing (that is, making available) the difference between the actuarial value of the requirement and the value of the stop-loss currently being provided to the physician or physician group. The prepaid plan, in consultation with its actuary, could convert this difference into an actuarial equivalent in order that the new coverage be consistent with the nature of the stop-loss coverage already provided to the physician or physician group. The association stated that this recommendation is intended to accomplish two objectives: (1) The prepaid plan would obtain credit for stop-loss coverage already provided to the physician or physician group; (2) the prepaid plan would have more flexibility in determining how the requirement was met; for example, if it wished, the prepaid plan could meet the requirement by building on the structure of its existing stop-loss coverage.

A second issue raised by the association concerns the applicability of the stop-loss requirements to withhold and bonus arrangements. When physicians or physician groups are at risk for referral services under a capitation arrangement, stop-loss coverage would protect the physician group or physician from excessive costs. In contrast, when an organization uses withholds or bonuses as its incentive arrangements, no large potential economic loss would occur at which the stop-loss would attach. The association recommended that we rethink the application of the stop-loss requirements to withhold and bonus situations. It also argued that we should amend our regulation to allow for adjustments in the stop-loss attachment points to account for inflation; that is, as health care costs increase, the limits need to be raised accordingly. Otherwise, the stop-loss coverage provided by the prepaid plan would become unduly and inappropriately comprehensive.

*Response:* Based on actuarial analyses and consultation with experts knowledgeable about current stop-loss insurance practices, this final rule makes a number of changes to the stop-loss provision. Because many of the stop-loss arrangements currently in place differentiate between professional services and hospital or other institutional services, we are revising § 417.478(g)(2)(ii) to permit prepaid plans and physician groups to choose either a single combined limit or separate limits for professional services and institutional services. We are also revising the categories of patient panel size to increase the number of categories and smooth out the gradation of attachment points. This final rule establishes the following limits:

| Panel Size | Single Combined Limit | Separate Institutional Limit | Separate Professional Limit |
|---|---|---|---|
| 1–1000 | *$6,000 | *$10,000 | *$3,000 |
| 1,001–5000 | 30,000 | 40,000 | 10,000 |
| 5,001–8,000 | 40,000 | 60,000 | 15,000 |
| 8,001–10,000 | 75,000 | 100,000 | 20,000 |
| 10,001–25,000 | 150,000 | 200,000 | 25,000 |
| > 25,000 | none | none | none |

The asterisks indicate that, at this level, stop-loss insurance is impractical. The premiums would be prohibitively expensive. Plans and physician groups clearly should not be putting physicians at financial risk for panel sizes this small. It is our understanding that doing so is not common. For completeness, however, we do show what the limits would be in these circumstances.

In regard to the comments on bonuses and withholds, we specifically indicated that when bonuses and withholds put physicians at substantial financial risk, the physicians need to have stop-loss protection. The legislation and regulation require that all forms of incentive arrangements that put physicians at substantial financial risk have stop-loss protection. Even though current stop-loss policies may not cover bonuses and withholds, this is the requirement of this regulation. Thus, if current policies do not cover these arrangements, the prepaid plans, physician groups, and/or the reinsurance companies must arrange for protection against losses that can occur due to withholds or the potential loss of bonus payments.

With regard to the suggestion that we account for inflation, we will be periodically reviewing the requirements of this regulation in light of new or more complete information about compensation arrangements and their impact on patients. We will consider this and other recommendations again in the future.

*Comment:* A commenter asked how frequently panel size can be updated and how soon this increased panel size can be reflected in higher stop-loss limits for the group. The commenter also asked whether an HMO that increases enrollment in a physician panel and correspondingly raises its stop-loss limits must refile its physician incentive arrangement with us.

*Response:* There is no limitation on the frequency with which panel size can be updated.

*Comment:* One commenter noted that the stop-loss protection required by this regulation would cover only 90 percent of the costs of referral services that exceed 25 percent of potential payments. The commenter believed that the financial incentive to reduce or withhold referral services to Medicare patients could, in this situation, be overwhelming. The commenter said this would be particularly true in situations in which the physician treated an atypical mix of patients requiring referrals for specialty care.

*Response:* We adopted our position based upon comments on the proposed rule. As indicated in the preamble to the March 27, 1996 final rule, this policy is currently used by many prepaid plans and has worked well to ensure that physicians are sensitive to avoid the furnishing of unnecessary services. Recent information from prepaid plans and actuaries confirms that this 90/10 standard is consistent with actual practices and policies. We set the ratio at the high end of the continuum of ratios used in the industry since they range from 90/10 to 75/25. Thus, we have allowed for limited risk sharing beyond the stop-loss limits. Further, as indicated in the preamble to the March 1996 rule, we made changes in the stop-loss limits to adjust for the incorporation of this additional risk sharing.

*Comment:* A major organization representing physicians believed that we should require a reduced, but still substantial, amount of stop-loss for plans with enrollment in excess of 25,000 patients.

*Response:* As stated earlier, evidence from analyses by Rossiter and Adamache supports the decision that physician groups with more than 25,000 patients are able to adequately spread risk. Therefore we concluded that they are not at substantial financial risk. The commenter did not provide any data or rationale that would lead us to a different conclusion. Note also that the change made by this final rule discussed earlier that eliminates pooling by the prepaid plan across physician groups to achieve the 25,000 base should alleviate the commenter's concern.

*Survey*

We received a single comment on the enrollee survey provisions in the rule. Section 417.479(g)(1) requires that HMOs or CMPs that operate incentive plans that place physicians or physician groups at substantial financial risk conduct enrollee surveys. These surveys must—

- Include either all current Medicare/Medicaid enrollees of the HMO or CMP and those who have disenrolled (other than because of loss of eligibility in Medicaid or relocation outside the HMO's or CMP's service area) in the past 12 months, or a sample of these same enrollees and disenrollees.
- Be designed, implemented, and analyzed in accordance with commonly accepted principles of survey design and statistical analysis.
- Address enrollees/disenrollees satisfaction with the quality of the services provided and their degree of access to the services.
- Be conducted no later than 1 year after the effective date of the incentive plan, and at least every 2 years thereafter.

*Comment:* A major organization suggested that we require health plans to use a standardized survey questionnaire designed by HCFA; require health plans to oversample disenrollees and persons with chronic conditions or high cost illnesses; provide detailed instructions to plans on survey design; and publish a comparison report card of all survey results.

*Response:* The final rule did not specify that the plans conduct a separate survey for this regulation because most plans already administer surveys that meet the requirements of this regulation. We do, however, recognize the value of having a standardized survey instrument and have developed one, as part of our effort to measure and improve quality of care, that can be used to satisfy the requirements of this regulation.

We have, in concert with the Agency for Health Care Policy and Research through the latter's CAHPS process

(Consumer Assessments of Health Plans Study), sponsored the development of a Medicare-specific consumer satisfaction instrument, so that the unique health care concerns of the senior population are adequately addressed. CAHPS is a 5-year project whose purpose is to develop a set of standardized consumer satisfaction instruments usable across all populations; subpopulation specific modules are being developed not only for the Medicare population, but also for Medicaid, the chronically ill and disabled, and children.

We have notified plans of our intention to require all Medicare contracting plans that have had a Medicare contract for at least 1 year as of January 1, 1997 to participate in this CAHPS survey. The CAHPS Medicare survey will be administered by an independent third-party contractor to the Government, secured through an open, competitive bidding process. The primary purpose of the survey is to provide information to consumers that will enable them to make plan-to-plan comparisons and thereby to make better-informed health plan choices. Key results of the survey will be published in a comparability chart that contains cost and benefit information on all Medicare contracting plans.

We will consider participation by a plan in the CAHPS survey as satisfying the requirements of this regulation, subject to the following two additional considerations. First, the current version of CAHPS does not contain a module addressed to disenrollees. Efforts are underway to develop such a module, which may be available by 1998. For 1997, we are preparing guidelines to managed care plans on how to satisfy the requirement to survey disenrollees. That guidance will be available in the spring of 1997.

Second, as noted above, under the requirements of our quality initiative, plans that received their initial Medicare contract after January 1, 1996, are not required to participate in the CAHPS survey until calendar year 1998. There will likely be plans, however, that received their first contract after January 1, 1996, that will be required to meet the enrollee and disenrollee survey requirements of this regulation in calendar year 1997. Those plans may wish to use the CAHPS survey to meet this requirement.

We have issued an operational policy letter explaining this requirement in more detail (See OPL number 96.045, December 3, 1996).

Oversampling for the chronically ill and disabled, dually eligible, and various racial and ethnic groups is a complex issue. Strategies for doing so are being seriously considered. We will be forwarding additional guidance to managed care plans.

It should also be noted that the CAHPS survey collects information at the level of the managed care plans, without distinguishing among patients of various physician groups within the plan. Ideally, the survey required under this regulation, however, should do so. We will accept the CAHPS survey as satisfying this regulation at this time, while we continue to evaluate additional measures that might be taken to collect information by physician group.

Finally, we will not require that the Medicaid version of the CAHPS survey be administered by HMOs with Medicaid contracts. However, we are willing to assist States that wish to require administration of the CAHPS Medicaid survey.

*Other Comments*

We received other comments that were not specifically directed to the provisions of the regulation. Since these comments do not directly address the regulations, we are not responding to them in this preamble.

We also want to clarify an inconsistency that occurred in the preamble to the March 27, 1996 final rule. While the regulation text was accurate in specifying that subcontracts were covered by the regulations, we were inconsistent in different sections of the preamble. In the first column at 61 FR 13439, we indicated that subcontracts are covered, while in the second and third column of the same page we indicated that they were not covered. The statements in the second and third column were incorrect.

V. Provisions of this Final Rule

This final rule reflects the March 27, 1996 final rule with comment period, with changes. Many of the substantive change listed below have been discussed in section IV of this preamble. Those that have not are explained below.

- Section 417.479(b) is revised to clarify that the physician incentive plan requirements also apply to subcontracting arrangements.
- Section 417.479(f), which describes arrangements that cause substantial financial risk, is revised to permit pooling by physician groups of patients across prepaid plans. A technical change is also made to change ''possible payments'' wherever it appears to ''potential payments''. This latter change reflects the fact that ''potential payments'' is the term defined in the paragraph's introductory text.
- In § 417.479(g), which sets forth the requirements that HMOs and CMPs that place physicians or physician groups at substantial financial risk must meet, the following changes are made:

+ Paragraph (g)(1) is revised to require that the enrollee survey be conducted no later than 1 year after the effective date of the Medicare contract and at least annually thereafter.

+ Paragraph (g)(2)(ii) is revised to establish new stop-loss limits based either on a single combined limit or on separate limits for professional services and institutional services.

+ Paragraph (g)(2)(iii) is removed to eliminate the requirement that the HMO or CMP pay for the stop-loss protection.

- In § 417.479(h), which concerns disclosure requirements, the following changes are made:

+ Paragraph (h)(1)(iv) is revised to specify that the HMO or CMP must provide us with proof that the physician or physician group has adequate stop-loss protection, including the amount and type of stop-loss protection.

+ Existing paragraph (h)(1)(v) is removed to eliminate, as an approved method of pooling, pooling together, by the organization, of several physician groups into a single panel. A new paragraph (h)(1)(v) is added to permit pooling, by a physician group, of patients across prepaid plans. New paragraph (h)(1)(v) also specifies the conditions under which pooling is permitted.

+ Paragraph (h)(2) is revised to change when the HMO or CMP must provide the required information. The current regulation requires this to be done upon application for a contract, upon application for a service area expansion, within 30 days of a request by us, and at least 45 days before implementing certain changes in the incentive plan. We have changed this to make it an annual requirement. This first submission must be done prior to approval of a new contract, with subsequent submissions prior to each renewal of the contract. This change is intended to simplify the requirement and reduce the reporting burden on the prepaid plans.

In addition we now specify, in paragraph (h)(2)(ii), that an HMO or CMP must provide the capitation data for the previous calendar year to us by April 1 of each year. This change is being made to eliminate confusion about the reporting period and ensure consistency.

- In § 434.70, which concerns conditions for FFP, paragraph (a)(3) is revised to—

+ Eliminate the requirement that the HMO or HIO must disclose certain

information within 30 days of a request by the State or HCFA.

+ To specify that an HMO or HIO must provide the capitation data for the previous calendar year to the State Medicaid agency by April 1 of each year.

+ Eliminate the requirement that the HMO or HIO submit the required information at least 45 days before implementing certain changes in its incentive plan.

VI. Collection of Information Requirements

Under the Paperwork Reduction Act of 1995, agencies are required to provide 60-day notice in the Federal Register and solicit public comment before a collection of information requirement is submitted to the Office of Management and Budget (OMB) for review and approval. This final rule contains information collections that are subject to review by OMB under the Paperwork Reduction Act of 1995. The title, description, and respondent description of the information collections are shown below with an estimate of the annual reporting and recordkeeping burden. Included in the estimate is the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and collecting and reviewing the collection of information.

We are, however, requesting an emergency review of these regulations. In compliance with the requirement of section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, we have submitted to OMB the following requirement for emergency review. We are requesting an emergency review because the collection of this information is needed prior to the expiration of the normal time limits under OMB's regulations at 5 CFR part 1320, to ensure compliance with the physician incentive regulation necessary to implement congressional intent with respect to incentive arrangements between managed care entities and their contracting providers. We cannot reasonably comply with the normal clearance procedures because public harm is likely to result due to the delay in reporting and monitoring of these incentives. If emergency clearance is not provided, we will be forced to postpone the collection of these data for 12 months due to the timing of contract cycles.

We are requesting that OMB provide a 5-day public comment period with a 2-day OMB review period and a 180-day approval. During this 180-day period, we will publish a separate Federal Register notice announcing the initiation of an extensive 60-day agency review and public comment period on these requirements. Then we will submit the requirements for OMB review and an extension of this emergency approval.

*Type of Information Request:* New collection.

*Title of Information Collection:* Incentive Arrangement Disclosure Form and Supporting Regulations 42 CFR 417.479 (g)(1), 417.479(h)(1) and (h)(2), 417.479(i), and 434.70(a)(3).

*Form Number:* HCFA–R–201.

*Use:* Incentive Arrangement Form and supporting regulations will be used to monitor physician incentive plans.

*Frequency:* Annually.

*Affected Public:* Nonprofit and for profit HMOs, CMPs, and HIOs.

*Number of Respondents:* 450.

*Total Annual Responses:* 450.

*Total Annual Hours Requested:* 45,000.

To request copies of the proposed paperwork collections referenced above, call the Reports Clearance Office at (410) 786–1326.

The sections in these final regulations that contain information collection requirements are:. §§ 417.479 (h)(1) and (h)(2), 417.479(i), 434.70(a)(3), and 417.479(g)(1), (and § 434.70(a)(3) for Medicaid) of this document. However, the information collection requirements referenced in §§ 417.479(g)(1) and 434.70(a)(3) of this final rule, described below, are currently pending approval by OMB (under the title ''HEDIS 3.0 (Health Plan Data and Information Set) and supporting regulations 42 CFR 417.470 and 42 CFR 417.126'').

The information collection requirements at existing §§ 417.479(h)(1) and (h)(2), 417.479(i), and 434.70(a)(3) were established by the March 27, 1996 final rule with comment period. These sections of the regulations specify that disclosure concerning physician incentive plans must be made to us or the State, as appropriate. The requirements apply to physician incentive plans between prepaid plans and individual physicians or physician groups with whom they contract to furnish medical services to enrollees. The requirements apply only to physician incentive plans that base compensation on the use or cost of services furnished to Medicare beneficiaries or Medicaid recipients. Under the existing regulations, a prepaid plan must provide the information upon application for a contract; upon application for a service area expansion; at least 45 days before implementing certain changes in its incentive plan, and within 30 days of a request by us or the State. This rule would amend the regulations by removing the requirements that disclosure be made upon application for a service area expansion, within 30 days of a request by us or the State, and at least 45 days before implementing certain changes in the incentive plan. It would add that disclosure must be made prior to the approval of a new contract or agreement and annually thereafter. These changes should reduce the reporting burden on prepaid plans. At the time we published the March 1996 rule, we estimated that approximately 600 entities will submit the information. We estimated the burden as 8 hours per response. As discussed in section IV above, we received numerous comments stating that we greatly underestimated the burden associated with complying with the disclosure requirements and suggesting alternative approaches. We now estimate that approximately 450 prepaid plans will disclose information. We estimate that the burden per response will be 100 hours, for an annual total burden of 45,000 hours. This estimate includes time spent by subcontractors in furnishing information to the prepaid plan.

Existing § 417.479(g)(1) (and § 434.70(a)(3) for Medicaid) concern prepaid plans that operate physician incentive plans that place physicians or physician groups at substantial financial risk and require them to conduct enrollee surveys that include either all current Medicare/Medicaid enrollees in the prepaid plan and those who have disenrolled (other than because of loss of eligibility in Medicaid or relocation outside the prepaid plan's) in the past 12 months, or a sample of these same enrollees and disenrollees. These surveys are required to be conducted annually.

The information collection and recordkeeping requirements, referenced in § 417.479 (h)(1) and (h)(2), 417.479(g)(1), 417.479(i), and 434.70(a)(3) of these regulations are not effective until they have been approved by OMB. The agency has submitted a copy of this final rule with comment period to OMB for its review of these information collections. A notice will be published in the Federal Register when approval is obtained. Interested persons are invited to send comments regarding this burden or any other aspect of these collections of information, including any of the following subjects: (1) The necessity and utility of the 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.

Comments on these information collections should be mailed directly to the following address:

Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10235, New Executive Office Building, Washington, DC 20503, Attn: Allison Herron Eydt, HCFA Desk Officer.

In addition, comments may be faxed to: Allison Herron Eydt at (202) 395–6974.

A copy of the comments may be mailed to the following address: Health Care Financing Administration, Office of Financial and Human Resources, Management Analysis and Planning Staff, Room C2–26–17, 7500 Security Boulevard, Baltimore, MD 21244–1850.

We will also be undertaking an overall evaluation of all of the reporting and disclosure requirements in this regulation within the next year, to assess the value of the information compared with the burden of reporting. All of the disclosure and reporting requirements, and any related forms, will continue to be subject to review under the Paperwork Reduction Act.

## VII. Regulatory Impact Statement

Consistent with the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 through 612), we prepare a regulatory flexibility analysis unless the Secretary certifies that a rule will not have a significant economic impact on a substantial number of small entities. For purposes of the RFA, we consider all HMOs, CMPs, and HIOs to be small entities.

In addition, section 1102(b) requires the Secretary to prepare a regulatory impact analysis if a rule may have a significant impact on the operations of a substantial number of small rural hospitals. This analysis must conform to the provisions of section 604 of the RFA. For purposes of section 1102(b), we define a small rural hospital as a hospital that is located outside of a Metropolitan Statistical Area and has fewer than 50 beds.

In the preamble to the March 27, 1996 rule, which provided an opportunity for comments, we stated that we had decided not to prepare a regulatory flexibility analysis because we believed that few incentive plans will require changes to comply with the regulations. A major association of health plans, which submitted comments on behalf of its membership, strongly disagreed with this position.

The association maintained that the regulations, as adopted, will result in substantial administrative and financial burdens on a large number of organizations. The association requested that, in light of the information it was providing to us in its other comments, we reconsider our decision not to prepare a regulatory impact analysis.

A number of commenters believed that, in estimating a burden of 8 hours per response, we had grossly underestimated the time and financial resources that need to be expended to comply with the disclosure requirements. These commenters stated that this problem may be alleviated to some extent if the prepaid plans were allowed to agree that all or some of their physician incentive programs resulted in substantial financial risk without having to disclose to us the detailed information specified in the Regulations. One commenter added that the regulations, in essence, require prepaid plans to act as information gathering conduits for information related to physician group and/or subcontractor incentive plans. The commenter stated that this is not the most efficient or effective means and that a preferable approach is for us to solicit the information directly from the physician group or subcontractor. The commenter recommended that we adopt a uniform and standardized calculation and attestation form that prepaid plans could use to solicit the information.

Another commenter stated that the stop-loss limits are inappropriately low and, because of this, the cost of stop-loss coverage is very high. The commenter maintains that this rule results in substantial financial burdens on a large number of prepaid plans.

The suggestions offered by the commenters have been addressed in section IV above. With regard to our assessment of the impact of the March 27, 1966 rule, we have reviewed our assessment. In this review, we used information developed by a major accounting firm at the request of a major association, which was shared with us.

Based on survey data from Mathematica (1995), approximately one-third of prepaid plans capitate their physicians for all services. This means that, of approximately 300 Medicare prepaid plans, about 100 plans will capitate for all services. Of approximately 300 Medicaid HMOs and HIOs, approximately one-half will have Medicare contracts and, thus, do not add to the total. Of the remaining 150 Medicaid plans, many will be relatively new Medicaid plans. Most new Medicaid plans do not capitate their physicians for all services. Therefore, we estimate that there will be a total of 25 Medicaid prepaid plans in addition to the 100 Medicare plans that capitate for all services. These 125 plans will have to provide stop-loss insurance. Very few plans that use bonuses or withholds will exceed the substantial risk threshold.

Of the 125 plans that will need to provide stop-loss insurance, most of these plans already have such coverage. Taking into account the changes made by this final rule, we estimate that approximately 44 prepaid plans (35 percent) will need to increase their stop-loss coverage. The cost of this additional coverage is estimated at approximately $65 million. Since the affected entities are large, $65 million represents a very small percentage of their gross annual income. In addition, we expect that some of the $65 million will be offset by monies received from the insurers because of the increased coverage.

With regard to the financial burden associated with complying with the disclosure requirements, we continue to estimate that approximately 450 plans will need to comply with the disclosure requirements. We now estimate the burden to be 100 hours per response, at a cost of $20 per hour. This includes the burden on the physician groups and subcontractors in furnishing information to the prepaid plan. Thus, we estimate the total impact of the disclosure requirements at $900,000 per year.

This rule changes the frequency of the survey requirements (from biennially to annually), we believe that this imposes very little additional burden on prepaid plans since most plans already conduct annual surveys. In addition, as discussed in section V of the preamble, this rule changes when disclosure must be made to HCFA or the State Medicaid agency. While this rule adds that disclosure must be made upon the contract or agreement renewal or anniversary date, it removes other circumstances under which disclosure must be made. We believe the overall effect of these changes as to when disclosure must be made is to reduce the reporting burden on the affected prepaid plans.

We are not preparing analyses of this final rule for either the RFA or section 1102(b) of the Act because we have determined, and the Secretary certifies, that this rule will not have a significant economic impact on a substantial number of small entities or a significant economic impact on the operations of a substantial number of small rural hospitals.

In accordance with the provisions of Executive Order 12866, this regulation was reviewed by the Office of Management and Budget.

VIII. Waiver of Delayed Effective Date

We ordinarily provide for final rules to be effective no sooner than 30 days after the date of publication unless we find good cause to waive the delay.

This final rule amends existing regulations that set forth the requirements that certain managed care organizations must meet in order to contract with the Medicare and/or Medicaid program. A number of the changes made by this final rule either reduce the burden associated with the regulations or recognize existing industry practices. Since many managed care Medicare and Medicaid contracts renew on January 1, if this final rule does not become effective until after that date, the benefits that result from the changes made by this rule will not be realized until 1998. Therefore, we find that it would be against the public interest to delay the effective date of this final rule.

Chapter IV of title 42 is amended as set forth below:

## PART 417—HEALTH MAINTENANCE ORGANIZATIONS, COMPETITIVE MEDICAL PLANS, AND HEALTH CARE PREPAYMENT PLANS

A. Part 417 is amended as follows:

1. The authority citation for part 417 continues to read as follows:

Authority: Secs. 1102 and 1871 of the Social Security Act (42 U.S.C. 1302 and 1395hh).

2. In § 417.479, paragraph (g) introductory text and paragraph (g)(1) introductory text are republished; paragraph (g)(2)(iii) is removed; paragraph (b), paragraph (f) introductory text, paragraphs (f)(5), (g)(1)(iv), (g)(2)(ii), (h)(1)(iv), (h)(1)(v), and (h)(2) are revised to read as follows:

**§ 417.479 Requirements for physician incentive plans.**

* * * * *

(b) *Applicability.* The requirements in this section apply to physician incentive plans between HMOs and CMP and individual physicians or physician groups with which they contract to provide medical services to enrollees. The requirements in this section also apply to subcontracting arrangements as specified in § 417.479(i). These requirements apply only to physician incentive plans that base compensation (in whole or in part) on the use or cost of services furnished to Medicare beneficiaries or Medicaid recipients.

* * * * *

(f) *Arrangements that cause substantial financial risk.* For purposes of this paragraph, *potential payments* means the maximum anticipated total payments (based on the most recent year's utilization and experience and any current or anticipated factors that may affect payment amounts) that could be received if use or costs of referral services were low enough. The following physician incentive plans cause substantial financial risk if risk is based (in whole or in part) on use or costs of referral services and the patient panel size is not greater than 25,000 patients:

* * * * *

(5) Capitation, arrangements, if—

(i) The difference between the maximum potential payments and the minimum potential payments is more than 25 percent of the maximum potential payments; or

(ii) The maximum and minimum potential payments are not clearly explained in the physician's or physician group's contract.

* * * * *

(g) *Requirements for physician incentive plans that place physicians at substantial financial risk.* HMOs and CMPs that operate incentive plans that place physicians or physician groups at substantial financial risk must do the following:

(1) Conduct enrollee surveys. These surveys must—

* * * * *

(iv) Be conducted no later than 1 year after the effective date of the Medicare contract and at least annually thereafter.

(2) * * *

(ii) If the stop-loss protection provided is based on a per-patient limit, the stop-loss limit per patient must be determined based on the size of the patient panel and may be a single combined limit or consist of separate limits for professional services and institutional services. In determining patient panel size, the patients may be pooled in accordance with paragraph (h)(1)(v) of this section. Stop-loss protection must cover 90 percent of the costs of referral services that exceed the per patient limit. The per-patient stop-loss limit is as follows:

| Panel size | Single combined limit | Separate institutional limit | Separate professional limit |
|---|---|---|---|
| 1–1000 | $6,000 | $10,000 | $3,000 |
| 1,001–5000 | 30,000 | 40,000 | 10,000 |
| 5,001–8,000 | 40,000 | 60,000 | 15,000 |
| 8,001–10,000 | 75,000 | 100,000 | 20,000 |
| 10,001–25,000 | 150,000 | 200,000 | 25,000 |
| > 25,000 | none | none | none |

* * * * *

(h) * * *

(1) * * *

(iv) Proof that the physician or physician group has adequate stop-loss protection, including the amount and type of stop-loss protection.

(v) The panel size and, if patients are pooled, the method used. Pooling is permitted only if: it is otherwise consistent with the relevant contracts governing the compensation arrangements for the physician or physician group; the physician or physician group is at risk for referral services with respect to each of the categories of patients being pooled; the terms of the compensation arrangements permit the physician or physician group to spread the risk across the categories of patients being pooled; the distribution of payments to physicians from the risk pool is not calculated separately by patient category; and the terms of the risk borne by the physician or physician group are comparable for all categories of patients being pooled. If these conditions are met, the physician or physician group may use either or both of the following methods to pool patients:

(A) Pooling any combination of commercial, Medicare, or Medicaid patients enrolled in a specific HMO or CMP in the calculation of the panel size.

(B) Pooling together, by a physician group that contracts with more than one HMO, CMP, health insuring organization (as defined in § 434.2 of

this chapter), or prepaid health plan (as defined in § 434.2 of this chapter) the patients of each of those entities.

* * * * *

(2) *When disclosure must be made to HCFA.* (i) HCFA will not approve an HMO's or CMP's application for a contract unless the HMO or CMP has provided to it the information required by paragraphs (h)(1)(i) through (h)(1)(v) of this section. In addition, an HMO or CMP must provide this information to HCFA upon the effective date of its contract renewal.

(ii) An HMO or CMP must provide the capitation data required under paragraph (h)(1)(vi) for the previous calendar year to HCFA by April 1 of each year.

* * * * *

## PART 434—CONTRACTS

B. Part 434 is amended as follows:

1. The authority citation for part 434 continues to read as follows:

Authority: Secs. 1102 of the Social Security Act (42 U.S.C. 1302).

2. In § 434.44, paragraph (a)(1) is revised to read as follows:

### § 434.44 Special rules for certain health insuring organizations.

(a) * * *

(1) Subject to the general requirements set forth in § 434.20(d) concerning services that may be covered; § 434.20(e), which sets forth the requirements for all contracts; the additional requirements set forth in §§ 434.21 through 434.38; and the Medicaid agency responsibilities specified in subpart E of this part; and

* * * * *

3. In § 434.70, paragraph (a) introductory text is republished, and paragraph (a)(3) is revised to read as follows:

### § 434.70 Condition for FFP.

(a) FFP is available in expenditures for payments to contractors only for the periods that—

* * * * *

(3) The HMO, HIO (or, in accordance with § 417.479(i) of this chapter, the subcontracting entity) has supplied the information on its physician incentive plan listed in § 417.479(h)(1) of this chapter to the State Medicaid agency. The information must contain detail sufficient to enable the State to determine whether the plan complies with the requirements of §§ 417.479 (d) through (g) of this chapter. The HMO or HIO must supply the information required under §§ 417.479 (h)(l)(i) through (h)(1)(v) of this chapter to the State Medicaid agency as follows:

(i) Prior to approval of its contract or agreement.

(ii) Upon the contract or agreements anniversary or renewal effective date.

* * * * *

(Catalog of Federal Domestic Assistance Program No. 93.773, Medicare—Hospital Insurance; Program No. 93.774, Medicare—Supplementary Medical Insurance Program; and Federal Domestic Assistance Program No. 93.778, Medical Assistance Program)

Dated: December 17, 1996.

Bruce C. Vladeck,

*Administrator, Health Care Financing Administration.*

Dated: December 20, 1996.

Donna E. Shalala,

*Secretary.*

[FR Doc. 96–33330 Filed 12–30–96; 8:45 am]

BILLING CODE 4120–01–P

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## DEPARTMENT OF COMMERCE

## National Oceanic and Atmospheric Administration

## 50 CFR Part 679

**[Docket No. 960129018–6018–01; I.D. 122396A]**

## Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish of the Gulf of Alaska; Pacific Cod for Processing by the Inshore Component in the Western and Central Regulatory Areas

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

**ACTION:** Directed fishing opening.

**SUMMARY:** MFS is opening directed fishing for Pacific cod for vessels catching Pacific cod for processing by the inshore component in the Western and Central Regulatory Areas of Gulf of Alaska (GOA). This action is necessary to fully utilize the total allowable catch (TAC) of Pacific cod for the inshore component in the Western and Central Regulatory Areas of the GOA.

**EFFECTIVE DATE:** 1200 hrs, Alaska local time (A.l.t.), January 1, 1997, until 2400 hrs, A.l.t., December 31, 1997.

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

**SUPPLEMENTARY INFORMATION:** The groundfish fishery in the GOA exclusive economic zone is managed by NMFS according to the Fishery Management Plan for Groundfish of the GOA (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at subpart H of 50 CFR part 600 and 50 CFR part 679.

In accordance with § 679.20 (c)(2)(i), the interim TAC of Pacific cod for vessels catching Pacific cod for processing by the inshore component in the Western and Central Regulatory Areas was established by the Interim 1997 Harvest Specifications for Groundfish (61 FR 64299, December 4, 1996) as 3,393 metric tons (mt) and 7,722 mt, respectively.

Vessels catching Pacific cod for processing by the inshore component in the Western and Central Regulatory Areas were prohibited from directed fishing for Pacific cod under § 679.20 (d)(1)(iii) in order to reserve amounts anticipated to be needed for incidental catch in other fisheries (61 FR 64299, December 4, 1996). NMFS has determined that sufficient TAC is available to allow a directed fishery. Therefore, NMFS is terminating the previous closure and is opening directed fishing for Pacific cod for processing by the inshore component in the Western and Central Regulatory Areas.

Classification

This action is taken under 50 CFR 679.20 and is exempt from review under E.O. 12866.

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

Dated: December 24, 1996.

Bruce C. Morehead,

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

[FR Doc. 96–33290 Filed 12–30–96; 8:45 am]

BILLING CODE 3510–22–F

# Proposed Rules

Federal Register
Vol. 61, No. 252
Tuesday, December 31, 1996

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

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

### 9 CFR Part 94

**[Docket No. 96–077–1]**

### Change in Disease Status of Costa Rica Because of Exotic Newcastle Disease

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Proposed rule.

**SUMMARY:** We are proposing to declare Costa Rica free of exotic Newcastle disease (END). Declaring Costa Rica free of END appears to be appropriate because the country has had no clinical, pathological, or laboratory confirmation of END for the last 5 years. This proposed rule would remove the prohibition on the importation into the United States, from Costa Rica, of poultry and poultry products.

**DATES:** Consideration will be given only to comments received on or before March 3, 1997.

**ADDRESSES:** Please send an original and three copies of your comments to Docket No. 96–077–1, Regulatory Analysis and Development, PPD, APHIS, suite 3C03, 4700 River Road Unit 118, Riverdale, MD 20737–1238. Please state that your comments refer to Docket No. 96–077–1. Comments received may be inspected at USDA, room 1141, South Building, 14th Street and Independence Avenue SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Persons wishing to inspect comments are requested to call ahead on (202) 690–2817 to facilitate entry into the comment reading room.

**FOR FURTHER INFORMATION CONTACT:** Dr. Michael David, Senior Staff Veterinarian, Animal Program, National Center for Import and Export, VS, APHIS, 4700 River Road Unit 39, Riverdale, MD 20737–1228, (301) 734–5034.

**SUPPLEMENTARY INFORMATION:**

Background

The regulations in 9 CFR part 94 (referred to below as the regulations) govern the importation into the United States of specified animals and animal products in order to prevent the introduction into the United States of various animal diseases, including exotic Newcastle disease (END). END is a contagious, infectious, and communicable disease of poultry.

Section 94.6(a)(1) of the regulations provides that END exists in all countries of the world except those listed in § 94.6(a)(2), which have been declared to be free of END. We will consider declaring a country to be free of END if there have been no reported cases of the disease in that country for at least the previous 1-year period and no vaccinations for END have been administered to poultry in that country for at least the previous 1-year period.

There has been no documented case of END in Costa Rica for the last 5 years, based on morbidity and mortality reports provided by the industry and the government of Costa Rica, on clinical reports from the field, and on the lack of any typical lesions noted on necropsies. Based on these considerations, the government of Costa Rica has requested that the U.S. Department of Agriculture (USDA) declare Costa Rica free of END.

The Animal and Plant Health Inspection Service (APHIS) reviewed the documentation submitted by the government of Costa Rica in support of its request, and a team of APHIS officials traveled to Costa Rica in 1994 to conduct an on-site evaluation of the country's animal health program with regard to the END situation in Costa Rica. The evaluation consisted of a review of Costa Rica's official veterinary services, laboratory and diagnostic procedures, vaccination practices, and administration of laws and regulations intended to prevent the introduction of END into Costa Rica through the importation of animals, meat, or animal products. The results of this on-site visit, and subsequent evaluation, allows APHIS officials to conclude that Costa Rica is free of END.

Therefore, based on the information discussed above, we are proposing to amend § 94.6(a)(2) by adding Costa Rica to the list of countries declared to be free of END. This proposed action would remove the prohibition on the importation, from Costa Rica, of poultry and poultry products.

Executive Order 12866 and Regulatory Flexibility Act

This proposed rule has been reviewed under Executive Order 12866. For this action, the Office of Management and Budget has waived its review process required by Executive Order 12866.

This proposed rule, if adopted, would amend the regulations in 9 CFR part 94 by adding Costa Rica to the list of countries declared to be free of END. This action would remove the prohibition on the importation into the United States, from Costa Rica, of poultry and fresh, chilled, and frozen meat of poultry, although those importations would be subject to certain restrictions. Based on available information, the Department does not anticipate a major increase in exports of poultry or poultry products from Costa Rica into the United States as a result of this proposed rule.

The commercial chicken industry in Costa Rica is very small relative to the industry in the United States. Costa Rica has about two million mature multipliers (those birds producing other birds for human consumption). By comparison, there are nearly 120 million multiplier hens and pullets of laying age in the United States. We do not expect any movement from Costa Rica into the United States of live chickens, chicks, or hatching eggs. These products are used for genetic stock, and, as Costa Rica imports most of its genetic stock (much of it from the United States), it would not be economically feasible for them to produce genetic stock for export.

We also do not expect a significant change in the importation of poultry products from Costa Rica as a result of this proposed rule. We expect that any poultry product imports would most likely be chicken meat. Costa Rica produced 60,424 metric tons of chicken meat in 1995, while the United States produced 11.5 million metric tons of chicken meat in the same year. Before any poultry meat could be imported into the United States from Costa Rica, the packing facilities in Costa Rica would require the approval of the Food Safety and Inspection Service (FSIS), USDA. Further, it is unlikely that Costa Rica would or could direct a significant portion of its chicken meat production

exclusively to the United States. Even if Costa Rica were to export all of its chicken meat production to the United States, however, that amount would represent less than one percent of U.S. production. Therefore, declaring Costa Rica free of END should not lead to a significant change in the importation of chicken meat into the United States. Thus, this proposed rule is expected to have no more than a minimal impact on domestic producers of poultry products, whether small or large.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action would not have a significant economic impact on a substantial number of small entities.

Executive Order 12988

This proposed rule has been reviewed under Executive Order 12988, Civil Justice Reform. If this proposed rule is adopted: (1) All State and local laws and regulations that are inconsistent with this rule will be preempted; (2) no retroactive effect will be given to this rule; and (3) administrative proceedings will not be required before parties may file suit in court challenging this rule.

Paperwork Reduction Act

This proposed rule contains no information collection or recordkeeping requirements under the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*).

List of Subjects in 9 CFR Part 94

Animal diseases, Imports, Livestock, Meat and meat products, Milk, Poultry and poultry products, Reporting and recordkeeping requirements.

Accordingly, 9 CFR part 94 would be amended as follows:

## PART 94—RINDERPEST, FOOT-AND-MOUTH DISEASE, FOWL PEST (FOWL PLAGUE), EXOTIC NEWCASTLE DISEASE, AFRICAN SWINE FEVER, HOG CHOLERA, AND BOVINE SPONGIFORM ENCEPHALOPATHY: PROHIBITED AND RESTRICTED IMPORTATIONS

1. The authority citation for part 94 would continue to read as follows:

Authority: 7 U.S.C. 147a, 150ee, 161, 162, and 450; 19 U.S.C. 1306; 21 U.S.C. 111, 114a, 134a, 134b, 134c, 134f, 136, and 136a; 31 U.S.C. 9701; 42 U.S.C. 4331 and 4332; 7 CFR 2.22, 2.80, and 371.2(d).

### § 94.6 [Amended]

2. In § 94.6, paragraph (a)(2) would be amended by adding ''Costa Rica,'' immediately after ''Chile,''.

Done in Washington, DC, this 20th day of December 1996.

A. Strating,

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 96–33118 Filed 12–30–96; 8:45 am]

BILLING CODE 3410–34–P

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## 9 CFR Part 94

**[Docket No. 96–076–1]**

## Pork and Pork Products from Mexico Transiting the United States

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Proposed rule.

**SUMMARY:** We are proposing to allow fresh, chilled, and frozen pork and pork products from the Mexican State of Baja California to transit the United States, under certain conditions, for export to another country. Currently, we allow such pork and pork products from the Mexican States of Sonora, Chihuahua, and Yucatan to transit the United States for export. Otherwise, the movement of fresh, chilled, or frozen pork and pork products into the United States from Mexico is prohibited because of hog cholera in Mexico. Baja California has not had an outbreak of hog cholera since 1985 and it appears that fresh, chilled, and frozen pork and pork products from Baja California could transit the United States under seal with minimal risk of introducing hog cholera.

**DATES:** Consideration will be given only to comments received on or before March 3, 1997.

**ADDRESSES:** Please send an original and three copies of your comments to Docket No. 96–076–1, Regulatory Analysis and Development, PPD, APHIS, suite 3C03, 4700 River Road Unit 118, Riverdale, MD 20737–1238. Please state that your comments refer to Docket No. 96–076–1. Comments received may be inspected at USDA, room 1141, South Building, 14th Street and Independence Avenue SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Persons wishing to inspect comments are requested to call ahead on (202) 690–2817 to facilitate entry into the comment reading room.

**FOR FURTHER INFORMATION CONTACT:** Dr. Michael David, Senior Staff Veterinarian, Animals Program, National Center for Import and Export, VS, APHIS, USDA, 4700 River Road Unit 39, Riverdale, MD 20737–1231, (301) 734–5034.

**SUPPLEMENTARY INFORMATION:**

Background

The regulations in 9 CFR part 94 (referred to below as the regulations) prohibit or restrict the importation of certain animals and animal products into the United States to prevent the introduction of certain animal diseases. Section 94.9 of the regulations prohibits the importation of pork and pork products into the United States from countries where hog cholera exists, unless the pork or pork products have been treated in one of several ways, all of which involve heating or curing and drying.

Because hog cholera exists in Mexico, pork and pork products from Mexico must meet the requirements of § 94.9 to be imported into the United States. However, under § 94.15, pork and pork products that are from certain Mexican States and that are not eligible for entry into the United States in accordance with the regulations may transit the United States for immediate export if certain conditions are met. This provision was added to the regulations in 1992, following a United States Department of Agriculture investigation of the hog cholera situation in Sonora, Mexico, and a determination that pork and pork products from Sonora could transit the United States, under certain conditions, with minimal risk of introducing hog cholera. The Mexican State of Chihuahua was included in this provision in a final rule published in the Federal Register on November 15, 1995 (60 FR 57313–57315, Docket No. 95–037–2). The Mexican State of Yucatan was included in this provision in a final rule published in the Federal Register on June 25, 1996 (61 FR 32646–32647, Docket No. 95–093–2).

Mexico's Director of Animal Health has requested that we allow pork and pork products from the Mexican State of Baja California to transit the United States for export under the same conditions that currently apply to pork and pork products from Sonora, Chihuahua, and Yucatan. In response, officials of the Animal and Plant Health Inspection Service (APHIS) met in August 1996 in Baja California with Mexican representatives knowledgeable in disease prevention, epidemiology, and diagnostic methods. The team reviewed the hog cholera situation in Baja California (discussed below) and recommended granting Mexico's request.

The last outbreak of hog cholera in the Mexican State of Baja California occurred in March 1985. Vaccination for hog cholera was discontinued in 1986. Mexico officially recognized Baja

California as free of hog cholera on October 16, 1991.

The team found three factors contributing to Baja California's apparent successes in remaining free of hog cholera: The lack of any significant swine production in the State of Baja California; Baja California's location; and controls by Mexico's Division of Animal Health on the movement into Baja California of pork, pork products, and live swine.

There is little swine production in Baja California. Pork processed in Baja California is obtained primarily from the Mexican State of Sonora and from the United States. There are only two Federal inspection system Tipo de Internacional Federal (TIF) plants that handle pigs in the State of Baja California. Of these facilities, one is a slaughter plant that kills an average of 200 pigs per week, and the other is a processing plant that receives mostly frozen carcasses from either a TIF plant in Sonora or from the United States.

Baja California is bordered on the north and northwest by the United States and the Mexican State of Sonora, which are both free of hog cholera. To the west of Baja California is the Pacific Ocean and to the east is the Gulf of California. South of Baja California is the Mexican State of Baja California Sur, which was declared hog cholera free by Mexico in May of 1994.

As required by the Mexican Government, Baja California and other States recognized by Mexico as free of hog cholera may only import live swine and pork from other hog cholera-free States and countries. The Mexican Government requires shipments from hog cholera-free countries to be accompanied by a certificate of origin issued by that country's veterinary authorities and by a certificate of import issued by the Mexican veterinary authorities. Baja California and other States recognized by Mexico as being free of hog cholera also require and issue their own permits and health certificates, further ensuring that the products originate in a hog cholera-free area. In addition, live swine and pork imported into these hog cholera-free States must be shipped in sealed trucks, and all shipments are inspected at inspection stations located either on State lines or at international ports of entry.

Under these circumstances, we believe that there would be little, if any, risk of introducing hog cholera into the United States by allowing pork and pork products from Baja California to transit the United States for export under the same conditions that currently apply to pork and pork products from Sonora, Chihuahua, and Yucatan.

As applied to pork and pork products from Baja California, these conditions would be as follows:

1. Any person wishing to transport pork or pork products from Baja California through the United States for export must first obtain a permit for importation from APHIS. The application for the permit tells APHIS who will be involved in the transportation, how much and what type of pork and pork products will be transported, when they will be transported, and the method and route of shipment.

2. The pork or pork products must be packaged in Baja California in a leakproof container and sealed with a serially numbered seal approved by APHIS. The container must remain sealed at all times while transiting the United States.

3. The person moving the pork or pork products through the United States must inform the APHIS officer at the United States port of arrival, in writing, of the following information before the pork or pork products arrive in the United States: The time and date that the pork or pork products are expected at the port of arrival in the United States, the time schedule and route of the shipments through the United States, the permit number, and the serial numbers of the seals on the containers.

4. The pork or pork products must transit the United States under Customs bond.

5. The pork or pork products must be exported from the United States within the time period specified on the permit.

Any pork or pork products exceeding the time limit specified on the permit or transiting in violation of any of the requirements of the permit or the regulations may be destroyed or otherwise disposed of at the discretion of the Administrator, APHIS, pursuant to section 2 of the Act of February 2, 1903, as amended (21 U.S.C. 111).

We believe that applying these same safeguards to shipments of pork and pork products from Baja California would prevent tampering with the shipments, ensure that the shipments actually leave the United States, and otherwise ensure that shipments would not present a risk of introducing hog cholera into the United States. Therefore, we are proposing to amend § 94.15 to allow pork and pork products from the Mexican State of Baja California to transit the United States for export under the same conditions that currently apply to pork and pork products from Sonora, Chihuahua, and Yucatan.

Executive Order 12866 and Regulatory Flexibility Act

This proposed rule has been reviewed under Executive Order 12866. The rule has been determined to be not significant for the purposes of Executive Order 12866 and, therefore, has not been reviewed by the Office of Management and Budget.

This proposed rule would allow fresh, chilled, and frozen pork and pork products from the Mexican State of Baja California to transit the United States, under certain conditions, for export to another country.

There appears to be little risk of hog cholera exposure from shipments of pork and pork products from Baja California transiting the United States. Assuming that proper risk management techniques continue to be applied in Mexico, and that accident and exposure risk would be minimized by proper handling during transport, the risk of exposure to hog cholera from pork in transit from Mexico through the United States would be minimal.

Shipments of pork and pork products from Baja California transiting the United States could economically benefit some U.S. entities as a result of this rulemaking since they would be involved in the transportation of the pork and pork products within the United States (from the port of entry to the port of embarkation). The additional economic activity from such trucking activities is estimated to be no more than $49,250 per year, assuming 200 trips per year would be made, which is approximately the level of current shipments from Sonora through the United States. No interagency or governmental effects are expected in connection with this proposal.

Mexico is a net pork importer, with Mexican imports representing 7 to 8 percent of production. With favorable income growth expected in Mexico due to trade liberalization, pork exports are expected to be limited. Furthermore,

facilitating export opportunities for the Mexican pork industry may provide incentives for continued efforts to eradicate hog cholera from infected Mexican States where it still exists.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action would not have a significant economic impact on a substantial number of small entities.

Executive Order 12778

This proposed rule has been reviewed under Executive Order 12778, Civil Justice Reform. If this proposed rule is adopted: (1) All State and local laws and

regulations that are inconsistent with this rule will be preempted; (2) no retroactive effect will be given to this rule; and (3) administrative proceedings will not be required before parties may file suit in court challenging this rule.

Paperwork Reduction Act

The information collection and recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.) included in this proposed rule have been approved under OMB control number 0579–0040.

List of Subjects in 9 CFR Part 94

Animal diseases, Imports, Livestock, Meat and meat products, Milk, Poultry and poultry products, Reporting and recordkeeping requirements.

Accordingly, 9 CFR part 94 would be amended as follows:

## PART 94—RINDERPEST, FOOT-AND-MOUTH DISEASE, FOWL PEST (FOWL PLAGUE), VELOGENIC VISCEROTROPIC NEWCASTLE DISEASE, AFRICAN SWINE FEVER, HOG CHOLERA, AND BOVINE SPONGIFORM ENCEPHALOPATHY: PROHIBITED AND RESTRICTED IMPORTATIONS

1. The authority citation for part 94 would continue to read as follows:

Authority: 7 U.S.C. 147a, 150ee, 161, 162, and 450; 19 U.S.C. 1306; U.S.C. 111, 114a, 134a, 134b, 134c, 134f, 136, and 136a; 31 U.S.C. 9701; 42 U.S.C. 4331 and 4332; 7 CFR 2.22, 2.80, and 371.2(d).

**§ 94.15 [Amended]**

2. In § 94.15, paragraph (b), the introductory text and paragraph (b)(2) would be amended by adding the words ''Baja California,'' immediately before the word ''Chihuahua''.

Done in Washington, DC, this 20th day of December 1996.

A. Strating,

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 96–33117 Filed 12–30–96; 8:45 am]

BILLING CODE 3410–34–P

## FEDERAL RESERVE SYSTEM

## 12 CFR Part 204

**[Regulation D, Docket No. R–0956]**

## Reserve Requirements of Depository Institutions

**AGENCY:** Board of Governors of the Federal Reserve System.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** In conjunction with a final rule printed elsewhere in today's Federal Register, the Board of Governors of the Federal Reserve System is proposing to amend its Regulation D regarding reserve requirements of depository institutions issued pursuant to section 19 of the Federal Reserve Act, in order further to reduce regulatory burden and simplify and update requirements. This proposal would clarify the definition of ''savings deposit,'' consistent with comments the Board received on its earlier proposal, and similarly clarify the definition of ''transaction account'' and conform it to the amended definition of ''savings deposit.'' This proposal is in accordance with the Board's policy of regular review of its regulations and the Board's review of its regulations under section 303 of the Riegle Community Development and Regulatory Improvement Act of 1994.

**DATES:** Comments must be received by February 4, 1997.

**ADDRESSES:** Comments should be directed to William W. Wiles, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue, NW., Washington, DC 20551, Attention: Docket No. R–0956, or delivered to Room B–2222, Eccles Building, between 8:45 a.m. and 5:15 p.m. Comments may be inspected in Room MP–500 between 9:00 a.m. and 5:00 p.m. weekdays, except as provided in § 261.8 of the Board of Governors' rules regarding availability of information, 12 CFR 261.8.

**FOR FURTHER INFORMATION CONTACT:** Ann Owen, Economist, Division of Monetary Affairs (202/736–5671); Sue Harris, Economist, Division of Research and Statistics (202/452–3490); Rick Heyke, Staff Attorney, Legal Division (202/452–3688). For the hearing impaired only, Telecommunications Device for the Deaf (TDD), Earnestine Hill or Dorothea Thompson (202/452–3544).

**SUPPLEMENTARY INFORMATION:**

Background

The Board of Governors of the Federal Reserve System (Board) published a notice of proposed rulemaking in the Federal Register on June 17, 1996 (61 FR 30545) that solicited comments on proposed amendments to its Regulation D, Reserve Requirements of Depository Institutions (12 CFR Part 204). The Board received nine comments suggesting that the Board clarify the definition of ''savings deposit,'' and a number of them also suggested that the Board rewrite the definitions of ''time deposit,'' ''demand deposit,'' and/or ''transaction account.'' One commenter suggested the use of bullet points to distinguish limitations on transfers from exceptions to such limitations. Two commenters appended suggested language designed to clarify the definition of savings account, principally by shortening the sentences.

In response to these comments, the Board is proposing to amend the definition of ''savings deposit'' in an effort to clarify it. The proposal similarly would amend the definition of ''transaction account'' to clarify it and to conform it to the amended definition of ''savings deposit.'' The amendments are intended to be nonsubstantive and would codify certain Board and staff interpretations. For example, the proposal makes clear that a transfer ordered by messenger does count against the limitation on transfers applicable to savings accounts if the messenger is in the employ of, or acting as agent of, the depository institution. The proposal also clarifies that transfers from savings accounts to repay overdrafts do not benefit from the exception for transfers to repay loans and associated expenses at the same depository institution. The proposal distinguishes more clearly between transfers from savings accounts subject to both the 6 per month and the 3 per month limitations and those subject only to the 6 per month limitation by specifying that the 6 per month limitation applies to preauthorized transfers, telephone and data transmission orders, checks, drafts, debit cards and similar orders to the depository institution whether given directly to the depository institution by the depositor or delivered to the depository institution through and payable to third parties. In contrast, the 3 per month limitation applies to transfers made by check, draft, debit card, or similar order to the depository institution delivered through and payable to third parties. Home banking transfers remain subject to the six per month limitation.

Initial Regulatory Flexibility Analysis

The Regulatory Flexibility Act (5 U.S.C. 601–612) requires an agency to publish an initial regulatory flexibility analysis with any notice of proposed rulemaking. Two of the requirements of an initial regulatory flexibility analysis (5 U.S.C. 603(b))—a description of the reasons why action by the agency is being considered and a statement of the objectives of, and legal basis for, the proposed rule—are contained in ''Background'' above. The proposed rules require no additional reporting or recordkeeping requirements and do not overlap with other federal rules.

Another requirement for the initial regulatory flexibility analysis is a

description of and, where feasible, an estimate of the number of small entities to which the proposed rule will apply. The proposal will apply to all depository institutions regardless of size.

The amendments are burden-reducing. Therefore, the Board believes that the amendments will not have a significant adverse economic impact on a substantial number of small entities.

Paperwork Reduction Act

In accordance with the Paperwork Reduction Act notice of 1995 (44 U.S.C. Ch. 3506; 5 CFR Part 1320, Appendix A.1), the Board has reviewed the rule under the authority delegated to the Board by the Office of Management and Budget. No collection of information pursuant to the Paperwork Reduction Act is contained in the rule.

List of Subjects in 12 CFR Part 204

Banks, banking, Federal Reserve System, Reporting and recordkeeping requirements.

Authority and Issuance

For the reasons set forth in the preamble, the Board proposes to amend part 204 of chapter II of title 12 as follows:

## PART 204—RESERVE REQUIREMENTS OF DEPOSITORY INSTITUTIONS (REGULATION D)

1. The authority citation for part 204 continues to read as follows:

Authority: 12 U.S.C. 248(a), 248(c), 371a, 461, 601, 611, and 3105.

2. Section 204.2 is amended as follows:

a. Paragraphs (b)(2) and (b)(3)(ii)(A) are amended by removing ''paragraph (d)(2) of this section'' and adding in its place ''paragraph (d) of this section''.

b. Paragraph (d) is revised.

c. In the introductory text of paragraph (e) and in paragraphs (e)(2), (e)(3), and (e)(4), all references to ''paragraph (d)(2) of this section'' are revised to read ''paragraph (d) of this section''.

d. Paragraph (e)(4) is further amended by removing ''another account of the depositor at the same institution (including *transaction account*)'' and adding in its place ''another account of the depositor (including a *transaction account*)'', and by removing the third and fourth sentences in their entirety. The revision reads as follows:

### § 204.2 Definitions.

* * * * *

(d)(1) *Savings deposit* means a deposit or account—

(i) With respect to which the depositor may be (but is not ordinarily) required by the depository institution to give written notice of an intended withdrawal not less than seven days before withdrawal is made;

(ii) That is not payable on a specified date, or after a specified period of time after the date of deposit;

(iii) From which the depositor is limited to no more than six transfers per month (or similar period of at least four weeks) to another account (including a transaction account) of the depositor or to a third party, by means of a preauthorized transfer, a telephone or data transmission order, or a check, draft, debit card, or similar order to the depository institution whether given directly to the depository institution by the depositor or delivered to the depository institution through and payable to third parties; and

(iv) From which no more than three of such six transfers may be made by check, draft, debit card, or similar order to the depository institution by the depositor delivered to the depository institution through and payable to third parties.[4]

(2) The limitations in paragraph (d)(1) of this section do not apply to:

(i) Transfers from a savings account for the purpose of repaying loans (other than overdrafts on a transaction account) and associated expenses at the same depository institution (as originator or servicer);

(ii) Transfers of funds from a savings account to another account of the same depositor at the same institution when the transfers are requested by mail, by messenger (not in the employ of or acting as agent of the depository institution), at an automated teller machine, or in person at an office of the depository institution;

(iii) Withdrawals from a savings account when such withdrawals are requested by mail, by messenger (not in the employ of, or acting as agent of, the depository institution), or at an automated teller machine, or in person at an office of the depository institution; or

(iv) Withdrawals requested by telephone or data transmission and paid by means of a check mailed to the depositor.

(3)(i) A *preauthorized transfer* means any transfer from the account of the depositor by the depository institution to pay a third party:

(A) Upon written or oral instruction to the institution (including any order received through an automated clearing house (ACH)); or

(B) At a predetermined time or on a fixed schedule.

(ii) A *withdrawal* means any payment to the depositor.

(4) *Savings deposit* does not include funds deposited to the credit of the depository institution's own trust department where the funds involved are utilized to cover checks or drafts. Such funds are *transaction accounts*.

* * * * *

By order of the Board of Governors of the Federal Reserve System, December 24, 1996.

William W. Wiles,

*Secretary of the Board*.

[FR Doc. 96–33159 Filed 12–30–96; 8:45 am]

BILLING CODE 6210–01–P

[4] In order to ensure that no more than the permitted number of withdrawals or transfers are made, for an account to come within the definition in paragraph (d) of this section, a depository institution must either:

(a) Prevent withdrawals or transfers of funds from this account that are in excess of the limits established by paragraph (d) of this section, or

(b) Adopt procedures to monitor those transfers on an *ex post* basis and contact customers who exceed the established limits on more than an occasional basis.

For customers who continue to violate those limits after they have been contacted by the depository institution, the depository institution must either close the account and place the funds in another account that the depositor is eligible to maintain, or take away the transfer and draft capacities of the account.

An account that authorizes withdrawals or transfers in excess of the permitted number is a transaction account regardless of whether the authorized number of transactions are actually made. For accounts described in paragraph (d) of this section, the institution at its option may use, on a consistent basis, either the date on the check, draft, or similar item, or the date the item is paid in applying the limits imposed by that section.

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

## 12 CFR Part 226

**[Regulation Z; Docket No. R–0954]**

## 24 CFR Part 3500

**[Regulation X; Docket No. FR–4184–P–01]**

**RIN 2502–AG86**

## Advance Notice of Proposed Rulemaking on Improvement of Disclosures Under the Real Estate Settlement Procedures Act and the Truth in Lending Act

**AGENCIES:** Office of the Assistant Secretary for Housing—Federal Housing Commissioner (HUD); Board of Governors of the Federal Reserve System (the Board) (collectively, the agencies).

**ACTION:** Advance notice of proposed rulemaking.

**SUMMARY:** This notice is issued jointly by HUD and the Board to initiate fact finding that will assist the agencies in revising disclosures to consumers under the Real Estate Settlement Procedures Act (RESPA) and the Truth in Lending Act (TILA). The Economic Growth and Regulatory Paperwork Reduction Act of 1996 requires the agencies to simplify and improve these disclosures where possible, and to provide a single format satisfying the requirements of RESPA and TILA. To ensure that these disclosures meet the consumer protection goals of the statutes with minimal compliance burdens, HUD and the Board are soliciting comments from the public on what specific regulatory or legislative changes might achieve these goals. Following the consideration of the public comments and the agencies' own reviews, HUD and the Board plan to publish proposed amendments to their respective regulations, as appropriate, by March 1997.

**DATES:** Comments are due January 30, 1997.

**ADDRESSES:** Comments regarding this advance notice of proposed rulemaking may be sent to either agency.

*HUD:* Comments to HUD should be addressed to the Rules Docket Clerk, Office of General Counsel, Room 10276, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, DC 20410–0500. Communications should refer to the above docket number and title. Facsimile (FAX) comments are not acceptable. A copy of comments received will be available for public inspection and copying between 7:30 a.m. and 5:30 p.m. weekdays at the above address.

*Board:* Comments to the Board should refer to Docket No. R–0954, and may be mailed to William W. Wiles, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue, N.W., Washington, D.C. 20551. Comments also may be delivered to Room B–2222 of the Eccles Building between 8:45 a.m. and 5:15 p.m. weekdays, or to the guard station in the Eccles Building courtyard on 20th Street, N.W. (between Constitution Avenue and C Street) at any time. When possible, comment letters should use a standard Courier typeface with a type size of 10 or 12 characters per inch. This will enable the Board to convert the text into machine-readable form through electronic scanning, and will facilitate automated retrieval of comments for review. Also, if accompanied by an original document in paper form, comments may be submitted on 3½ inch or 5¼ inch computer diskettes in any IBM-compatible DOS-based format. Comments received will be available for inspection in Room MP–500 of the Martin Building between 9:00 a.m. and 5:00 p.m. weekdays, except as provided in 12 CFR 261.8 of the Board's rules regarding availability of information.

**FOR FURTHER INFORMATION CONTACT:**

*HUD:* David R. Williamson, Director, Office of Consumer and Regulatory Affairs, Room 9146, telephone (202) 708–4560; or for legal questions, Kenneth A. Markison, Assistant General Counsel for GSE/RESPA, Grant E. Mitchell, Senior Attorney for RESPA, or Rodrigo J. Alba, Attorney, Office of General Counsel, Room 9262, telephone (202) 708–1550. For hearing- and speech-impaired persons, these numbers may be accessed via TTY (text telephone) by calling the Federal Information Relay Service at 1–800–877–8339. The address for the above-listed persons is: Department of Housing and Urban Development, 451 Seventh Street, S.W., Washington, DC 20410.

*Board:* Sheilah A. Goodman or Manley Williams, Staff Attorneys, Division of Consumer and Community Affairs, Board of Governors of the Federal Reserve System, at (202) 452–3667 or (202) 452–2412; for the hearing impaired only, Dorothea Thompson, Telecommunications Device for the Deaf, at (202) 452–3544. The telephone numbers for the agencies are not toll-free.

**SUPPLEMENTARY INFORMATION:**

## I. Background

On September 30, 1996, the President approved the Economic Growth and Regulatory Paperwork Reduction Act of 1996 (Title II of the Omnibus Consolidated Appropriations Act, 1997) (Pub. L. 104–208, 110 Stat. 3009) (the 1996 Act). Section 2101 of the 1996 Act requires the Board and HUD to simplify and improve the disclosures given in a mortgage transaction subject to TILA and RESPA, and to create a single disclosure that will satisfy the requirements of both statutes. The 1996 Act imposes a six-month deadline for the publication of any proposed regulations necessary to carry out the required changes within the context of the existing statutes. If legislation is necessary to accomplish the purpose of section 2101, the Board and HUD are required to submit legislative recommendations to the Congress.

### *A. The Real Estate Settlement Procedures Act*

The Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2601 *et seq.*) was enacted in large measure to ensure that the home-buying public is afforded timely and effective information about costs of settlement in mortgage transactions. To achieve this goal, RESPA mandates disclosures at various points in the home financing process for transactions involving ''federally related mortgage loans,'' which include most financial transactions creating a lien on owner-occupied residential structures. RESPA is implemented by HUD's Regulation X (24 CFR part 3500).

Section 5 of RESPA (12 U.S.C. 2604) and §§ 3500.6 and 3500.7 of Regulation X, require that no later than three days after loan application, potential borrowers be provided with a Special Information Booklet and a good faith estimate of charges that they are likely to incur in connection with the settlement. If the lender requires the use of a particular settlement service provider and imposes any part of the cost on the borrower, the lender must provide an additional disclosure informing the borrower of the required use and identifying the designated provider and its relationship to the lender, along with an estimate of the charges imposed by the provider.

Section 6 of RESPA (12 U.S.C. 2605) requires that borrowers be provided with disclosures regarding the possibility of mortgage servicing transfers. These disclosure requirements are subject to the same delivery requirements as the good faith estimate.

Section 4 of RESPA (12 U.S.C. 2603) and § 3500.8 of Regulation X provide that, at or before closing, the borrower must receive a HUD-prescribed settlement statement, the HUD–1 form, or in transactions where there is no seller (refinancings, home equity loans and lines of credit), either the HUD–1 or the HUD–1A form. Under section 4, the forms must itemize all costs imposed on the borrower and the seller in connection with the settlement. Under § 3500.10 of Regulation X, the person conducting the settlement must, if requested, provide the borrower with a preliminary settlement statement one day prior to settlement.

Section 8 of RESPA (12 U.S.C. 2607) and § 3500.15 of Regulation X set forth additional disclosure requirements for referrals among related business entities. Specifically, RESPA creates an exemption providing that referrals to affiliates do not violate section 8 so long as certain conditions are satisfied. This provision's disclosure component provides that the business arrangement must be disclosed and a written estimate of the charges or range of charges generally made by the provider

must be supplied to the person being referred.

For purposes of this fact finding effort, the agencies are focusing on those disclosures for which consolidation between RESPA and TILA is possible. RESPA and Regulation X impose other disclosure requirements in the mortgage finance process, including initial and annual escrow account statements (12 U.S.C. 2609(c); 24 CFR 3500.17(g)–(i)) and notice of transfer of servicing (12 U.S.C. 2605(b); 24 CFR 3500.21(d)). Since these two areas of RESPA do not seem amenable to consolidation, however, the agencies do not contemplate any joint action regarding them at this time.

*B. The Truth in Lending Act*

The purpose of the Truth in Lending Act (TILA) (15 U.S.C. 1601 *et seq.*) is to promote the informed use of consumer credit by requiring disclosures about credit terms and costs. The TILA requires creditors to disclose the cost of credit as a dollar amount (the finance charge) and as an annual percentage rate (the APR). Uniformity in creditors' disclosures is intended to assist consumers in comparison shopping. The TILA requires additional disclosures for a loan secured by a consumer's home and permits consumers to rescind certain transactions that involve their principal dwelling. The act is implemented by the Board's Regulation Z (12 CFR part 226). An official staff commentary interprets the regulation.

The disclosure rules that creditors must follow depend upon the type of credit the creditor is offering. For example, Subpart B of Regulation Z (§§ 226.5 through 226.16) concerns open-end credit, such as home equity lines of credit. Subpart C (§§ 226.17 through 226.24), sets forth the provisions for closed-end credit, including purchase-money and refinance mortgage transactions.

Section 226.5a sets forth general disclosure requirements for home equity lines of credit, including format and timing rules. Section 226.17 contains the general disclosure requirements for closed-end credit, including format and timing rules. Section 226.18 provides the specific disclosures that must be given in all closed-end credit transactions, such as the APR, finance charge, and payment schedule. Section 226.19 provides that in purchase-money mortgage transactions subject to RESPA, good faith estimates of the disclosures required under § 226.18 must be provided within three days of application. That section also describes the special disclosures required for variable-rate transactions secured by the consumer's principal dwelling.

Disclosure requirements for assumptions, refinancings, and variable-rate adjustments are set forth in § 226.20. The requirements for transactions subject to the right of rescission appear in § 226.23. The agencies are focusing only on those disclosures where consolidation seems possible. Since the disclosures related to variable-rate adjustments and the right of rescission do not seem to be ones which could be consolidated, the Board does not contemplate any changes to these disclosures at this time.

Subpart E (§§ 226.31 through 226.33) contains the disclosure requirements for particular types of home mortgage transactions. Section 226.31 sets forth general disclosure requirements for these transactions, including format and timing rules. Section 226.32 contains the disclosure requirements for certain closed-end home mortgages with an annual percentage rate or points and fees above a certain level. Section 226.33 sets out the disclosure requirements for reverse mortgages.

II. The Simplification Process

HUD and the Board have begun a review of Regulations X and Z to simplify, improve, and unify the disclosure requirements under RESPA and TILA as those statutes currently exist. The following table illustrates certain disclosures that may be relevant to this simplification process—most of which are mandated by the statutes.

| Timing | TILA 12 CFR 226 | RESPA 24 CFR 3500 |
|---|---|---|
| At or before referral | | Affiliated business arrangement disclosure (3500.15). |
| At or before application | Home equity line of credit booklet and disclosure (226.5a).<br>Adjustable rate booklet and disclosure (226.19b). | |
| Within three days of application | TILA disclosure (including APR and finance charge) (226.19a). | Special information booklet (3500.6).<br>Good faith estimate (3500.7).<br>Required providers (3500.7).<br>Initial transfer of servicing disclosure (3500.21). |
| Three days before closing/consummation. | Section 32 disclosures (226.32).<br>Reverse mortgage disclosures (226.33). | |
| One day before closing/consummation. | | Right to inspect HUD–1 or HUD–1A (3500.10). |
| At closing/consummation | TILA disclosure (226.18)<br>Rescission notice (226.23) | HUD–1 or HUD–1A (3500.8).<br>Initial escrow account statement (within 45 days of closing) (3500.17). |

*A. Past Efforts*

During the past several years, the agencies have been actively working together to try to ensure that TILA and RESPA regulations are as consistent as possible. Much of this was addressed in 1994 by HUD when it amended Regulation X to cover subordinate lien loans, and subsequently by the Board in updates to the Regulation Z commentary. For example, the regulations now use similar definitions for the terms ''assumption,'' ''refinance,'' ''business day,'' and ''business purpose.''

Where possible, the agencies also have worked to streamline disclosure requirements. For example, Regulation Z permits creditors to substitute both the good faith estimate and the settlement statement required under RESPA for the itemization of the ''amount financed'' under TILA. Similarly, Regulation X permits Regulation Z's disclosure for home equity lines of credit to substitute for RESPA disclosures.

Where the requirements of the statutes do not overlap but are related, the agencies have provided guidance on

compliance issues. For example, the Regulation Z commentary has been revised to avoid conflict between the RESPA escrow accounting rules and TILA's rules on calculating prepaid finance charges, such as private mortgage insurance.

HUD and the Board recognize that this revision process requires a careful balancing of competing interests. Consumers need timely and accurate information in order to make decisions, but too much information may confuse or intimidate the consumer, and thus may be counterproductive. Creditors need clear and workable rules that do not unnecessarily drive up compliance costs, which could lead to higher settlement costs for consumers. Therefore, the benefits of improvements to the regulations will be weighed against the cost of implementing and complying with those changes.

*B. Issues for Comment*

HUD and the Board request public comment on specific ways to simplify and improve the present disclosure scheme. To the extent possible, comments should be clearly separated into two parts: (1) Those that entail regulatory changes within the existing statutory framework, and (2) Those that require legislative change. The agencies request:

1. Specific recommendations on how disclosures presently required under RESPA and TILA can be made more consistent (including how the disclosures can be combined, simplified, or improved); and how the timing and format of such disclosures can be made more compatible.

2. Recommendations about ways to enhance the educational value for consumers of any of the present disclosures, including suggestions as to alternative methods of disclosure.

3. Any reports, documents, articles or other material that will assist the agencies in the present task.

After consideration of the public comments on this advance notice of proposed rulemaking and the agencies' own review, HUD and the Board will coordinate the publication of proposed amendments to their regulations to simplify and improve the present disclosure scheme, to the extent that the current statutory framework permits. Subsequently, the agencies also may submit recommendations to the Congress for legislative changes necessary to improve disclosure requirements.

By order of the Board of Governors of the Federal Reserve System, December 26, 1996.

William W. Wiles,

*Secretary of the Board.*

Dated: December 23, 1996.

Nicolas P. Retsinas,

*Assistant Secretary for Housing—Federal Housing Commissioner.*

[FR Doc. 96–33299 Filed 12–30–96; 8:45 am]

BILLING CODE 4210–27–P

## DEPARTMENT OF LABOR

## Occupational Safety and Health Administration

## 29 CFR Part 1915

**[Docket No. S–051]**

**RIN No. 1218–AB51**

## Safety Standards for Fire Protection for Shipyard Employment

**AGENCY:** Occupational Safety and Health Administration (OSHA), U.S. Department of Labor.

**ACTION:** Notice of public meeting.

**SUMMARY:** The Occupational Safety and Health Administration is announcing the second public meeting of the Fire Protection for Shipyard Employment Negotiated Rulemaking Advisory Committee.

**DATES:** The public meeting will be held on February 4 through February 6, 1997. The sessions will run from 9:00 a.m. to approximately 4:00 p.m. each day.

Membership for this Committee has been drawn from shipyard operators, labor, professional associations, public interests and government agencies. Members of the Committee represent the interests of all groups interested in, or significantly affected by, the outcome of the rulemaking.

**ADDRESSES:** The public meeting will be in Jacksonville, Florida, at the Holiday Inn, 1617 North First Street, Jacksonville, Florida 32250; telephone numbers (904) 249–9071 and (800) 590–4767.

Any written comments in response to this notice should be sent, in quadruplicate, to the following address: Docket Office, Docket S–051, Room N–2625, 200 Constitution Ave., N.W., Washington, D.C. 20210; Telephone (202) 219–7894.

**FOR FURTHER INFORMATION CONTACT:** OSHA, U.S. Department of Labor, Office of Information and Consumer Affairs, Room N–3647, 200 Constitution Avenue, N.W., Washington, D.C. 20210; Telephone: (202) 219–8151.

**SUPPLEMENTARY INFORMATION:**

I. Background

Fire protection in shipyard employment has been regulated by OSHA'S general industry standards for fire protection, 29 CFR 1910.155 through 1910.165, Subpart L. In enforcement activities, OSHA has also used Section (5)(a)(1) of the Occupational Safety Health Act (''the Act''), the General Duty Clause, which requires each employer to,

> furnish to each of his employees employment and a place of employment which are free from recognized hazards causing or likely to cause death or serious physical harm.

The general industry standards, which address fire brigades, portable fire extinguishers, standpipe and hose systems, automatic sprinkler systems, fixed extinguishing systems, fire detection systems, and employee alarm systems, cover primarily landside shipyard operations. Fire hazards on board vessels are not covered by the general industry standards. Moreover, the general industry standards are in need of review and revision and do not completely address hazards that are unique to shipyard employment. The Agency believes a standard promulgated under § 6(b) of the Act will more effectively reduce the risks of fire in the shipyard and on board vessels.

OSHA is using the negotiated rulemaking (Neg/Reg) process to develop a proposed standard for fire protection covering all shipyard employment. The shipyard stakeholders from all sectors strongly support consensual rulemaking efforts like negotiated rulemaking. OSHA believes this process will result in a proposed standard whose provisions will effectively protect employees working throughout the shipyard. (See OSHA's Notice of Intent to Form a Negotiated Rulemaking Committee to Develop a Proposed Rule on Fire Protection in Shipyard Employment, 61 FR 28824, June 6, 1996, for a detailed explanation of why OSHA is using negotiated rulemaking to develop its proposed standard and for general information on the negotiated rulemaking process). The goal of this negotiated rulemaking is a proposed rule and supporting documentation that is acceptable to all members.

The first meeting of this Advisory Committee took place in Portland, Oregon, October 15–17, 1996. The Members were introduced and the negotiated rulemaking process and the legal requirements for OSHA rulemaking were explained to them. Following discussion, the Members

adopted ground rules for the Committee. In addition, the Committee set forth substantive issues that needed to be resolved, established work groups and began discussing scope and application, fire prevention and fire fighting.

II. The Key Issues in this Rulemaking

The key issues to be addressed as part of these negotiations include:

1. *Scope and Application*

Should Subpart P apply to all shipyard employment? How will the standard affect out-of-yard/plant firefighters such as those employed by a municipal fire department?

2. *Controls and Work Practices*

What controls and work practices will provide adequate protection for employees? Should OSHA require hot work permits? Should OSHA require training for all fire fighters? Should OSHA incorporate U.S. Coast Guard regulations in this standard? Is there any difference in controls and work practices on landside vs. onboard vessels and vessel sections? Should OSHA require the employer to secure (deactivate) all fire fighting systems onboard vessels when they arrive in the yard?

3. *Fire Brigades*

Should OSHA require each shipyard to have an in-yard/plant fire brigade?

4. *Written Fire Plans*

Should OSHA require written fire plans for landside and onboard vessels? If so, what provisions need to be included in the plans? Should OSHA include a requirement for de-watering (removal of firefighting water from the vessel) of vessels when fighting a fire on board a vessel?

5. *Technological Advances*

What advances in fire technology have occurred since OSHA's general industry standards were promulgated? Which of these advances should be incorporated into the shipyard standard?

6. *Costs of Fire Protection*

What costs would be incurred by shipyards in meeting the various provisions of a new standard? Calculations should include costs of acquiring new equipment, instituting new engineering controls and work practices, and costs of training employees. Are there cost savings or other benefits that could be expected with the promulgation of identical rules for all of shipyard employment? If so, what would be the magnitude of savings?

7. *Appendices*

Should OSHA include technical information in an appendix or appendices? If so, should it (they) be mandatory?

III. The Agenda for the February 4–6, 1996, Meeting

1. The meeting will be opened and the roll taken.
2. The minutes from the first meeting which was held October 15–17, 1996, in Portland, Oregon will be presented for acceptance by the Committee.
3. The tentative agenda for this meeting will be reviewed and changes made, if necessary.
4. The Fire Watches work group will present its draft regulatory text and preamble.
5. Each work group chairperson will report on his or her work group's progress.
6. The draft Scope and Application section will be presented for the Committee's review.
7. Breakout sessions will occur as needed throughout the meeting.
8. The Committee will establish the time and date for the next meeting.

The Advisory Committee's facilitator, relying on the information presented to him by OSHA as well as the considerable input from the various interests during convening efforts, will identify and present other substantive issues to be resolved by this Committee, as time permits. OSHA requests that all interested parties bring their calendars to facilitate the development of a tentative schedule of committee meetings, site visits and workgroup meetings.

IV. Public Participation

All interested parties are invited to attend this public meeting at the time and place indicated above. No advanced registration is required. Seating will be available to the public on a first-come, first-served basis. Individuals with disabilities wishing to attend should contact Ms. Theda Kenney at (202) 219–8061 to obtain appropriate accommodations no later than January 17, 1997.

In addition, members of the general public may request an opportunity to make oral presentations to the Committee. The facilitator of the Committee will decide to what extent oral presentations by members of the public may be permitted at the meeting. Oral presentations may include statements of fact and opinions, but shall not include any questioning of the Committee Members or other participants unless these questions have been specifically approved by the facilitator.

Part 1912 of Title 29 of the Code of Federal Regulations will apply generally. The reporting requirements of § 1912.33 have been changed pursuant to § 1912.42 to help meet the special needs of this Committee. Specifically, § 1912.33 requires that verbatim transcripts be kept of all advisory committee meetings. Producing a coherent transcript requires a certain degree of formality. The Assistant Secretary has determined pursuant to § 1912.42 that such formality might interfere with the free exchange of information and ideas during the negotiations, and that the OSH Act would be better served by simply requiring detailed minutes of the proceedings without a formal transcript.

Minutes of the previous meeting and materials prepared for the Committee will be available for public inspection at the OSHA Docket Office, N–2625, 200 Constitution Ave., NW., Washington, D.C. 20210; Telephone (202) 219–7894.

Any written comments should be directed to Docket No. S–051, and sent in quadruplicate to the following address: OSHA Docket Office, U.S. Department of Labor, Room N–2625, 200 Constitution Ave., NW., Washington, DC 20210; Telephone (202) 219–7894.

V. Authority

This document was prepared under the direction of Joseph A. Dear, Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210, pursuant to section 3 of the Negotiated Rulemaking Act of 1990, 104 Stat. 4969, Title 5 U.S.C. 561 *et seq.*; and Section 7(b) of the Occupational Safety and Health Act of 1970, 84 Stat. 1597, Title 29 U.S.C. 656.

Signed at Washington, D.C., this 24th day of December, 1996.

Joseph A. Dear,

*Assistant Secretary of Labor.*

[FR Doc. 96–33223 Filed 12–30–96; 8:45 am]

BILLING CODE 4510–26–M

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Parts 244 and 245

**[FRL–5670–7]**

### Solid Waste Programs; Management Guidelines for Beverage Containers and Resource Recovery Facilities Guidelines; Removal of Obsolete Guidelines

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** On March 4, 1995, the President directed all Federal agencies

and departments to conduct a comprehensive review of the regulations they administer and, by June 1, 1995, to identify those rules that are obsolete or unduly burdensome. EPA has conducted a review of its rules, including rules issued under the Resource Conservation and Recovery Act (RCRA). Based on the review, EPA is today proposing to remove from the Code of Federal Regulations (CFR) two guidelines pertaining to solid waste management which are obsolete. The activities addressed in these 1976 guidelines have been included in numerous state and local statutes and regulations and other Federal rules, or have been superseded by such Presidential actions as Executive Order 12873, ''Federal Acquisition, Recycling, and Waste Prevention.'' These guidelines are now obsolete because: the need for Part 244 guidelines for Federal facilities on beverage containers has passed with the implementation of state and local recycling mandates and requirements, RCRA Section 6001 requirements, and Executive Order 12873, and Part 245 requirements are incorporated into state and local laws and Part 256, which addresses the requirements for facility planning and implementation of resource recovery programs.

Therefore, deleting these guidelines from the CFR will have no measurable impact on solid waste management.

In the rules and regulations section of today's Federal Register, EPA is also promulgating a direct final rule to withdraw Parts 244 and 245 from Title 40 of the Code of Federal Regulations (CFR). A detailed rationale for the removal of these guidelines is set forth in the direct final rule and is incorporated herein. Potential commenters should consult that notice. If no adverse comments are received in response to this notice, no further activity is contemplated in relation to this proposed rule and Parts 244 and 245 will be withdrawn. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on the proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

**DATES:** Written comments on this proposed rule must be received by January 30, 1997.

**ADDRESSES:** Written comments (one original and two copies) should reference docket number F–96–MRBP-FFFFF and be addressed to: RCRA Docket and Information Center (RIC), Office of Solid Waste (5305W), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460. Supporting docket materials can be viewed at and hand deliveries of comments can be made to the following address: Crystal Gateway I, first floor, 1235 Jefferson Davis Highway, Arlington, VA. The RIC is open from 9 a.m. to 4 p.m. Monday through Friday, excluding federal holidays. To review docket materials, it is recommended that the public make an appointment by calling 703 603–9230. The public may copy a maximum of 100 pages from any regulatory docket at no charge. Additional copies cost $0.15/page.

**FOR FURTHER INFORMATION CONTACT:** Deborah Gallman (703) 308–7276, U.S. EPA, Office of Solid Waste and Emergency Response, 401 M Street, S.W., (5306W), Washington, D.C. 20460, or the RCRA Hotline, phone (800) 424–9346 or TDD (800) 553–7672 hearing impaired or (703) 412–9810 or TDD (703) 412–3323 in the Washington, D.C., metropolitan area.

**SUPPLEMENTARY INFORMATION:**

I. Authority

This rule is being proposed under the authority of sections 1008, 2002, 6001, and 6004 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 and the Hazardous and Solid Waste Amendments of 1984; 42 U.S.C. 6961.

II. Additional Information

For additional information, see the corresponding direct final rule published in the rules and regulations section of this Federal Register.

III. Analysis under Executive Order (E.O.) 12866, the Unfunded Mandates Reform Act of 1995, and the Paperwork Reduction Act

Because the withdrawal of these guidelines from the CFR reflects their current obsolescence and has no regulatory impact, this action is not a ''significant'' regulatory action within the meaning of E.O. 12866, and does not impose any Federal mandate on state, local, or tribal governments or the private sector within the meaning of the Unfunded Mandates Reform Act of 1995. For the same reasons, their deletion from the CFR does not affect requirements under the Paperwork Reduction Act.

IV. Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), as amended by the Small Business Regulatory Enforcement Fairness Act of 1996, generally requires an agency to prepare, and make available for public comment, a regulatory flexibility analysis that describes the impact of a proposed or final rule on small entities (i.e., small businesses, small organizations, and small governmental jurisdictions). However, no regulatory flexibility analysis is required if the head of an agency certifies the rule will not have a significant adverse economic impact on a substantial number of small entities. This proposed rule is deregulatory in nature. The effect of the proposed rule is to remove obsolete guidelines which are mandatory only for Federal facilities. Therefore, I certify that this proposed rule will not have a significant economic impact on a substantial number of small entities. As a result, no Regulatory Flexibility Analysis is needed.

List of Subjects

*40 CFR Part 244*

Environmental protection, Beverages, Government property, Recycling.

*40 CFR Part 245*

Government property, Recycling.

Dated: December 20, 1996.

Carol M. Browner,

*Administrator.*

[FR Doc. 96–32968 Filed 12–30 –96; 8:45 am]

BILLING CODE 6560–50–P

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Office of Inspector General

### 42 CFR Part 1001

### Solicitation of New Safe Harbors and Modifications to Existing Safe Harbors

**AGENCY:** Office of Inspector General (OIG), HHS.

**ACTION:** Notice of intent to develop regulations.

**SUMMARY:** In accordance with section 205 of the Health Insurance Portability and Accountability Act of 1996, this notice solicits proposals and recommendations for developing new and modifying existing safe harbor provisions under the Medicare and State health care programs' anti-kickback statute, as well as developing new OIG Special Fraud Alerts.

**DATES:** To assure consideration, public comments must be delivered to the address provided below by no later than 5 p.m. on March 3, 1997.

**ADDRESSES:** Please mail or deliver your written comments to the following

address: Office of Inspector General, Department of Health and Human Services, Attention: OIG–11–N, Room 5246, Cohen Building, 330 Independence Avenue, S.W. Washington, DC 20201.

Because of staffing and resource limitations, we cannot accept comments by facsimile (FAX) transmission. In commencing, please refer to file code OIG–11–N. Comments received timely will be available for public inspection as they are received, generally beginning approximately 3 weeks after publication of a document, in Room 5541 of the Office of Inspector General at 330 Independence Avenue, S.W., Washington, D.C., on Monday through Friday of each week from 8:00 a.m. to 4:30 p.m.

**FOR FURTHER INFORMATION CONTACT:** Joel Schaer, (202) 619–0089, OIG Regulations Officer.

**SUPPLEMENTARY INFORMATION:**

I. Background

*A. The OIG Safe Harbor Provisions*

Section 1128B(b) of the Social Security Act (42 U.S.C. 1320a–7b(b)) provides criminal penalties for individuals or entities that knowingly and willfully offer, pay, solicit or relieve remuneration in order to induce business reimbursed under the Medicare or State health care programs. The offense is classified as a felony, and is punishable by fines of up to $25,000 and imprisonment for up to 5 years.

The types of remuneration covered specifically include kickbacks, bribes, and rebates, whether made directly or indirectly, overtly or covertly, or in cash or in kind. In addition, prohibited conduct includes not only remuneration intended to induce referrals of patients, but remuneration intended to induce the purchasing, leasing, ordering, or arranging for any good, facility, service, or item paid for by Medicare or State health care programs.

Since the statute on its face is so broad, concern has been expressed for many years that some relatively innocuous commercial arrangements are technically covered by the statute and are, therefore, subject to criminal prosecution. As a response to the above concern, the Medicare and Medicaid Patient and Program Protection Act of 1987, section 14 of Public Law 100–93, specifically required the development and promulgation of regulations, the so-called ''safe harbor'' provisions, designed to specify various payment and business practices which, although potentially capable of inducing referrals of business under the Medicare and State health care programs, would not be treated as criminal offenses under the anti-kickback statute (section 1128B(b) of the Social Security Act; 42 U.S.C. 1320a–7b(b)) and would not serve as a basis for a program exclusion under section 1128(b)(7) of the Social Security Act; 42 U.S.C. 1320a–7(b)(7). The OIG safe harbor provisions have been developed ''to limit the reach of the statute somewhat by permitting certain non-abusive arrangements, while encouraging beneficial and innocuous arrangements'' (56 FR 35952, July 29, 1991). Health care providers and others may voluntarily seek to comply with these provisions so that they have the assurance that their business practices are not subject to any enforcement action under the anti-kickback statute or program exclusion authority.

To date, the OIG has developed and codified in 42 CFR 1001.952 a total of 13 final safe harbors that describe practices that are sheltered from liability, and is continuing to finalize 8 additional safe harbor provisions (see the OIG notice of proposed rulemaking at 58 FR 49008, September 21, 1993).

*B. OIG Special Fraud Alerts*

In addition, the OIG has also periodically issued Special Fraud Alerts to give continuing guidance to health care providers with respect to practices the OIG regards as unlawful. These Special Fraud Alerts provide the OIG with a means of notifying the health care industry that we have become aware of certain abusive practices which we plan to pursue and prosecute, or bring civil and administrative action, as appropriate. The Special Fraud Alerts also serve as a tool to encourage industry compliance by giving providers an opportunity to examine their own practices. The OIG Special Fraud Alerts are intended for extensive distribution directly to the health care provider community, as well as those charged with administering the Medicare and Medicaid programs.

In developing these Special Fraud Alerts, the OIG has relied on a number of sources and has consulted directly with experts in the subject field, including those within the OIG, other agencies of the Department, other Federal and State agencies, and from those in the health care industry. To date, eight individual Special Fraud Alerts have been issued by the OIG and subsequently reprinted in the Federal Register on December 19, 1994 (59 FR 65372), August 10, 1995 (60 FR 40847) and June 17, 1996 (61 FR 30623)

II. Section 205 of Public Law 104–191

The Health Insurance Portability and Accountability Act of 1996, Public Law 104–191, effective August 21, 1996, now requires the Department to provide additional formal guidance regarding the application of the anti-kickback statute and the safe harbor provisions, as well as other OIG health care fraud and abuse sanctions. Among the provisions set forth in section 205 of Public Law 104–191 is the requirement that the Department develop and publish an annual notice in the Federal Register formally soliciting proposals for (1) modifying existing safe harbors, (2) developing new safe harbors and OIG Special Fraud Alerts, and (3) issuing requests for advisory opinions. After considering such proposals and recommendations, the Department, in consultation with the Department of Justice, will consider the issuance of new and modified safe harbor regulations, as appropriate. In addition, the OIG will consider the issuance of additional Special Fraud Alerts. Finally, in accordance with the statute, the OIG will formally begin accepting requests for advisory opinions on February 21, 1997. Regulations establishing the procedures and a process for accepting and issuing advisory opinions are being prepared for separate publication in the Federal Register and will be issued in the near future.

*Criteria for Modifying and Establishing Safe Harbor Provisions*

In accordance with the statute, we will consider a number of factors in considering proposals for new or modified safe harbor provisions, such as the extent to which the proposals would affect an increase or decrease in—

- Access to health care services;
- The quality of health care services;
- Patient freedom of choice among health care providers;
- Competition among health care providers;
- The cost to Federal health care programs;
- The potential overutilization of the health care services; and
- The ability of health care facilities to provide services in medically underserved areas or to medically underserved populations.

In addition, we will also take into consideration the existence (or nonexistence) of any potential financial benefit to a health care professional or provider that may vary based on their decisions of whether to (1) order a health care item or service, or (2) arrange for a referral of health care items or services to a particular practitioner or provider.

*Criteria for Developing Special Fraud Alerts*

In determining whether to issue additional Special Fraud Alerts, we will also consider whether, and to what extent, those practices that would be identified in new Fraud Alerts may result in any of the consequences set forth above, and the volume and frequency of the conduct that would be identified in these Special Fraud Alerts.

III. Solicitation of Public Comments

In order to address the requirements of section 205 of Public Law 104–191, we are requesting public comments from affected provider, practitioner, supplier and beneficiary representatives regarding the development of proposed or modified safe harbor regulations and new Special Fraud Alerts. A detailed explanation of justification or empirical data supporting the suggestion would prove helpful in our considering and drafting new or modified safe harbor regulations and Special Fraud Alerts.

Dated: December 20, 1996.

June Gibbs Brown,

*Inspector General, Department of Health and Human Services.*

Approved: December 20, 1996.

Donna E. Shalala,

*Secretary.*

[FR Doc. 96–33277 Filed 12–30–96; 8:45 am]

**BILLING CODE 4150–04–M**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 25

**[IB Docket No. 96–220; FCC 96–426]**

### Non-Voice Non-Geostationary Mobile Satellite Service

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission has proposed rules and policies to govern the second processing round for the non-voice, non-geostationary mobile satellite service (''NVNG MSS'') also referred to as the ''Little LEO'' service. The Commission's proposals include limiting the licensees in the second processing round to ''new entrants;'' adopting strict financial rules; adopting rules requiring licensees to time-share spectrum with existing commercial and government licensees; and seeking comment on conducting auctions if mutual exclusivity arises.

**DATES:** Comments must be submitted on or before January 6, 1997; reply comments must be submitted on or before January 13, 1997.

**ADDRESSES:** Federal Communications Commission, 1919 M Street, N.W., Washington, D.C. 20554.

**FOR FURTHER INFORMATION CONTACT:** Paula Ford, International Bureau, Satellite Policy Branch, (202) 418–0760; Brian Carter, International Bureau, Satellite Policy Branch, (202) 418–2119; Kathleen Campbell, International Bureau, Satellite Policy Branch (202) 418–0753.

Summary of Notice of Proposed Rulemaking

1. This Notice of Proposed Rulemaking (''NPRM'') reflects the Commission's commitment to licensing applicants in the second processing round to provide Little LEO service and the Commission's continued efforts to promote competition in the U.S. satellite services market. With this NPRM, we propose service rules and polices for the licensing of three applicants in the second processing round.

2. In order to promote multiple entry and competition, the Commission proposes to limit the participation in the second processing round to pending applicants who are not Little LEO licensees or affiliated with a Little LEO licensee. We propose to identify an applicant as an affiliate if the applicant: (1) Directly or indirectly controls or influences a licensee; (2) is directly or indirectly controlled or influenced by a licensee; or (3) is directly or indirectly controlled or influenced by a third party or parties that also have the power to control or influence a licensee.

3. Given that future entry may not be possible in the Little LEO service and grant to an under-financed applicant will likely prevent a capitalized applicant from going forward, we propose to amend the current financial standard to require that each applicant demonstrate that it has finances necessary to construct, launch, and operate the entire system for a year. In cases where there are more applicants than the spectrum can accommodate, a grant to an under-financed space station applicant may preclude a capitalized applicant from implementing its system, and delay service to the public. In the past we have required a stringent financial showing in such cases.

4. We propose to license three Little LEO systems to operate in particular spectrum blocks: the first system in the 149.81 MHz/400.5050–400.5517 MHz bands; the second in the 148.905–149.81 MHz/137–138 MHz bands; the third system in the 149.95–150.05 MHz/400.150–400.5050 MHz/400.645–401.0 MHz bands. The proposal requires all systems to time-share the spectrum and coordinate use of the spectrum with users of the bands. In the 137–138 MHz band, the Little LEO licensee would have to time-share spectrum with meteorological satellites of the National Oceanic and Atmospheric Administration. The Little LEO system operating in the 400.150–400.5050 MHz and 400.645–401 MHz bands would have to time-share the spectrum with meteorological satellites of the Department of Defense.

5. We also request comments on a number of other issues. If we have more qualified applicants than available spectrum in which they can operate, we asked for comment on how to resolve mutually exclusive applications and whether we should conduct an auction. We also ask for comment on effective methods of preventing transmissions into countries which have not authorized Little LEO service. Little LEO earth terminals have the physical capability to roam from one region or country to the next. Because of their inherent mobility, users may attempt to operate their earth terminals in a country in which the Little LEO licensee is not authorized to operate. In order to protect against this, we seek comment on methods to address this such as requiring each Little LEO user terminal to be equipped with position determination capabilities. In addition, we seek comment on whether we should adopt limitations on licensee's ability to enter into exclusive arrangements with other countries concerning communications to and from the United States. An exclusive arrangement may foreclose other Little LEO licensees from serving a foreign market and preventing that licensee from providing global service.

6. Finally, we also ask parties to submit amended applications on or before January 27, 1997 to operate in the spectrum blocks outlined in the NPRM. Amended applications must comply with the proposed rules. However, applicants are required to demonstrate finances sufficient to construct and operate only two satellites in their system for a year. Applicants will be allowed to further amend their applications once the Report and Order has been released only to the extent necessary because of the new obligations we have proposed that are different from the proposals in the Notice. If we adopt a strict financial standard we will allow applicants to amend their applications.

Ordering Clauses

7. Accordingly, it is ordered that pursuant to the authority contained in Sections 1, 4(i), 4(j), 301, 303, 308, and 309(j) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i), 154(j), 301, 303, 308, and 309(j), notice is hereby given of our intent to adopt the policies and rules set forth in this Notice and that comment is sought on all the proposals in this Notice.

8. It is further ordered that E-SAT, Inc.'s Petition for Rulemaking in Establishing Rules for Licensing Second-Round Applicants in the Non-voice, Non-geostationary Mobile Satellite Service dated February 14, 1996 and requesting that the Commission initiate a rulemaking proceeding to develop regulations for processing the second-round Little LEO applications is granted.

9. It is further ordered that the Secretary shall send a copy of this Notice of Proposed Rulemaking, including the Initial Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration in accordance with paragraph 603(a) of the Regulatory Flexibility Act, Public Law No. 96–354, 94 Stat. 1164, 5 U.S.C. 601 *et seq.* (1981).

Administrative Matters

10. This is a non-restricted notice and comment rulemaking proceeding. *Ex parte* presentations are permitted, except during the Sunshine Agenda period, provided they are disclosed as provided in the Commission's rules. See generally 47 CFR §§ 1.1202, 1.1203, and 1.1206(a). The Sunshine Agenda period is the period of time that commences with the release of public notice that a matter has been placed on the Sunshine Agenda and terminates when the Commission (1) releases the text of a decision or order in the matter; (2) issues a public notice stating that the matter has been deleted from the Sunshine Agenda; or (3) issues a public notice stating that the matter has been returned to the staff for further consideration, whichever occurs first. 47 CFR 1.1202(f). During the Sunshine Agenda period, no presentations, *ex parte* or otherwise, are permitted unless specifically exempted. 47 CFR 1.1203.

11. Pursuant to applicable procedures set forth in Sections 1.415 and 1.419 of the Commission's Rules, 47 CFR 1.415 and 1.419, interested parties may file comments on or before January 6, 1997 and reply comments on or before January 13, 1997. To file formally in this proceeding, you must file an original and five copies of all comments, reply comments, and supporting comments. If you want each Commissioner to receive a personal copy of your comments send additional copies to Office of the Secretary, Federal Communications Commission, Washington, D.C. 20554. Comments and reply comments will be available for public inspection during regular business hours in the Federal Communications Commission, Reference Center, Room 239, 1919 M Street, N.W. Washington, D.C. 20554. For further information concerning this rulemaking contact Paula Ford at (202) 418–0760 or Virginia Marshall (202) 418–0778.

Initial Regulatory Flexibility Act Statement

12. As required by Section 603 of the Regulatory Flexibility Act, the Commission has prepared an Initial Regulatory Flexibility Analysis (''IRFA'') of the expected impact on small entities of the proposals suggested in this document. The IRFA is set forth in Appendix A of the NPRM. Written public comments are requested on the IRFA. These comments must be filed in accordance with the same filing deadlines as comments on the rest of the NPRM, but they must have a separate and distinct heading designating them as responses to the Initial Regulatory Flexibility Analysis. The Secretary shall send a copy of this NPRM, including the Initial Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration in accordance with paragraph 603(a) of the Regulatory Flexibility Act, Public Law 96–354, 94 Stat. 1164, 5 U.S.C. 601 *et seq.* (1981).

List of Subjects in 47 CFR Part 25

Satellites.

Federal Communications Commission.

Shirley S. Suggs,

*Chief, Publications Branch.*

Rule Changes

Part 25 of the Commission's Rules and Regulations, Chapter I of Title 47 of the Code of Federal Regulations is proposed to be amended as follows:

## PART 25—SATELLITE COMMUNICATIONS

1. The authority citation for Part 25 continues to read as follows:

Authority: Secs. 25.101 to 25.601 issued under Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply secs. 101–104, 76 Stat. 419–427; 47 U.S.C. 701–744; 47 U.S.C. 554.

2. Sections 25.259 and 25.260 are added to Subpart C to read as follows:

**§ 25.259 Time Sharing Between NOAA Meteorological Satellites and NVNG Satellites in the 137–138 MHz Band.**

(a) An NVNG licensee time-sharing spectrum in the 137–138 MHz band shall not transmit signals into the ''protection areas'' of National Oceanic and Atmospheric Administration (''NOAA'') satellites. The protection area shall be calculated by using ephemeris data and an earth station elevation angle of zero degrees towards the NOAA satellite. The NVNG licensee is responsible for obtaining the necessary ephemeris data. This information shall be updated system-wide on at least a biweekly basis.

(b) NVNG licensees shall establish a 24-hour per day contact person and telephone number so that claims of harmful interference into the NOAA earth stations and other issues can be reported and resolved expeditiously. This contact information shall be made available to NOAA.

(c) NVNG satellites shall be designed to cease transmissions automatically if, within a forty-eight hour period, a valid reset signal has not been received from the NVNG gateway Earth station. All NVNG satellites shall be capable of instantaneous shutdown on any sub-band upon command from the gateway earth station.

**§ 25.260 Time Sharing Between DoD–NOAA Meteorological Satellites and NVNG Satellites in the 400.15–401 MHz band.**

(a) An NVNG licensee time-sharing spectrum in the 400.15–401.0 MHz band shall not transmit signals into the ''protection areas'' of Department of Defense (''DoD'')-National Oceanic and Atmospheric Administration (''NOAA'') meteorological satellites. The protection area shall be calculated by using ephemeris data and an earth station elevation angle of zero degrees toward the DoD–NOAA meteorological satellite. The NVNG licensee is responsible for obtaining the necessary ephemeris data. This information shall be updated system-wide on at least a weekly basis.

(b) NVNG licensees shall establish a 24-hour per day contact person and telephone number so that claims of harmful interference into DoD–NOAA earth station users and other operational issues can be reported and resolved expeditiously. This contact information shall be made available to DoD–NOAA.

(c) NVNG satellites shall be designed to cease transmissions automatically if, within forty-eight hours, a valid reset signal has not been received from the NVNG gateway earth station. All NVNG satellites shall be capable of instantaneous shutdown on any sub-

band upon command from the gateway earth station.

(d) Notwithstanding other provisions of this section, NVNG satellites sharing the 400.15–401 MHz with DoD–NOAA meteorological satellites shall implement within ninety minutes of receiving notice of a DoD–NOAA system frequency change, all appropriate modifications and updates to operate on a non-interference basis in accordance with subsection (a), above.

(e) At DoD–NOAA's instruction, the Little LEO System-3 operator will test, up to four times a year, the Little LEO system's ability to implement a DoD–NOAA requested frequency change.

[FR Doc. 96–33143 Filed 12–30–96; 8:45 am]

BILLING CODE 6712–01–P

## 47 CFR Part 61

**[CC Docket Nos. 87–313 and 93–197, FCC 96–454]**

## Policy and Rules Concerning Rates for Dominant Carriers; Revisions to Price Cap Rules for AT&T

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed Rules; termination.

**SUMMARY:** This Order terminates as moot proceedings concerning the treatment of AT&T Corp.'s (AT&T) offerings of promotions and optional calling plans (OCPs) under price cap regulation in light of the Commission's determination that AT&T is non-dominant and the resultant removal of AT&T's services from price cap regulation.

**DATES:** Proceedings were terminated November 26, 1996.

**FOR FURTHER INFORMATION CONTACT:** Joel Taubenblatt, 202–418–1513.

**SUPPLEMENTARY INFORMATION:** The text of the Commission's Order in CC Dockets Nos. 87–313 and 93–197, FCC 96–454, adopted November 21, 1996, and released November 26, 1996, appears below:

I. Introduction

1. In this Order, we terminate as moot proceedings concerning the treatment of AT&T Corp.'s (AT&T) offerings of promotions and optional calling plans (OCPs) under price cap regulation [1] in light of our determination that AT&T is non-dominant and the resultant removal of AT&T's services from price cap regulation.[2]

II. Background

2. In 1989, the Commission replaced traditional rate of return regulation with an incentive-based system of regulation, called price caps, for most of AT&T's services.[3] To implement the price cap system, the Commission defined three categories of AT&T services, or baskets, and defined a price cap index (PCI) for each basket.[4] The basket structure was designed so that AT&T would not be able to raise prices for services in one basket in order to lower prices for dissimilar services in another basket. Therefore, a change in rates in one basket or in services outside of price caps would not affect either the PCI or the actual price index (API) [5] for the other baskets.

3. The Commission was silent in the AT&T Price Cap Order as to the treatment of promotional rates under price caps.[6] After the Commission adopted the price cap rules, AT&T filed tariffs for a significant number of promotions in which it treated the rates associated with these offerings as rate reductions for purposes of API calculations. MCI Telecommunications Corporation (MCI) and Sprint Communications Company LP (Sprint) sought reconsideration of the AT&T Price Cap Order, requesting clarification of the price cap treatment of promotions. In the AT&T Price Cap Reconsideration Order, the Commission decided to exclude promotions from the price cap index prospectively. It reasoned that including promotional rates in price caps would give AT&T a greater degree of flexibility than warranted to offset the discounted promotional rates with increases in residential and small business rates within Basket 1.[7]

4. AT&T sought judicial review of the AT&T Price Cap Reconsideration Order. The United States Court of Appeals for the District of Columbia Circuit found that the Commission's decision to exclude promotional tariffs from the price cap index was not a reasoned decision supported by the record. The court remanded the AT&T Price Cap Reconsideration Order to the Commission with instructions either to show that its action was a clarification of the original AT&T Price Cap Order, or to ''offer a reasoned explanation of why promotional rates should be treated differently from other rates.'' [8]

5. In response, the Commission vacated its prior decision on this issue and issued the Promotions NPRM in Docket 87–313.[9] In the Promotions NPRM, the Commission tentatively concluded that promotions should be excluded from price cap regulation prospectively. The Commission found that AT&T was able to insulate itself from revenue losses created by promotional discounts by raising its rates for other residential services in Basket 1.[10] The Commission relied upon evidence that AT&T had taken advantage of any downward price flexibility generated by promotions to raise other rates in Basket 1, thereby keeping aggregate rates at the price cap maximum. According to the Commission, ''[p]ermitting promotional offerings to be used as a basis for raising basic schedule rates, without limitation, would strongly encourage the proliferation of excessive promotional offerings and undercut the efficiency incentives of the price cap program.'' [11] As an alternative, the Commission sought comment on whether to treat promotions as either new or restructured services.[12]

[1] Policy and Rules Concerning Rates for Dominant Carriers, CC Docket No. 87–313, Order and Notice of Proposed Rulemaking, 8 FCC Rcd 3715 (1993), 58 FR 31936, June 7, 1993 (Promotions NPRM); Revisions to Price Cap Rules for AT&T, CC Docket No. 93–197, Notice of Proposed Rulemaking, 8 FCC Rcd 5205 (1993), 58 FR 44157, August 19, 1993 (OCP NPRM); Policy and Rules Concerning Rates for Dominant Carriers, CC Docket No. 87–313, and Revisions to Price Cap Rules for AT&T, CC Docket No. 93–197, Further Notice of Proposed Rulemaking, 10 FCC Rcd 7854 (1995), 60 FR 28774, June 2, 1995 (Further NPRM).

[2] Motion of AT&T Corp. to be Reclassified as a Non-Dominant Carrier, 11 FCC Rcd 3271 (1995) (AT&T Reclassification Order), recon. pending. In a subsequent order, the Commission removed AT&T's remaining price cap services, international services, from price cap regulation. Motion of AT&T Corp. to be Declared Non-Dominant for International Service, Order, FCC 96–209 (rel. May 14, 1996).

[3] Policy and Rules Concerning Rates for Dominant Carriers, CC Docket No. 87–313, Notice of Proposed Rulemaking, 2 FCC Rcd 5208 (1987), 52 FR 33962, September 9, 1987; Further Notice of Proposed Rulemaking, 3 FCC Rcd 3195 (1988), 53 FR 22356, June 15, 1988; Report and Order and Second Further Notice of Proposed Rulemaking, 4 FCC Rcd 2873 (1989), 54 FR 19836, May 8, 1989 (AT&T Price Cap Order); Erratum, 4 FCC Rcd 3379 (1989); Memorandum Opinion and Order on Reconsideration, 6 FCC Rcd 665 (1991), 56 FR 5952, February 14, 1991 (AT&T Price Cap Reconsideration Order), remanded sub nom. AT&T v. FCC, 974 F.2d 1351 (D.C.Cir. 1992) (Remand Order). Those services that are not under price cap regulation are subject to streamlined regulation, which reduces their regulatory obligations under Part 61 of the Commission's rules, 47 CFR Part 61.

[4] See Further NPRM, 10 FCC Rcd at 7855–56, for an explanation of how the price cap index is calculated.

[5] The API represents a weighted average of actual prices of the services within the basket. *Id.*

[6] *Id.* at 7857.

[7] AT&T Price Cap Reconsideration Order at 671.

[8] Remand Order, 974 F.2d at 1355.

[9] Promotions NPRM, 8 FCC Rcd 3715.

[10] *Id.* at 3716.

[11] *Id.*

[12] *Id.* at 3717. Under price cap regulation, a service is classified as new if it provides an additional option to a service, but does not replace the existing service. A service is classified as a restructured offering if it replaces an existing service. See Sections 61.44(g), 61.46(b), and 61.47(b) of the Commission's rules, 47 CFR §§ 61.44(g), 61.46(b), and 61.47(b).

6. In the OCP NPRM, the Commission tentatively concluded that the ReachOut category of services (i.e., most domestic MTS OCPs) should be removed from Basket 1 because there is substantial competition among providers of discounted residential services.[13] The Commission sought comment on whether the treatment of OCPs under the AT&T price cap plan should be changed, and, if so, in what manner. Specifically, the Commission sought comment on whether it should adjust the API or the PCI for Basket 1 to reflect the removal of OCPs from Basket 1. As an alternative to removal of OCPs from price cap regulation, it asked for comment on whether OCPs should remain subject to price cap regulation, but be placed in a separate basket.[14]

7. Because the issues presented in determining the regulatory treatment of promotions and OCPs were closely related, we consolidated these issues in a Further Notice of Proposed Rulemaking.[15] In the Further NPRM, we made several tentative conclusions. We determined that Basket 1 domestic MTS promotions, domestic MTS OCPs, and basic schedule MTS offerings exhibit significant cross-elasticities of demand and are generally offered to the same class of customers, *i.e.*, residential customers, following the removal of AT&T's domestic commercial services from price cap regulation.[16] If we removed domestic MTS OCPs and promotions from price caps, the result would be that some of AT&T's offerings of domestic MTS for residential customers would be streamlined while retaining price cap regulation for similar offerings to the same class of customers. We declined to take this step and determined that the issue of further streamlining of OCPs and promotions might be better considered together with AT&T's motion for non-dominant status in a separate proceeding. We did propose, however, a number of related modifications to AT&T's price cap plan. Specifically, we recommended that, because promotions and OCPs are simply different ways of pricing the same service, they should be redefined as alternative pricing plans (APPs) for domestic, residential MTS, which co-exist with the basic domestic MTS rate schedule.[17]

8. On October 23, 1995, we released an order granting AT&T's motion to be reclassified as a non-dominant carrier.[18] The Commission defined the relevant product and geographic market for AT&T, under the Competitive Carrier paradigm,[19] as the interstate, domestic, interexchange market.[20] We then decided that the appropriate standard to evaluate AT&T's reclassification request was whether AT&T possessed market power in the overall relevant market, even if AT&T has the ability to control the prices of one or more services. Applying this standard to the record, the Commission concluded that the market structure characteristics and the indicia of market conduct and performance all indicate that AT&T lacks market power in the interstate, domestic, interexchange market.[21]

9. The Commission noted that the reclassification of AT&T as a non-dominant carrier would free AT&T from price cap regulation for its residential, operator, 800 directory assistance, and analog private line services.[22] By subsequent order, we removed AT&T's international services from price cap regulation as well, thus completing the process of ending price cap regulation of AT&T.[23]

III. Discussion

10. In the AT&T Reclassification Order, we granted AT&T's motion to be reclassified as a non-dominant carrier.[24] The reclassification of AT&T as a non-dominant carrier resulted in the end of price cap regulation for AT&T's residential, operator, 800 directory assistance, and analog private line services. Since AT&T's domestic MTS, including promotions and OCPs, is no longer subject to price caps, the issues raised in our tentative conclusions and proposals in the Further NPRM concerning whether to remove promotions and OCPs from price cap regulation are now moot. Similarly, the issues raised by the D.C. Circuit in the Remand Order in CC Docket No. 87–313 are moot. Accordingly, we will terminate as moot CC Docket Nos. 87–313 and 93–197.

IV. Ordering Clause

11. Accordingly, it is ordered that CC Docket Nos. 87–313 and 93–197 are terminated as moot.

List of Subjects in 47 CFR Part 61

Communications common carriers.

Federal Communications Commission

Shirley S. Suggs,

*Chief, Publications Branch.*

[FR Doc. 96–32934 Filed 12–30–96; 8:45 am]

**BILLING CODE 6712–01–P**

[13] OCP NPRM, 8 FCC Rcd at 5205–6. The price cap system's treatment of OCPs differs from that accorded promotions. OCPs are included in a separate service category (the ReachOut service category) from the basic MTS service categories within Basket 1, whereas promotions are included in the applicable MTS service categories. Changes in OCP rates, therefore, are not subject to the same limitations on rate changes as the basic schedule service categories. Further NPRM, 10 FCC Rcd at 7859.

[14] The Commission also proposed a number of other changes to the price cap rules in the OCP NPRM, including whether to remove commercial, 800 Directory Assistance, and analog private line services from price caps. In the Report and Order in CC Docket No. 93–197, 10 FCC Rcd 3009 (1995), 60 FR 4569, January 24, 1995 (Commercial Services Price Cap Order), the Commission resolved these issues, removed commercial services from price cap regulation, and deferred the question of the regulatory treatment of OCPs to this proceeding.

[15] Further NPRM, 10 FCC Rcd 7854.

[16] *Id.* at 7861.

[17] *Id.* at 7862.

[18] AT&T Reclassification Order, 11 FCC Rcd 3271.

[19] Policy and Rules Concerning Rates for Competitive Common Carrier Services and Facilities Authorizations Therefor, CC Docket No. 79–252, Notice of Inquiry and Proposed Rulemaking, 77 FCC 2d 308 (1979), 44 FR 67445, November 26, 1979; First Report and Order, 85 FCC 2d 1 (1980), 45 FR 76148, November 18, 1980; Further Notice of Proposed Rulemaking, 84 FCC 2d 445 (1981), 46 FR 10924, February 5, 1981; Second Further Notice of Proposed Rulemaking, FCC 82–187, 47 FR 17308 (1982); Second Report and Order, 91 FCC 2d 59 (1982), 47 FR 37889, August 27, 1982; Order on Reconsideration, 93 FCC 2d 54 (1983); Third Further Notice of Proposed Rulemaking, 48 FR 28292 (1983); Third Report and Order, 48 FR 46791 (1983); Fourth Report and Order, 95 FCC 2d 554 (1983), 48 FR 52452, November 18, 1983, *vacated, AT&T* v. *FCC*, 978 F.2d 727 (D.C.Cir. 1992), *cert. denied, MCI Telecommunications Corp.* v. *AT&T*, 113 S.Ct. 3020 (1993); Fourth Further Notice of Proposed Rulemaking, 96 FCC 2d 922 (1984), 49 FR 11856, March 28, 1984; Fifth Report and Order, 98 FCC 2d 1191 (1984), 49 FR 34824, September 4, 1984; Sixth Report and Order, 99 FCC 2d 1020 (1985), 50 FR 1215, January 10, 1985, *vacated, MCI Telecommunications Corp.* v. *FCC*, 765 F.2d 1186 (D.C.Cir. 1985) (collectively referred to as the Competitive Carrier proceeding).

[20] AT&T Reclassification Order, 11 FCC Rcd at 3292.

[21] *Id.* at 3347.

[22] *Id.* at 3281.

[23] Motion of AT&T Corp. to be Declared Non-Dominant for International Service, Order, FCC 96–209 (rel. May 14, 1996).

[24] AT&T Reclassification Order, 11 FCC Rcd 3271.

## DEPARTMENT OF THE INTERIOR

## Fish and Wildlife Service

## 50 CFR Part 17

## Endangered and Threatened Wildlife and Plants; Notice of Status Reviews for the Alexander Archipelago Wolf and Queen Charlotte Goshawk

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

**ACTION:** Notice of status reviews; extension of comment period.

**SUMMARY:** The Fish and Wildlife Service (Service) provides notice that the comment period on the rangewide status reviews for the Queen Charlotte goshawk (*Accipiter gentilis laingi*) and the Alexander Archipelago wolf (*Canis lupus ligoni*) is extended. The Service solicits any information, data,

comments, and suggestions from the public, other government agencies, the scientific community, industry, or other interested parties concerning the status of these species.

**DATES:** The comment period, originally scheduled to close January 21, 1997, is extended and will now close on February 5, 1997. Any comments received by the closing date will be considered in the findings.

**ADDRESSES:** Comments and materials should be sent to Field Supervisor, U.S. Fish and Wildlife Service, Ecological Services, 3000 Vintage Blvd., Suite 201, Juneau, Alaska 99801-7100.

**FOR FURTHER INFORMATION CONTACT:** Mr. John Lindell at the above address (907/586-7240).

**SUPPLEMENTARY INFORMATION:**

## Background

The Service will issue separate findings on petitions to list the Queen Charlotte goshawk and the Alexander Archipelago wolf under the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

## Queen Charlotte Goshawk

The Queen Charlotte goshawk occurs in forested areas throughout coastal mainland and insular areas of British Columbia, Canada, and southeastern Alaska. On May 9, 1994, the Service received a petition to list the Queen Charlotte goshawk as endangered under the Act, from Mr. Peter Galvin of the Greater Gila Biodiversity Project, Silver City, New Mexico, and nine copetitioners including, the Southwest Center for Biological Diversity, the Biodiversity Legal Foundation, Greater Ecosystem Alliance, Save the West, Save America's Forests, Native Forest Network, Native Forest Council, Eric Holle, and Don Muller. On August 26, 1994, the Service announced a 90-day finding (59 FR 44124) that the petition presented substantial information indicating that the requested action may be warranted, and opened a public comment period until November 25, 1994. The Service extended the public comment period until February 28, 1995, through two subsequent Federal Register notices on January 4, 1995 (60 FR 425), and February 24, 1995 (60 FR 10344). The Service issued its 12-month finding on June 29, 1995 (60 FR 33784), indicating that listing the Queen Charlotte goshawk under the Act was not warranted.

On July 16, 1995, the petitioners filed a 60-day notice of intent to sue the Service over its 12-month finding, and on November 17, 1995, they filed suit in the United States District Court for the District of Columbia challenging the not warranted finding made by the Service. As a result of the court proceedings the Service is reevaluating the status of the Queen Charlotte goshawk. The Service is requesting any information, data, comments, and suggestions from the public, other government agencies, the scientific community, industry, or other interested parties concerning the status of this species.

## Alexander Archipelago Wolf

The Alexander Archipelago wolf occurs in forested areas of insular and mainland southeast Alaska, from Dixon Entrance (US/Canada border) to Yakutat Bay, including all large islands of the Alexander Archipelago except Admiralty, Baranof, and Chichagof islands. On December 17, 1993, the Service received a petition to list the Alexander Archipelago wolf as threatened under the Act, from the Biodiversity Legal Foundation, Eric Holle and Martin J. Berghoffen. A 90-day finding was made by the Service that the petition presented substantial information indicating that the requested action may be warranted. The 90-day finding was announced (59 FR 26476) and a status review was initiated on May 20, 1994. The public comment period was open between May 20, and October 1, 1994 (59 FR 26476 and 59 FR 44122). The Service announced its finding that listing the Alexander Archipelago wolf was not warranted on February 23, 1995 (60 FR 10056).

The petitioners issued a 60-day notice of intent to sue over the Service's not warranted finding on November 13, 1995. On February 7, 1996, they filed suit in the United States District Court for the District of Columbia challenging the not-warranted finding made by the Service. As a result of the court proceedings the Service is reevaluating the status of the Alexander Archipelago wolf. The Service is requesting any information, data, comments, and suggestions from the public, other government agencies, the scientific community, industry, or other interested parties concerning the status of this species.

## Author

This primary author of this notice is Janet E. Hohn, U.S. Fish and Wildlife Service, Alaska Region, 1011 E. Tudor Road, Anchorage, Alaska 99503.

## Authority

The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531–1544).

## List of Subjects in 50 CFR Part 17

Endangered and threatened species, Export, Import, Reporting and recordkeeping requirements, Transportation.

Dated: December 24, 1996.

Robyn Thorson,

*Acting Regional Director, Region 7, Fish and Wildlife Service.*

[FR Doc. 96–33255 Filed 12–30–96; 8:45 am]

BILLING CODE 4310–55–P

# Notices

Federal Register
Vol. 61, No. 252
Tuesday, December 31, 1996

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 COMMERCE

### International Trade Administration

**[A–570–832]**

### Pure Magnesium from the People's Republic of China (PRC): Initiation of New Shipper Antidumping Duty Administrative Review

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**SUMMARY:** The Department of Commerce (the Department) has received a request to conduct a new shipper administrative review of the antidumping duty order on pure magnesium from the PRC. In accordance with 19 CFR 353.22(h), we are initiating this administrative review.

**EFFECTIVE DATE:** December 31, 1996.

**FOR FURTHER INFORMATION CONTACT:** Everett Kelly or Dorothy Tomaszewski, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone (202) 482–4194 or 482–0631, respectively.

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 current regulations, as amended by the interim regulations published in the Federal Register on May 11, 1995 (60 FR 25130).

**SUPPLEMENTARY INFORMATION:**

Background

The Department has received a timely request from Taiyuan Heavy Machinery Import and Export Corporation (Taiyuan), in accordance with interim regulation 19 CFR 353.22(h) (1995), for a new shipper review of the antidumping duty order on pure magnesium from the PRC which has a May anniversary date. Taiyuan has certified that it did not export pure magnesium to the U.S. during the period of investigation (POI), and that it is not affiliated with any exporter or producer which did export pure magnesium during the POI. This certification is in accordance with section 751(a)(2)(B)) of the Tariff Act of 1930 as amended, and the Department's interim regulations, 19 CFR 353.22(h). Therefore, we are initiating the new shipper review as requested. However, it is the Department's usual practice with non-market economies to require information regarding *de Jure* and *de facto* government control over a company's export activities to establish its eligibility for an antidumping duty rate separate from the country-wide rate. Accordingly we will issue a separate rates questionnaire to Taiyuan and seek additional information from the PRC government (as appropriate), allowing 30 days for response. If the responses from Taiyuan and the PRC government indicate adequately that Taiyuan is not subject to either *de Jure* or *de facto* government control with respect to its exports of pure magnesium, the review will proceed. If, on the other hand, Taiyuan does not demonstrate its eligibility for a separate rate, Taiyuan will be deemed to be affiliated with other companies that exported during the POI that did not establish their entitlement to a separate rate, and the review will be terminated.

Initiation of Review

In accordance with section 751(a)(2)(B)(ii) of the Act and 19 CFR 353.22(h)(6), we are initiating a new shipper review of the antidumping duty order on pure magnesium from the PRC. We intend to issue the final results of review not later than 270 days from the date of publication of this notice.

| Antidumping Duty Proceeding | Period to be Reviewed |
|---|---|
| PRC: Pure Magnesium, A-570–832: | |
| Taiyuan Heavy Machinery Import and Export ..... | 05/01/96–10/31/96 |

Upon an affirmative separate rates determination, we will instruct the U.S. Customs Service to allow, at the option of the importer, the posting, until the completion of the review, of a bond or security in lieu of a cash deposit for each entry of the merchandise exported by the above listed companies, in accordance with 19 CFR 353.22(h)(4).

Interested parties must submit applications for disclosure under administrative protective orders in accordance with 19 CFR 353.34(b).

This initiation and this notice are in accordance with section 751(a) of the Act (19 U.S.C. 1675(a)) and 19 CFR 353.22(h).

Dated: December 20, 1996.

Jeffrey P. Bialos,

*Principal Deputy Assistant Secretary, Import Administration.*

[FR Doc. 96–33174 Filed 12–30–96; 8:45 am]

**BILLING CODE 3510–DS–M**

**[A–489–501]**

### Notice of Final Results of Antidumping Duty Administrative Review: Certain Welded Carbon Steel Pipe and Tube From Turkey

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**SUMMARY:** On July 5, 1996, the Department of Commerce published the preliminary results of its administrative review of the antidumping duty order on certain welded carbon steel pipe and tube from Turkey. The review covers shipments of this merchandise to the United States during the period May 1, 1994, through April 30, 1995.

Based on our analysis of the comments received, the correction of certain clerical and computer program errors, and the correction of errors found at verification, we have changed the preliminary results. The final results

are listed below in the section ''Final Results of Review.''

**EFFECTIVE DATE:** December 31, 1996.

**FOR FURTHER INFORMATION CONTACT:** Jennifer Stagner, Brian Smith (Erbosan), or Gabriel Adler (Borusan), Office of AD/CVD Enforcement II, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482–1673, (202) 482–1766, and (202) 482–1442, respectively.

**SUPPLEMENTARY INFORMATION:**

## Background

This review covers two manufacturers/exporters to the United States of the subject merchandise, the Borusan Group (Borusan) and Erviyas Boru Sanayii ve Ticaret A.S. (Erbosan), and the period May 1, 1994, through April 30, 1995. On July 5, 1996, the Department of Commerce (the Department) published in the Federal Register the Preliminary Results of Administrative Review of the Antidumping Duty Order on Certain Welded Carbon Steel Pipe and Tube from Turkey (61 FR 35188) (Preliminary Results). We issued supplemental questionnaires to Borusan and Erbosan in July 1996; we received the responses in August 1996. Verification was conducted in September 1996. We received case and rebuttal briefs on November 12, 1996, and November 19, 1996, respectively.

The Department has now completed this administrative review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

## Scope of the Review

Imports covered by this review are shipments of certain welded carbon steel pipe and tube products with an outside diameter of 0.375 inch or more but not over 16 inches, of any wall thickness. These products are currently classifiable under the following Harmonized Tariff Schedule of the United States (HTSUS) subheadings: 7306.30.10.00, 7306.30.50.25, 7306.30.50.32, 7306.30.50.40, 7306.30.50.55, 7306.30.50.85, and 7306.30.50.90. These products, commonly referred to in the industry as standard pipe and tube, are produced to various American Society for Testing and Materials (ASTM) specifications, most notably A–120, A–53 or A–135.

Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of this proceeding is dispositive.

## Applicable Statute and Regulations

Unless otherwise indicated, all citations to the statute are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act of 1930 (the Act) by the Uruguay Round Agreements Act (URAA). In addition, unless otherwise indicated, all citations to the Department's regulations are to the current regulations, as amended by the interim regulations published in the Federal Register on May 11, 1995 (60 FR 25130).

## Product Comparisons

In accordance with section 777A(d)(2) of the Act, we calculated for Borusan transaction-specific Export Prices (EPs) and compared them to normal value (NV) based on either weighted-average home market prices or constructed values. For Erbosan, we calculated transaction-specific EPs and compared them to NV based on weighted-average home market prices only. The EPs and NVs were calculated and compared by product characteristics and, where possible, at the same level of trade (see ''Level of Trade'' section below). For price-to-price comparisons, we compared identical merchandise, where possible. Where there were no sales of identical merchandise in the home market to compare to U.S. sales, we made similar comparisons based on the characteristics listed in the Department's antidumping questionnaire. For both Borusan and Erbosan, we excluded certain reported products in the home market from our analysis because the merchandise was not part of the foreign like product. For Erbosan, we found that there were U.S. sales of certain products for which there were no home market sales of identical or similar products sold in the same month. As discussed in the *Preliminary Results,* we did not apply the Department's 90/60 day rule because Turkey experienced hyperinflation during the period of review (POR). In general, where no match can be found for a U.S. sale, the Department would normally resort to CV as the basis of NV. In this case, however, no specific request was made by the Department that Erbosan provide CV in these instances. Therefore, as facts available, we assigned the U.S. sales without home market matches the average of the calculated margins. In determining what to use as facts available, we considered whether Erbosan cooperated to the best of it ability using the criteria set for in section 776(b) of the Act. We determined that Erbosan met all these criteria and concluded that an adverse inference should not be made (see Erbosan Sales Comment 1 below).

## Level of Trade

As set forth in section 773(a)(1)(B)(i) of the Act and in the Statement of Administrative Action (SAA) accompanying the URAA at 829–831, to the extent practicable, the Department will calculate NV based on sales at the same level of trade as the U.S. sale. When the Department is unable to find sale(s) in the comparison market at the same level of trade as the U.S. sale(s), the Department may compare sales in the U.S. and foreign markets at a different level of trade. See Final Determination of Sales at Less than Fair Value; Certain Pasta from Italy, 61 FR 30326 (June 14, 1996) (Pasta from Italy).

In accordance with section 773(a)(7)(A) of the Act, in comparing U.S. sales to NV sales, the Department will adjust the NV to account for any difference in level of trade if two conditions are met. First, the sales must in fact be made at different levels of trade, which can exist only if there are differences between the actual selling functions performed by the seller at the level of trade of the U.S. sale and the level of trade of the NV sale. Second, the difference must affect price comparability as evidenced by a pattern of consistent price differences between sales at the different levels of trade in the market in which NV is determined.

In order to determine that there is a difference in level of trade, the Department must find that two sales have been made at different stages of marketing, or the equivalent. Different stages of marketing necessarily involve differences in selling functions, but differences in selling functions (even substantial ones) are not alone sufficient to establish a difference in the level of trade. Similarly, seller and customer descriptions (such as ''distributor'' and ''wholesaler'') are useful in identifying different levels of trade, but are insufficient to establish that there is a difference in the level of trade. See Certain Corrosion-Resistant Carbon Steel Flat Products and Certain Cut-to-Length Carbon Steel Plate from Canada: Preliminary Results of Antidumping Duty Administrative Review, 61 FR 51891, 51895–96 (October 4, 1996) (Steel from Canada).

In implementing this principle in this review, we examined information regarding the selling activities of the producers/exporters associated with each stage of marketing, or the equivalent. In addition, we examined any claimed levels of trade (LOTs) reported by each respondent.

In reviewing the selling functions reported by the respondents, we considered all types of selling activities, both claimed and unclaimed, that had been performed. In analyzing whether separate LOTs existed in this review, we found that no single selling activity in the pipe and tube industry was sufficient to warrant a separate LOT (see Notice of Proposed Rulemaking and Request for Public Comments, 61 FR 7307, 7348 (February 27, 1996)). For this review, we determined that the following selling functions and activities are relevant to the pipe and tube industry: (1) Inventory maintenance; (2) technical services; (3) warranty services; (4) customer advice and product information; (5) delivery arrangements; (6) sales from warehouse vs. direct sales; and (7) direct advertising. We did not consider trade discounts as a selling function (see Pasta from Italy).

When examining claimed LOTs, we analyzed the selling activities associated with the classes of customers and marketing stages the respondents reported. In applying this analysis, we expect that, if claimed LOTs are the same, the functions and activities of the seller should be similar. Conversely, if a party claims that LOTs are different for different groups of sales, the functions and activities of the seller should be dissimilar. The Department not only counts activities, but weighs the overall function performed for each claimed level of trade. In determining whether separate LOTs existed in the home market, pursuant to section 773(a)(1)(B)(i) of the Act, we considered the selling functions reflected in the starting price of the home market sales before any adjustment.

*A. Borusan*

Borusan claimed that it has three LOTs in the home market: (1) Direct sales; (2) reseller back-to-back sales; and (3) reseller inventory sales. It reported only one LOT in the U.S. market (i.e., trading companies). We agree with Borusan that one LOT exists in the U.S. market because Borusan has one chain of distribution and one customer category in the U.S. market. However, based on our practice, as stated recently in Steel from Canada, we have determined, for the reasons described below, that there are not three, but only two LOTs in the home market.

The first step in this analysis requires that the Department identify the different stages of marketing. We find that there are two stages of marketing: (1) Sales shipped directly to distributors/wholesalers (direct sales and reseller back-to-back sales); and (2) warehouse sales to retailers (reseller inventory sales).

After determining the number of marketing stages, we must then examine whether the selling functions performed by the seller support Borusan's claimed LOTs or the separate marketing stages determined by the Department. For the claimed LOTs in the home market, we did not find that there were three distinct sets of selling functions performed by the seller. Rather, we found two distinct sets of selling functions performed by the seller, which reflected the two marketing stages determined by the Department. Thus, we concluded that there are two distinct LOTs in the home market based on the marketing stages and selling functions performed by the seller at those stages.

Next we examined the selling functions performed by the seller with respect to both markets to determine if U.S. sales can be matched to home market sales at the same LOT. See Sales Comment 3 for a complete discussion; see also Memorandum to the File from the Team, dated December 17, 1996.

Based on our analysis, we determined that there is one U.S. LOT and two home market LOTs, one of which we determined to be identical in aggregate selling functions to that at which sales are made to the United States. We compared sales at the sole LOT in the U.S. market to sales at the identical home market LOT. If no home market match was available at the same LOT in the same month as the U.S. sale, we compared sales at the sole LOT in the U.S. market to sales at the other LOT in the home market. We then examined whether a LOT adjustment was appropriate for Borusan when comparing sales at its U.S. LOT to sales at the non-identical LOT.

To determine whether an LOT adjustment was necessary, we examined, on a monthly basis, the prices of comparable product categories, net of all adjustments, between sales at the identical home market LOT and sales at the non-identical home market LOT. We did not find a consistent pattern of price differences between sales at these LOTs. Therefore, for non-identical LOT matches, we made no LOT adjustments. If no home market match was found, we compared EP to constructed value.

It is now the Department's practice to calculate, to the extent possible, a CV by LOT, using the selling expenses and profit determined for each LOT in the comparison market. See Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof From France, Germany, Italy, Japan, Romania, Singapore, Thailand and the United Kingdom; Preliminary Results of Antidumping Duty Administrative Reviews, Termination of Administrative Reviews, and Partial Termination of Administrative Reviews, 61 FR 35713, 35718 (July 8, 1996). However, because the record of this review does not include selling expense and profit data specific to each LOT, we have calculated a CV for each product without regard to LOTs.

*B. Erbosan*

Erbosan made no claim that different levels of trade existed. However, the Department must still examine whether there are different levels of trade when the information on the record permits adequate analysis of the issue (see Pasta from Italy). In determining whether separate levels of trade actually existed between the U.S. and home markets, we first examined Erbosan's marketing stages. In reviewing the chains of distribution and customer categories reported in the home market, we found no differences between the reported chains/categories. Thus, we found only one stage of marketing in the home market. For the U.S. market, Erbosan had only one chain of distribution and one customer category. Thus, we determined that Erbosan has one stage of marketing in the U.S. market.

As described above, it is still necessary to examine the selling functions performed to determine whether separate levels of trade exist between these market stages. Our analysis was based on the selling functions we examined at verification. Based on information contained on the record and our verification findings, we determine that there are no differences in the selling functions performed in the home market within the LOT. Thus, for purposes of our final results, we have considered all sales in the home market to be at one LOT. In reviewing the same selling functions for the U.S. market, we found that the home market LOT is not similar in aggregate selling functions to that found in the United States. Thus, we determined that Erbosan has one LOT in the home market and a different one in the U.S. market. See Memorandum to the File from the Team, dated December 17, 1996.

If the Department determines that a LOT adjustment is warranted, and if information on the same product and company is not available in order to make such an adjustment, the Department may consider the sales of other products by the same company or the selling experience of other producers in the foreign market for the same product (or other products) in

order to make an adjustment. See SAA at 830.

In this case, we found no information on the record which would enable us to make a level of trade adjustment. Thus, we compared Erbosan's sales at the sole LOT in the U.S. market to its sales at the sole home market LOT without making a LOT adjustment.

Fair Value Comparisons

To determine whether sales of pipe and tube to the United States were made at less than fair value, we compared the EP to the NV, as described in the ''Export Price'' and ''Normal Value'' sections of this notice.

Export Price

We calculated EP in accordance with section 772(a) of the Act, because the subject merchandise was sold directly to the first unaffiliated purchaser in the United States prior to importation and Constructed Export Price (CEP) methodology was not otherwise warranted based on the facts of this investigation.

*A. Borusan*

We calculated EP based on the same methodology used in the Preliminary Results, except that we deducted payments made by Borusan to its customers in the United States (see Sales Comment 4B below).

*B. Erbosan*

We based EP on prices to unaffiliated purchasers in the United States. We made deductions from the starting price (gross unit price), where appropriate, for foreign inland freight, foreign brokerage and handling expenses, and international freight. Furthermore, we added countervailing duties imposed on the subject merchandise to offset export subsidies, pursuant to section 772(c)(1)(C) of the Act.

Normal Value

*A. Borusan*

We calculated NV as noted in the ''Price to Price Comparisons'' and ''Price to CV Comparisons'' sections of this notice.

*B. Erbosan*

In order to determine whether there was a sufficient volume of sales in the home market to serve as a viable basis for calculating NV, we compared Erbosan's volume of home market sales of the foreign like product to the volume of its U.S. sales of the subject merchandise, in accordance with section 773(a)(1)(C) of the Act. Since Erbosan's aggregate volume of home market sales of the foreign like product was greater than five percent of its aggregate volume of its U.S. sales of the subject merchandise, we determined that the home market was viable. We calculated NV as noted in the ''Price to Price Comparisons'' section of this notice.

Cost of Production Analysis

As discussed in the Preliminary Results, the Department conducted an investigation to determine whether Borusan made home market sales during the POR at prices below its cost of production (COP) within the meaning of section 773(b) of the Act. No below-cost allegation was made with respect to Erbosan. Before making any fair value comparisons, we conducted the COP analysis described below.

*A. Calculation of COP*

We calculated the COP based on the sum of Borusan's cost of materials and fabrication for the foreign like product, plus amounts for home market selling, general, and administrative expenses (SG&A) and packing costs in accordance with section 773(b)(3) of the Act. As noted in the Preliminary Results, we used Borusan's reported monthly COP figures which were based on the current production costs incurred during each month of the POR. This was done in order to avoid the distortive effect of inflation on our comparison of costs and prices. We relied on the reported COP amounts with the following exceptions:

1. We calculated a weighted-average per-unit variable cost of manufacturing and total cost of manufacturing for each product;
2. We recalculated Borusan's SG&A expenses (*see* Cost Comment 2 below);
3. We recalculated Borusan's interest expenses (*see* Cost Comment 3 below);
4. We recalculated the reported product costs to reflect product-specific weight-savings ratios where available (*see* Cost Comment 4 below); and
5. We adjusted the cost of a product for which an average coil cost had been reported, to account for a more expensive input coil for that product.

*B. Test of Home Market Prices*

As stated in the Preliminary Results, we used Borusan's adjusted monthly COP amounts and the wholesale price index from the government of Turkey's State Institute of Statistics to compute an annual weighted average COP for the POR. We compared the weighted-average COP figures to home market sales of the foreign like product as required under section 773(b) of the Act, in order to determine whether these sales had been made at prices below the COP. On a product-specific basis, we compared the COP to the home market prices, less any applicable movement charges, rebates, and direct selling expenses.

*C. Results of COP Test*

Pursuant to section 773(b)(2)(C)(i) of the Act, where less than 20 percent of a respondent's sales of a given product were at prices less than the COP, we did not disregard any below-cost sales of that product because we determined that the below-cost sales were not made in ''substantial quantities.'' Where 20 percent or more of a respondent's sales of a given product were at prices less than the COP, we disregarded the below-cost sales where such sales were found to be made at prices which would not permit the recovery of all costs within a reasonable period of time (in accordance with section 773(b)(2)(D) of the Act). Where all sales of a specific product were at prices below the COP, in accordance with section 773(b)(1) of the Act, we disregarded all sales of that product, and calculated NV based on CV, in accordance with section 773(e) of the Act.

We found that, for certain products, more than 20 percent of Borusan's home market sales were sold at below the COP and, therefore, that below-cost sales were made within an extended period of time in substantial quantities. We also determined that these below-cost sales were made at prices which would not permit recovery of all costs within a reasonable period of time, in accordance with section 773(b)(2)(D) of the Act. We therefore excluded these sales from our analysis and used the remaining above-cost sales as the basis for determining NV, in accordance with section 773(b)(1) of the Act. For those pipe and tube products for which there were no above-cost sales in the ordinary course of trade, we compared export prices to CV.

*D. Calculation of CV*

In accordance with section 773(e)(1) of the Act, we calculated CV based on the sum of Borusan's cost of materials, fabrication, SG&A and U.S. packing costs as reported in the U.S. sales databases. In accordance with section 773(e)(2)(A) of the Act, we based SG&A and profit on the actual amounts incurred and realized by Borusan in connection with the production and sale of the foreign like product in the ordinary course of trade (*i.e.*, sales disregarded under section 773(b)(1) of the Act pursuant to the cost test and under section 773(e)(2) of the Act not at arm's length), for consumption in the foreign country (see Sales Comment 8 below). We calculated CV based on the

methodology described in the calculation of COP above and added an amount for profit. For selling expenses, we used the weighted-average home market selling expenses.

Price-to-Price Comparisons

*A. Borusan*

For those comparison products for which there were sales at prices above the COP, we based NV on home market prices. We calculated NV based on FOB mill/warehouse or delivered prices to unaffiliated customers, or prices to affiliated customers which were determined to be at arm's length. We calculated NV based on the same methodology used in the Preliminary Results, with the following exceptions:

1. We deducted advertising and warranty expenses (see Sales Comment 9 below).
2. We set to zero the warehousing and freight expenses reported for back-to-back sales, based on our findings at verification. See sales verification report at 1.
3. For certain reseller sales, we revised the warehousing and freight expenses, based on our findings at verification. See sales verification report at 12–13.

*B. Erbosan*

We based NV on home market prices. We calculated NV based on FOB factory prices to unaffiliated customers. We made deductions, where appropriate, from the starting price for discounts and rebates, and we added interest revenue. In accordance with section 773(a)(6) of the Act, we deducted home market packing costs and added U.S. packing costs.

We adjusted for differences in the circumstances of sale, in accordance with section 773(a)(6)(C)(iii) of the Act. These circumstances included differences in imputed credit expenses. Based on our verification findings, we recalculated home market credit expenses.

We also made adjustments, where appropriate, for physical differences in the merchandise in accordance with section 773(a)(6)(C)(ii) of the Act. Based on our verification findings, we added an amount for thinner and lacquer costs to the variable manufacturing cost and total cost of manufacture for all U.S. products. We also added an amount for pipe straightening expenses to the costs for certain U.S. products. Finally, we removed the amount for packing expenses from the costs reported for all products. We indexed the reported monthly costs to the end of the period using the wholesale price index for Turkey. Next, we calculated average variable and total costs of manufacturing by product based on sales quantities of the U.S. and home market sales. (We used sales quantities because production quantities were not available and because we assume that sales quantities are a close approximation to production quantities.) We then indexed the average variable and total costs of manufacturing to restate them in the currency value of each respective month. The adjusted monthly variable costs of manufacturing for U.S. and home market products were then compared to arrive at the difference in merchandise adjustment. To determine whether Erbosan's affiliated sales were made at arm's length, we compared the gross unit prices of sales to affiliated and unaffiliated customers net of all movement charges, direct selling expenses, and packing (see Final Determination of Sales at Less Than Fair Value; Certain Cold-Rolled Carbon Steel Flat Products from Argentina, 58 FR 37062, 37077 (July 9, 1993)). We excluded all of these sales from our analysis because they did not pass the arm's length test in our analysis. See 19 CFR 353.45(a).

Price-to-CV Comparisons

For Borusan, where we compared CV to export prices, we deducted from CV the weighted-average home market direct selling expenses and added to CV the weighted-average U.S. product-specific direct selling expenses.

Currency Conversion

The Department's preferred source for daily exchange rates is the Federal Reserve Bank. However, the Federal Reserve Bank does not track or publish exchange rates for the Turkish Lira. Therefore, we made currency conversions based on the daily exchange rates from the Dow Jones Service, as published in the Wall Street Journal.

Section 773A(a) directs the Department to use a daily exchange rate in order to convert foreign currencies into U.S. dollars, unless the daily rate involves a ''fluctuation.'' It is the Department's practice to find that a fluctuation exists when the daily exchange rate differs from a benchmark rate by 2.25 percent. The benchmark rate is defined as the rolling average of the rates for the past 40 business days. See Final Determination of Sales at Less Than Fair Value: Certain Pasta from Turkey, 61 FR 30309 (June 14, 1996) (Pasta from Turkey).

However, we believe that it is appropriate in this case to use actual daily exchange rates for currency conversion purposes, rather than the benchmark rate. As noted in Policy Bulletin 96–1: Currency Conversions, 61 FR 9434 (March 8, 1996), the Department is continuing to examine the appropriateness of the currency conversion policy in situations where the foreign currency depreciates substantially against the dollar over the POR. In those situations, it may be appropriate to rely on daily exchange rates. When the rate of domestic price inflation is significant, as it is in this case, it is important that we use as a basis for NV home market prices that are as contemporaneous as possible with the date of the U.S. sale. This is to minimize the extent to which calculated dumping margins are overstated or understated due solely to price inflation that occurred in the intervening time period between the U.S. and home market sales. For this reason, we have used the daily exchange rates for currency conversion purposes.

Further, section 773A(b) directs the Department to allow a 60 day adjustment period when a currency has undergone a sustained movement. Such an adjustment period is required only when the foreign currency is appreciating against the U.S. dollar. See SAA at 842. No adjustment period is warranted in this review, because the Turkish Lira generally remained constant or depreciated against the dollar during the POR.

Verification

In accordance with section 353.25(c)(2)(ii) of the Department's regulations, we verified information provided by Borusan and Erbosan using standard verification procedures, including on-site inspection of the manufacturer's facilities, the examination of relevant sales and financial records, and selection of original documentation containing relevant information. We found certain errors at verification of both Borusan and Erbosan, and have corrected for these errors in our final results. For reasons stated in our preliminary results, we verified the questionnaire responses submitted by both respondents after the preliminary results were issued.

Analysis of Comments Received

We gave interested parties an opportunity to comment on the preliminary results. We received comments from the petitioners and Borusan. We received rebuttal comments from the petitioners and both respondents.

*A. Borusan*

Cost Comments

*Comment 1: Facts Available*

The petitioners argue that Borusan's COP and CV data should be rejected in favor of the facts available. According to the petitioners, Borusan deviated from its normal accounting system in preparing its COP and CV responses without obtaining authorization from the Department for the methodologies used.

Specifically, the petitioners argue that Borusan departed from its normal accounting practices in that it:

(a) Had the ability to track production costs on a product-specific basis, but did not do so;

(b) Reported costs for products that had no production in a particular month;

(c) Had the ability to report product-specific raw material costs but failed to do so;

(d) Did not provide yields on a product-specific basis even though it had at its disposal more accurate product-specific conversion factors;

(e) Provided a single weight conversion factor even though it had at its disposal more accurate product-specific conversion factors;

(f) Did not provide adequate verification support for the arm's length nature of materials purchases from affiliated parties;

(g) Failed to accurately report factory-specific overhead;

(h) Misled the Department about its interest rate calculation;

(i) Failed to report freight costs to its customers; and

(j) Provided incorrect difference in merchandise (difmer) information because of the same deficiencies alleged with respect to the general cost data.

According to the petitioners, these departures from Borusan's normal accounting system might have resulted in the allocation of costs away from the subject merchandise and the foreign like product, with little chance of detection. The petitioners contend that the burden of creating an adequate response, including fully disclosing its record keeping and reporting capabilities, rested with Borusan. Citing *Olympic Adhesives, Inc.* v. *United States,* 899 F.2d 1565, 1572 (Fed. Cir. 1990), the petitioners contend that if respondents are allowed to make unilateral decisions about the information to be provided they would be able to artificially lower antidumping margins by providing selected information.

Borusan argues that the submitted COP data was based on its normal cost accounting system to the extent permitted by the Department's questionnaires, and that departures from the normal system were made only in response to the Department's questionnaire requirements. According to Borusan, the Department requested that COP data be submitted on a basis different than that used in the normal course of business to record costs. Borusan claims that it attempted to recalculate current costs with as much product-specificity as possible, and that the underlying source data was verified satisfactorily by the Department. Borusan further contends that no elements of the reported costs were unverified.

*DOC Position*

We disagree with the petitioners' contention that the methodologies used by Borusan to prepare its COP responses warrant wholesale rejection of those responses and the use of facts available. Section 776(a)(1) states that if necessary information is not available on the record, the Department ''shall, subject to section 782(d), use the facts otherwise available in reaching the applicable determination under this title.'' Section 782(e) provides that the Department shall not decline to consider information that is submitted by an interested party and is necessary to the determination but does not meet all the applicable requirements established by the Department if: (1) The information is submitted by the deadline established for its submission; (2) the information can be verified; (3) the information is not so incomplete that it cannot serve as a reliable basis for reaching the applicable determination; (4) the interested party has demonstrated that it acted to the best of its ability in providing the information and meeting the requirements established by the Department with respect to the information; and (5) the information can be used without undue difficulties. Accordingly, in using the facts available, the Department may disregard information submitted by a respondent if any of the five criteria has not been met.

We conducted numerous tests, described in our cost verification report and summarized below, which supported the overall reasonableness of the reported data. Although we agree that, in certain instances, Borusan's reported costs did not reflect the same level of product-specificity as the costs maintained in its normal course of business, we have been able to adjust the reported costs to reflect more product-specific data available on the record. Further, in the case of unreported movement expenses affecting the integrity of our cost test for certain sales, we have applied partial facts available that ensure the viability of that test. Since Borusan's reported costs are in general reliable, and deficiencies in those costs can be remedied via data on the record and the application of partial facts available, we find that the application of total facts available is not warranted.

Below, we discuss each of the points raised by the petitioners as enumerated above:

(a) The petitioners have challenged the lack of product specificity of Borusan's material and overhead costs. With respect to material costs, we note that the cost questionnaire issued by the Department to Borusan on May 23, 1996, requested that Borusan submit its COP data on a current cost basis (*i.e.*, that materials costs for merchandise shipped in a particular month be valued at the average inventory value of those materials during the month of production) in order to account for the effect of hyperinflation on production costs. However, in the normal course of business, Borusan records production costs on a historical cost basis (*i.e.*, Borusan records material costs at the average purchase price during the month of production, a practice which does not reflect the effect of inflation between purchase and usage of the inputs). Consequently, Borusan was obligated to recalculate its material costs. Throughout this review, we have found no evidence that Borusan could have feasibly provided current costs at the same level of product-specificity as the historical costs that it records in the normal course of business. However, the reported material costs did reflect the grade of the input coil, which was the principal variant in material cost observed at verification, and we fully verified the material costs reported at this level of detail (see item (c) below). As for transformation costs, the reported figures reflect a reasonable level of product-specific detail (see item (g) below). Given that the current cost methodology was requested by the Department, and that Borusan provided such data at a more aggregate yet nonetheless reasonable level, it would be inappropriate to infer that the lesser degree of product specificity inherent in Borusan's reported costs reflects an attempt by Borusan to artificially reduce antidumping margins.

(b) Borusan's reporting of a current COP for all products in every month of the POR, despite the fact that certain products were not produced in every month, did not artificially lower the COP of the merchandise that was

actually produced. Borusan calculated the cost that would have been incurred to produce one unit of each unique product in their product line for each month of the POR based on the average per-unit material costs during that month (see, *e.g.*, Silicon Metal from Brazil; Final Results of Antidumping Duty Administrative Review, 59 FR 42806 (August 19, 1994)). The average per-ton cost of material inputs (*e.g.*, steel coil) in a particular month is independent of which particular models are produced, and thus Borusan's reporting of current costs for certain products for which there was no production does not imply an underallocation of costs.

(c) We agree that Borusan did not report material costs at the same level of product-specificity that is recorded in the normal course of business. (In the normal course of business, on a historical cost basis, Borusan tracks its material costs for every production run, so that each batch of pipe of a specified type and size absorbs the costs of the materials used in the production of that batch.) However, in submitting its costs on a current basis, Borusan did calculate grade-specific costs; as explained in our verification report, we observed that grade B pipe reflected a higher material cost for more expensive coil inputs than were used for grade A pipe. *See* cost verification report at 8. We fully verified that the submitted costs reconciled to the company's records by tracing the coil costs to invoices for material purchases and associated freight, material inventory subsidiary ledgers, and cost center records. *Id*. at 18–20.

In reviewing Borusan's material purchases and production techniques we did not find evidence that factors other than the grade of the input coil (such as coil thickness) would have had a significant impact on product-specific material costs. With respect to thickness, we noted that sample invoices for purchases of coils of varying thicknesses reflected identical per-ton coil costs regardless of the thickness of the coil. See cost verification report at 17, note 9.

We did discover at verification that Borusan had used high-cost API coil for one production run of a standard pipe product in April 1995. In its response, Borusan averaged the higher cost of the API coil across all pipe products rather allocating this cost to the specific product for which API coil was used as an input. API coil is a specialized input for the production of line pipe, and because of its comparatively high cost, Borusan does not normally use it for production of standard pipe. Borusan stated that it used such coil for one run of standard pipe in April 1995 due to excess inventory, and we found no evidence that Borusan routinely uses API coil in the production of standard pipe. We have adjusted the April 1995 cost of the pipe product manufactured from API coil to reflect the higher cost of the input.

(d) Borusan calculated average monthly yields (i.e., the percentage of each material input not wasted in the production process) across all pipe products, rather than providing the production-specific yields Borusan records in the normal course of business. (In the normal course of business, Borusan tracks slitting, welding, and testing scrap for each batch of pipe.) Borusan claimed that reporting product-specific yields under a current cost methodology would have required prohibitive work and effort because it would have had to individually identify the production run corresponding to each sale of subject merchandise. Borusan did not explain whether its records would have allowed it to submit an average monthly yield for each product, and due to time constraints this issue was not pursued at verification. We note, however, that during the plant tour we observed that the manufacturing process for the various dimensions and types of subject merchandise is uniform, and would be unlikely to generate significantly different yields for different products. (In other words, the material lost in the production of a ton of two inch galvanized pipe should not be significantly different than the material lost in the production of a ton of six-inch black ungalvanized pipe.) Given this, and the absence of evidence on the record of this review to suggest that different Borusan pipe products have materially different yields, we are accepting in this review the reported average figures as a reasonable measure of yields for the subject merchandise. However, we emphasize that the Department requires that yields (like other elements of cost) be reported on as product-specific a basis as is feasible given a respondent's records, and that Borusan should be prepared to demonstrate that reported yields are consistent with our practice in future reviews of the antidumping order.

(e) Borusan reported its costs using a single weight conversion factor even though it had at its disposal more accurate product-specific conversion factors. (See Cost Comment 4 below.) The more specific conversion factors are on the record of this review, and we have been able to adjust the reported costs using these data, obviating the need for the use of facts available.

(f) At verification we found, without exception, that sample purchases of materials by Kartal Boru (Borusan's affiliate producer) from affiliated parties had been marked up over the price charged by the manufacturer. The wording in our report was not meant to suggest that we had found any evidence of materials purchases at less than arm's length.[1]

(g) We disagree that Borusan failed to accurately report product- and size-specific overhead. In the normal course of business Borusan calculates an average transformation cost for all products passing through each cost center. However, given that the Gemlik plant has several welding lines and that welding costs are the largest component of total transformation costs, Borusan reported product- and size-specific welding costs using productivity ratios (i.e., by calculating the total tons of each product, by size, passing through each line per hour). See cost verification report at 22. Thus, Borusan calculated welding costs at a greater level of detail than is recorded in the normal course of business.

We saw no evidence at verification that this methodology resulted in an underallocation of transformation costs to subject merchandise. On the contrary, we noted that non-subject merchandise such as line pipe has much higher welding productivity ratios than standard pipe, and therefore it would have been in the respondent's interest to have reported an average welding cost for all pipe rather than the product-specific welding costs actually submitted.

(h) We disagree with the petitioners'' claim that Borusan did not adequately explain the basis for its interest rate calculation. Borusan explained the basis for its calculation on pages 8–10 of the July 24, 1996, response, well before verification.[2]

(i) We agree that Borusan did not report freight expenses incurred in certain shipments of merchandise from affiliated resellers directly to customers. Section 776(a)(1) of the Act states that if necessary information is not available on the record, the Department shall use the facts otherwise available in reaching the applicable determination under this

[1] The cost verification report noted that ''*for selected purchases of coil*, the affiliates mark-up the price from the unaffiliated producer of the coil in their invoice to [Kartal Boru].'' (Emphasis added). See cost verification report at 17. This was not intended to imply that not all purchases of coil selected for verification reflected a mark-up.

[2] We note, however, that we have recalculated the interest expenses submitted in that response consistent with our practice of basing interest expenses on the consolidated group of companies (see Comment 3 below).

title. In this case, Borusan chose not to report these freight expenses. As Borusan did not act to the best of its ability in responding to our request for such information pursuant to section 782(e)(4) of the Act, we have therefore drawn an adverse inference under the authority provided by section 776 of the Act. As facts available, we are assigning the highest freight rate per kilogram to those sales with no freight reported from the affiliated resellers to the customers.

(j) As discussed above, we have found Borusan's cost calculations to be generally adequate, and the difmer data are no less reliable.[3]

In conclusion, we find that Borusan's cost calculations are, on the whole, reasonable. In those instances where Borusan's submitted calculations are not as product specific as possible or are otherwise deficient, we have adjusted the calculations based on more specific data on the record or applied partial facts available. Therefore, the application of total facts available is not warranted.

*Comment 2: Adjustments to Borusan's SG&A*

The petitioners argue that the Department should ensure that certain stockyard movement expenses, certain year-end adjustments by Borusan's auditor, and a net assets tax should be included in Borusan's SG&A. The petitioners also argue that certain home market freight expenses which were not reported in the sales database should be included in Borusan's SG&A for purposes of calculating COP.

Borusan agrees that the stockyard movement expenses should be included in SG&A for the final results of review, and notes that at verification it provided a revised schedule of SG&A expenses including the stockyard movement expenses. Borusan also agrees that the year-end adjustments and the net asset tax should be included in SG&A. However, Borusan argues that the freight expenses in question (involving shipments by affiliated resellers from their warehouse to end customers) are minimal in amount and unrelated to production of merchandise and, therefore, should not be included in SG&A.

*DOC Position*

We agree with both parties that Borusan's SG&A figure should include both the stockyard movement expenses, the auditor's year-end adjustments, and the net assets tax. We have revised the SG&A used in our final calculations accordingly.

We agree with the petitioners that Borusan failed to report movement expenses incurred by home market affiliated resellers, but disagree that these expenses should be included in Borusan's SG&A. The movement expenses incurred by the affiliated resellers are related to sales activities on behalf of Borusan's domestic sales, and are unrelated to Borusan's production activities. Had they been reported, these movement expenses would have been deducted from the home market prices for the specific sales in which they were incurred, rather than added to COP. Since Borusan failed to report these expenses, we have drawn the adverse inference that reporting of the expenses would have resulted in the affected sales failing the cost test. *See* Comment 1 above.

*Comment 3: Interest Rate Factor*

The petitioners argue that the Department should use an interest expense factor calculated on the basis of the monthly interest expenses of the consolidated group of companies of which Borusan is a member (*i.e.,* the interest expense of Borusan Holding Company). The petitioners also argue that the Department should not offset interest expenses by the amount of foreign exchange gains.

Borusan does not disagree that the Department should use an interest expense factor calculated on the basis of the interest expenses of the consolidated group of companies, but argues that the rate suggested by the petitioners is exaggerated and factually unfounded. Borusan notes that only annual (rather than monthly) consolidated interest expenses could be provided. Borusan also contends that the Department verified that foreign exchange income was primarily short-term in nature and that this income should be offset against interest expenses.

*DOC Position*

We agree with the petitioners that Borusan's interest expenses should be calculated on the basis of the interest expenses of the consolidated group of companies. While our normal practice is to require monthly interest calculations (see, e.g., Pasta from Turkey), we agree with Borusan that doing so in this case would have imposed an unreasonable burden (see section 782(c)(1) of the Act) given that many of the companies in the group do not prepare monthly schedules of interest expenses in the ordinary course of business and that the group as a whole prepares only semi-annual consolidation of expenses (see cost verification report at 25). We therefore have relied on the annual interest expenses for the consolidated group. However, in order to follow our normal practice as closely as possible, we have allocated these expenses to each month of the POR using the ratio of monthly to annual interest expenses for the four largest firms of the Borusan group, which Borusan provided in its cost response of June 10, 1996.

We agree with the petitioners that foreign exchange gains should not be used to offset the interest expenses. At verification, we found that the vast majority of the foreign exchange gains were not debt-related, but rather involved export sales activities (*i.e.,* the gains arising from foreign-currency denominated export receivables). Since the foreign exchange gains are unrelated to interest, it would be inappropriate to offset interest expenses by these gains and we have not done so.

*Comment 4: Weight Savings Gains*

The petitioners argue that Borusan had the ability to provide weight-savings ratios (*i.e.,* the ratio of theoretical weight of pipe to actual weight of pipe) for each product but deliberately provided an average ratio for all products. According to the petitioners, the Department should either disallow the weight-savings adjustment or, in the alternative, recalculate Borusan's costs to reflect product-specific weight-savings ratios wherever the record permits identification of such ratios.

Borusan argues that the weight-savings adjustment is necessary for an apples-to-apples comparison of prices to costs, since materials costs are incurred on an actual weight basis and sales prices are charged on a theoretical weight basis. According to Borusan, the Department verified the accuracy of the weight-savings data and the reasonableness of the underlying methodology. Borusan does not rebut the petitioners' argument that product-specific weight-savings data should be used wherever available on the record.

*DOC Position*

We agree with Borusan that the weight-savings adjustment is necessary for a proper comparison of Borusan's sales prices to costs because of the difference in the weight bases. At the same time, we agree with the petitioners that the product-specific weight-savings factors should be used wherever available. As discussed in our verification report, Borusan calculated a weight-savings rate on a product- and size-specific basis for pipe and tube with diameters between ½'' and 6'',

[3] As with the general cost data, we have recalculated Borusan's difmer data to reflect product- and size-specific weight savings ratio where available; see Comment 4 below.

which account for a large majority of Borusan's sales. These rates were then averaged, and the average was applied to all products. See cost verification report at 16. Given that specific weight-savings ratios for Borusan's products are on the record for most sales, there is no reason to use an average ratio where product-specific ratios are available. Accordingly, for these final results, we have revised the submitted cost data to reflect product- and size-specific weight-savings gain ratios where available; where such ratios are not available, we have applied the weighted-average ratio calculated by Borusan.

*Comment 5: Imputed Selling Expenses for Constructed Value*

The petitioners argue that the Department neglected to include imputed selling expenses such as credit expenses and inventory carrying costs in the calculation of constructed value. The petitioners cite to Import Administration's Policy Bulletin 94.6 (March 25, 1994) in support of their position.

Borusan argues that, to the extent that the Department includes imputed selling expenses in the buildup of constructed value, imputed and actual interest expenses must not be double counted.

*DOC Position*

We disagree with the petitioners that imputed selling expenses must be included in the calculation of constructed value. Under the URAA, for both COP and CV, the statute provides that SG&A be based on actual amounts incurred by the exporter for production and sale of the foreign like product. Our previous practice with respect to COP was to compute selling expenses exclusive of credit and inventory carrying costs because these are imputed amounts that the Department relies on to measure the effect of specific respondent selling practices in the United States and the comparison market. Since the new law provides that the Department compute SG&A for both COP and CV using the actual data of the exporter, in order to ensure consistent treatment of COP and CV we no longer include imputed selling expenses in CV.

*Comment 6: Weighted-Average Cost of Production*

The petitioners argue that the Department should calculate a weighted-average COP, and apply facts available for any product for which production quantities or COP data are not available.

*DOC Position*

For the preliminary results, the Department calculated a simple-average COP because monthly production quantities had not yet been reported. At verification, we confirmed that Borusan had reported production quantities and cost data for all products. Since the Department's normal practice is to calculate weighted-average costs of production (see e.g., Pasta from Turkey), we have done so for these final results.

*Comment 7: Initiation of Cost Investigation*

Borusan argues that the Department should not have initiated a sales-below-cost investigation in this review because the petitioners' cost allegation was not submitted until over three months after the regulatory deadline for such allegations. Borusan further contends that the allegation did not provide reasonable grounds to suspect that Borusan had made below-cost sales, since it contained a number of errors and failed to account for hyperinflation in Turkey. In addition, Borusan claims that subsequent discovery of below-cost sales cannot justify the improper initiation of a below-cost investigation.

The petitioners argue that the Department has the discretion to extend the deadline for allegations of sales below cost when a questionnaire response is received after the deadline for such allegations, and that the deficiencies in the allegation alleged by Borusan were factually incorrect and immaterial to the decision to initiate a cost investigation. In addition, the petitioners contend that there is no ''exclusionary'' rule that would compel the Department to ignore a finding of sales below cost even if an investigation was initiated pursuant to an untimely and unsupported allegation.

*DOC Position*

We agree with the petitioners. With respect to the timeliness issue, as explained in detail in the memorandum from Laurie Parkhill to Holly Kuga dated May 3, 1996, initiating the sales-below-cost investigation, we found that a number of extenuating circumstances beyond the petitioners'' control (including the delayed issuance of the questionnaire and receipt of the questionnaire response, and the extended closures of the Department due to the Federal budget crisis and a blizzard) warranted an extension of the deadline for filing of a sales-below-cost allegation, as permitted under 19 C.F.R. 353.31(c)(1)(ii). See also Notice of Final Results of Antidumping Duty Administrative Review: Certain Forged Steel Crankshafts From the United Kingdom, 60 FR 52150, 52153 (October 5, 1995) (noting that the Secretary will use its discretion in setting a deadline for a COP allegation where a relevant response is ''untimely or incomplete'').

With respect to the allegation itself, we found that it provided reasonable grounds to believe or suspect that Borusan had made below-cost sales. Borusan fails to note that the petitioners submitted a revised allegation correcting for the errors noted by the respondent, and that the revised allegation still provided evidence of below-cost sales. Moreover, the Department considered Borusan's hyperinflation argument, and determined that the petitioners' methodology was reasonable given the information available to them. (The Department made appropriate adjustments to account for the hyperinflation problem identified by Borusan in the course of conducting the sales-below-cost investigation.) Because the sales-below-cost investigation was initiated pursuant to a timely and reasonable allegation, Borusan's argument that a finding of sales below cost cannot be used to justify the improper initiation of a sales-below-cost investigation is moot.

*Comment 8: Offset to Interest Expenses for Short-Term Interest Income*

Borusan claims that short-term interest income should be allowed as an offset to interest expenses, since the Department verified the sources and short-term nature of such income. The petitioners do not dispute Borusan's claim that the sources and short-term nature of the income in question were adequately verified.

*DOC Position*

We agree with Borusan, and have offset interest expenses (based on the consolidated group of companies) accordingly.

Sales Comments

*Comment 1: Home Market Sales of Bitumen-Coated Pipe*

Borusan argues that it properly excluded sales of bitumen-coated pipe from its home-market sales listing. According to Borusan, bitumen-coated pipe is not within the scope of the antidumping order in this review, and in any event its cost is sufficiently high to ensure that the Department would never compare U.S. sales of standard pipe to home-market sales of bitumen-coated pipe.

The petitioners claim that bitumen-coated pipe is within the scope of the order on standard pipe from Turkey,

and should have been reported. According to the petitioners, the cost differences alleged by Borusan, although reviewed by the Department at the verification of Borusan's sales responses, were not subject to the same kinds of procedures followed at the verification of Borusan's cost responses. Therefore, they argue the difmer test performed at verification is not accurate.

*DOC Position*

In performing its dumping calculations, the Department's practice is to match U.S. sales of subject merchandise to home market sales of subject merchandise. Where no identical matches exist, the Department compares the U.S. sales to sales of the foreign like product, provided that merchandise is within a 20 percent difmer threshold (*i.e.,* the ratio of the difference of the variable cost of manufacture of the two products over the total cost of manufacture of the product sold in the United States must not exceed 20 percent). If there are no home market sales of similar merchandise within the 20 percent difmer threshold, the Department resorts to CV. See Import Administration Policy Bulletin: Number 92.2, July 28, 1992, Differences in Merchandise; 20 percent Rule. In the instant review, Borusan had no sales of bitumen-coated pipe in the United States, so sales of bitumen-coated pipe in the home market would not have served for identical matches. Further, at verification we noted that the difmer between a standard pipe product and that same product coated with bitumen exceeded the 20 percent threshold for comparison of similar products, so home-market sales of bitumen-coated pipe would not have served for comparison to U.S. sales of similar merchandise.[4]

In the Preliminary Results, the Department inadvertently included an incorrect description of the scope of this order. Based on the actual scope language, which makes no distinctions based on surface coating, we conclude that bitumen-coated pipe is within the scope. Because bitumen-coated pipe did not serve for comparison to U.S. sales of similar merchandise, however, it is immaterial that Borusan failed to report these sales.

*Comment 2: VAT Drawback*

Borusan argues that the Department failed to make a circumstance of sale (COS) adjustment for VAT drawback in the preliminary results. Borusan states that the statute (19 U.S.C. 1677b(a)(6)(C)(iii)) requires the Department to make an adjustment for circumstances of sale that are different between the U.S. and home market products—as the Department does with imputed credit expenses. It claims that under Turkish VAT law, Borusan is required to pay a 15 percent VAT on all imported materials used for domestic consumption. Eventually, the company will be reimbursed for the VAT at the time of the sale to the customer. However, in the time period between payment and reimbursement, Borusan bears the financial cost of the VAT (which it characterizes as an interest-free loan to the Turkish government). Borusan argues that this is a real and substantial cost because Turkey is a hyperinflationary economy. It states that it does not have to pay VAT on imported materials used in exported products and that this differing VAT treatment has a direct impact on the expense of making sales in the U.S. and home markets. According to Borusan, this difference is a difference in the circumstance of sale and therefore should be allowed for the final results.

The petitioners argue that the Department should not grant the VAT adjustment because eligibility for an adjustment for drawback of duties is limited to a rebate of duties paid and rebated (19 U.S.C. 1677a(c)(1)(B)). They contend that no case precedent nor statutory authority exists that would allow the Department to grant such an adjustment. The Department's regulations state that the Department will make a reasonable allowance for a bona fide difference in the circumstances of the sales when those circumstances bear a direct relationship to the sales compared. See 19 C.F.R. 353.56(a)(1). The petitioners argue that, unlike credit expenses which represent a cost of carrying the purchaser's debt (directly related to a sale), the VAT drawback relates to the cost of purchasing raw materials. It is an imputed cost associated with the purchase of raw materials, and is therefore a cost of production. They cite to Departmental practice which is to not make a circumstance of sale adjustment for differences in the costs of production. See Final Administrative Review: Certain Welded Carbon Steel Standard Pipe from India, 57 FR 54360 (November 18, 1992). According to the petitioners, if the Department does not consider the VAT to be part of the COP, it should consider it a general expense as it did in past cases; in Certain Welded Carbon Steel Pipes and Tubes from Thailand, 61 FR 56515 (November 1, 1996), the Department treated interest expenses on financing raw material imports as a general expense.

*DOC Position.*

We agree with petitioners, and have disallowed a COS adjustment for imputed interest resulting from delayed ''reimbursement'' of VAT paid on inputs. Allowing Borusan such an adjustment would involve imputing an expense incurred not between Borusan and its customers, but between Borusan, its supplier, and the government. ''[W]hile such a[n expense] may affect the notion of true economic cost to [Borusan], it tells us nothing about the difference in prices that result from the different circumstances of sale.'' See *Federal-Mogul Corp.* v. *United States,* 839 F. Supp. 881, 885 (November 30, 1993).

Furthermore, while the amount of the imputed expense cannot be quantified until Borusan makes a sale to a domestic customer, it is incurred regardless of whether Borusan actually makes such a sale. In other words, there is no direct relationship between the imputed expense and the sales being examined. Accordingly, there is no basis for the Department to make a COS adjustment.

*Comment 3: Level of Trade*

In the preliminary results, for Borusan, the Department determined that there was one LOT in the U.S. market and three levels of trade in the home market and did not distinguish between customer class within a LOT. The petitioners argue that the Department should reject Borusan's claimed distinctions between LOTs A (mill direct sales) and B (reseller back-to-back sales) and combine them into one LOT. They contend the selling functions between Borusan's claimed levels of trade show little differences in the sales staff functions between Borusan and its affiliates—only a difference in that LOT B involves handling of sales paperwork. The petitioners cite to the Department's proposed regulations (Proposed Regulations at 61 FR 7348), noting that ''small differences in the functions of the seller will not alter the level of trade.'' According to the petitioners, the sales functions performed at LOT B are similar to those performed for export

[4] Contrary to the petitioners' argument, during the sales verification the Department verified the cost differences between standard pipe and similar pipe covered with bitumen using the identical procedures followed at the cost verification. *See* sales verification report at 5–6, stating that the cost differences were verified ''using the same procedures followed in the [cost] verification''; see also sales verification exhibit 19, including Borusan records supporting the costs in question. Also, we note that Borusan did not volunteer the difmer data for bitumen-coated products; these data were requested by the Department's verifiers. *See* sales verification report at 5.

sales. Thus, the petitioners argue that no adjustment should be made between U.S. sales and home market sales of LOT B.

The petitioners further argue that the Department should continue to make no distinctions between customer class within a LOT because the record does not indicate any consistent pricing differences between the customer classes within the claimed levels of trade.

Finally, the petitioners argue that no LOT adjustment should be granted for LOT C sales (reseller inventory sales) because any adjustments for differences in levels of trade must be linked to differences in selling functions resulting in a consistent pattern of price difference. They argue that Borusan did not establish such a link nor any consistent patterns of price differences.

Borusan states that the Department was correct in its analysis of the levels of trade in the preliminary results. It argues that it has demonstrated three distinct levels of trade in the home market, which the Department verified. Its LOT A sales involve high volume sales to a small number of customers; LOTs B and C involve smaller quantities and have relatively higher selling expenses. Borusan claims that this results in higher prices for sales at LOT B and C than those at LOT A. It further notes that the Department, in its own analysis, found a consistent pattern of price differences between sales at the different levels of trade in its preliminary results. Thus, Borusan argues that the Department should continue to make the same distinctions in the final results.

*DOC Position*

We agree with the petitioners with respect to finding one LOT for Borusan's claimed LOTs A and B. As discussed above in the ''Level of Trade'' section, the Department first examines whether there are separate market stages in a particular market. In this case, we found that there were two stages. The Department must then determine whether there are identical selling functions between the market stages. In this case, the selling functions examined are stated in the ''Level of Trade'' section above. (In the preliminary results, we also examined agent coordination of production and delivery and general vs. specialty sales staff—we discuss these two functions below as well.) We found that the selling functions were identical between Borusan's claimed LOTs A and B. Thus, we combined these sales into one LOT. See Memorandum from the Team to the File, dated December 17, 1996.

In our preliminary results, we considered agent coordination of production and delivery and general vs. specialty sales staff to be selling functions in our LOT analysis. At verification, we noted the differences between the sales staff among the Borusan Group. (We confirmed that the home market resellers had a general sales staff whereas Borusan and Dagitim had specialty sales staff.) However, the SAA states that ''a sales subsidiary created merely to perform the role of a *de facto* sales department is not an appropriate basis for adjustment.'' Thus, for purposes of these final results, we did not consider these to be selling functions and did not incorporate them into the LOT analysis.

Finally, we agree with the petitioners with respect to not making a LOT adjustment for Borusan. However, we note the Department will normally make a LOT adjustment when there are consistent price differences at different levels of trade, not customer categories as stated by the petitioners. As discussed above in the ''Level of Trade'' section, we found that there were no consistent price differences between the two home market levels of trade. Thus, we made no adjustment when comparing U.S. sales to home market sales made at the non-identical level of trade.

*Comment 4: Countervailing Duty Adjustment*

A. Formula. The petitioners argue that Borusan's calculation of the amount of countervailing duty (CVD) to be added to U.S. selling price is incorrect. They argue that the Department should instead simply apply the CVD rate (7.26%) to the entered value of each transaction and use that amount for the addition and the rebate of CVD duties.

Borusan contends that the formula used to calculate the CVD adjustment is accurate and was examined by the Department at verification. Thus, the Department should use Borusan's reported amounts in its final results.

*DOC Position*

We tested the formula used by Borusan for the individual sales that were examined at verification and noted no discrepancies. See sales verification report (at page 9). Thus, we have used the values reported by Borusan in its sales listings for our calculations of export price.

B. Adjustment to export price. The petitioners argue that the Department must, in calculating export price, deduct funds that Borusan provides to its customers equal to the amount of countervailing duties. The petitioner contends that these payments are rebates, and that the Department normally reduces U.S. price by the amount of such rebates. Borusan argues that while applicable precedent supports the addition of countervailing duties in the export price calculation, it prohibits the Department from treating Borusan's payments to the importer of amounts equal to the countervailing duty as rebates.

*DOC Position*

We agree that the statute requires that we add to the price in the United States the amount of countervailing duties attributable to export subsidies, and have done so. However, the payments to Borusan's unaffiliated customer's amounted to a post-sale price adjustment or rebate and have been deducted in the calculation of export price.

*Comment 5: Antidumping Duties*

The petitioners contend that Borusan made an agreement to reimburse antidumping duties. Borusan argues that the petitioners' allegation is false because it has never reimbursed, nor agreed to reimburse, its customers for antidumping duties. Borusan further contends that the Department found no evidence of such at verification.

*DOC Position*

We agree with Borusan. The Department found no evidence of reimbursement of antidumping duties. Because of the proprietary nature of this comment, we are unable to further discuss this issue; a complete discussion of the issue is contained in a decision memorandum. *See* Memorandum from the Team to Barbara R. Stafford, dated December 23, 1996.

*Comment 6: Duty Drawback*

The petitioners argue that Borusan is not entitled to a drawback adjustment because its exported eligibility ratios exceeded certain limitations on drawback allowed by the Turkish government. They contend that Borusan's duty drawback should not be allocated to sales that were not eligible to receive such a drawback; to do so would violate the Department's duty drawback test, which requires importation of sufficient duty-exempted raw materials to cover the exports against which drawback is claimed. (See Steel Wire Rope from the Republic of Korea, 60 FR 63499, 63505–06 (December 11, 1995) (SWR from Korea).) They argue that, although the Turkish government allows this to occur, the adjustment must meet the Department's test.

Borusan argues that it reported drawback that it had actually received and that it complied with the Turkish provisions. It notes that the Department fully verified the drawback documentation and traced the information to Borusan's accounting records.

*DOC Position*

We agree with Borusan. In determining whether a duty drawback adjustment is appropriate, the Department applies a two-prong test to establish that: (1) The import duty and rebate are directly linked to, and dependent upon, one another; and (2) there were sufficient imports of raw materials to account for the drawback received on the exported product. See, *e.g.*, SWR from Korea.

Based on information contained in Borusan's questionnaire responses and on the Department's findings at verification, the respondent's methodology for calculating a duty drawback adjustment meets both elements of the test.

It is not disputed that Borusan meets the Department's first requirement. Regarding the second requirement, the Department verified Borusan's drawback applications, which documented sufficient imports of raw materials to account for the drawback claimed. In the drawback applications reviewed by the Department, it was shown on import certificates that sufficient imports of raw materials existed for the claimed exported amounts of finished pipe. Thus, duty drawback is being applied to all of Borusan's U.S. sales.

*Comment 7: Credit Expense*

The petitioners argue that the Department should calculate a single interest rate for credit expenses on both the U.S. and home markets because it treats money as fungible. They note that in Certain Welded Carbon Steel Pipes and Tubes from Thailand; Final Results of Antidumping Duty Administrative Review, 61 FR 56515, 56519 (November 1, 1996), the Department allowed the respondents to move credit expenses on imported coil purchases to the companies' SG&A from cost of manufacture on the basis that such financing is fungible. According to the petitioners, the Department should consider whether a company's foreign- and domestic-currency-denominated borrowing should be equally applied to all sales.

Borusan states that the Department's longstanding practice is to calculate credit expenses using a weighted-average short-term borrowing rate which reflects the currency in which the sale was invoiced (see Final Determination of Sales at Less Than Fair Value: Disposable Pocket Lighters from Thailand, 60 FR 14263, 14269 (March 16, 1995)). According to Borusan, interest rates are not fungible; they are tied to inflation rates of the currency in which the loan is denominated. Borusan cites a recent Departmental determination, where the Department stated that ''the measure of the company's extension of credit would be based on an interest rate tied to the currency in which its receivables are denominated'' (see Final Determination of Sales at Less Than Fair Value: Oil Country Tubular Goods from Austria, 60 FR 33551, 33555 (June 28, 1995) (OCTG from Austria)).

*DOC Position*

We agree with Borusan. As the Department has noted in a recent investigation:

> A company selling in a given currency * * * is effectively lending to its purchasers in the currency in which its receivables are denominated * * * for the period from shipment of its goods until the date it receives payment from its purchaser. Thus, when sales are made in, and future payments are expected in, a given currency, the measure of the company's extension of credit should be based on an interest rate tied to the currency in which its receivables are denominated. Only then does establishing a measure of imputed credit recognize both the time value of money and the effect of currency fluctuations on repatriating revenue.

See OCTG from Austria, 60 FR 33551, 33555. Thus, based on the Department's practice, we are valuing credit expenses using the interest rate applicable to the currency of the sale.

We find the petitioners argument regarding fungibility to be misguided. The Department's policy of using the interest rate applicable to the currency of a sale reflects the commercial reality that different currencies have different costs of borrowing.

*Comment 8: CV Profit*

The petitioners argue that the Department should base its CV profit calculation on above-cost sales and sales made at arm's length, in accordance with 19 U.S.C. 1677b(e)(2)(A) and 1677(15). According to the petitioners, the Department stated in Pipe from Thailand that its policy is to include only above cost sales in its calculation of profit.

Borusan states that the statute does not limit the sales to be used by the Department in calculating average profit, other than that the sales must be from the same ''general category of products.'' Borusan notes that the SAA states that the ''general category of merchandise'' will encompass a category broader than the foreign like product and that the Department has the discretion to determine the general categories. SAA at 840. It argues that the statute does not imply that the exclusion of below-cost sales (19 U.S.C. 1677b(e)(2)(A)) is applicable to the alternative methodologies (19 U.S.C. 1677b(e)(2)(B)). Borusan claims that this interpretation was upheld by the Court of International Trade in *Torrington* v. *United States*, Slip. Op. 96–163 (CIT October 3, 1996). According to Borusan the statute states that for determining the amount of profit used for constructed value, the profit will be based on the ''actual amounts incurred and realized'' by the producer ''in connection with the production and sale of a foreign like product.'' Thus, Borusan argues that the Department should include below cost sales in its profit calculation.

*DOC Position*

Section 773(e)(2)(A) of the Act specifies that profit for CV be computed using only those sales of the foreign like product that were made in the ordinary course of trade. Section 771(15) of the Act, in turn, provides that sales and transactions considered outside the course of trade include, ''among others,'' sales disregarded under section 773(b)(1) pursuant to the cost test and under section 773(e)(2) as not at arm's length. See also SAA at 839–40. We found that Borusan had made sales in the home market that were disregarded either pursuant to the cost test or because they were not at arm's length (see the ''Normal Value'' and ''Cost of Production Analysis'' sections above). Thus, we have not used these sales in computing profit for CV.

The *Torrington* case cited by Borusan relates to the law as it existed before January 1995. In that case, the profit amount discussed was the statutory minimum of eight percent. As noted above, this practice has been superseded by the new statute.

*Comment 9: Clerical Errors Contained in the Preliminary Results*

Borusan states that the Department made the following clerical errors in its preliminary results: (1) It failed to deduct advertising and warranty expenses in calculating normal value when it had deducted these expenses in the LOT adjustment program; and (2) it eliminated certain products from the matching analysis that should have been included.

The petitioners agree that advertising and warranty expenses should be deducted. However, the petitioners argue that the products in question should not be included in the product concordance (*i.e.*, the matching analysis) and further argue that any products produced to the DIN 2458 specification should also be excluded. The petitioners contend that (a) the excluded products have not been proven to be an appropriate match to ASTM A–53 (U.S. products) as has the DIN 2440/44 standard; (b) DIN 2458 is not listed with other standard pipe products in Borusan's product brochure; and (c) the excluded products are made to nonstandard diameters.

*DOC Position*

We agree with Borusan. We have corrected for these errors in our final results. At verification, we examined those products that were excluded from our product comparison analysis. We found that all products but one—boiler tube—were subject merchandise, and, therefore, should have been included in our product comparisons.

B. Erbosan

*Comment 1: Facts Available*

The petitioners argue that the Department should base its final results for Erbosan on total adverse facts available for the following reasons: (1) Erbosan failed to comply with the Department's regulations regarding service of questionnaire responses; and (2) Erbosan's data is unusable. Regarding the first point, the petitioners contend that they were not served with Erbosan's questionnaire response until seven months after it was filed with the Department. A supplemental questionnaire response was filed without much supporting documentation and, according to the petitioners, contained serious deficiencies with the reported variable costs of manufacture. Thus, a large proportion of information was provided to the Department at verification which they had no opportunity to review. Furthermore, the petitioners argue that the verification exhibits were unreadable. Overall, the petitioners argue, Erbosan's failure to provide this information in proper form and on a timely basis precluded them from filing an allegation of sales made below the COP.

Regarding its second point, the petitioners contend that Erbosan's data is unusable because: (a) It failed to differentiate between grades of pipe; and, (b) there is a high rate of errors for its reporting of the dates of sale. If the Department does not find that adverse facts available is appropriate, they suggest applying an additional difference-in-merchandise adjustment for the differences in the grades.

The petitioners argue that with the absence of its due process rights[5] and usable data, the Department should base the final results for Erbosan on facts available. As facts available it should choose either (a) 28.28 percent, the highest margin assigned to any Turkish respondent since the order; or (b) the margin resulting from the use of Erbosan's submitted data.

Erbosan contends that it tried to cooperate and follow the Department's procedures to the best of its ability, without any outside assistance. It notes that, although late, the petitioners did receive Erbosan's questionnaire response and has possessed all of Erbosan's submissions for several months. It also notes that the petitioners did not argue that they had insufficient time to review information to provide comments on the Department's verification or preparing their case brief. Further, the petitioners were aware at the time of the preliminary determination that the Department would be requesting additional information from Erbosan and that it might use Erbosan's information for the final results. Erbosan agrees that certain copies of the verification exhibits were illegible, but notes that the petitioners did not request more legible copies. Erbosan contends that the petitioners had ample time to comment on the information submitted on the record and defend their interest in this proceeding. Therefore, the Department should not base Erbosan's final margin on facts available.

Regarding the grade differences, Erbosan argues that the record shows that there is no difference in its cost of producing both grades. It notes that the Department verified this and noted this in its verification report. Erbosan believes that, even if it should have reported the grades separately, it does not render the response unusable.

Regarding the misreporting of the dates of sale, Erbosan contends that the sales in question are outside the POR. It notes that the Department found no other occurrences in which the date of sale was reported in the wrong month. Thus, Erbosan argues that this is a minor error and does not undermine the data used for purposes of the Department's analysis.

*DOC Position*

We disagree with the petitioners that the Department should determine Erbosan's submissions as untimely and/or unusable and resort to total adverse facts available for the final results. As described in the preliminary results, a number of extenuating circumstances prevented the petitioners and the Department from performing adequate analyses of Erbosan's data before the preliminary results. Among these reasons are the delayed issuance of the questionnaire and, therefore, of receipt of the questionnaire response, and the extended closures of the Department due to a blizzard and the Federal budget crisis. This led to the Department's decision to assign facts available for the preliminary results, present an additional supplemental questionnaire to Erbosan, and verify Erbosan's response to that supplemental questionnaire.

We agree that the petitioners were not initially served with Erbosan's questionnaire response until seven months after it was filed with the Department. However, we disagree that this precluded the petitioners from making a cost allegation. In the case of Borusan, the petitioners were granted their request for additional time for filing of a sales below cost allegation despite the late date at which Borusan's questionnaire responses were submitted to the Department. Likewise, the petitioners could have made a similar request in the case of Erbosan.

We agree with the petitioners that there was not much support documentation on the record prior to verification and the reported variable costs of manufacture were deficient. However, as explained in the notice of preliminary results, although the Department requested the respondent to support its claim that there were identical matches for all U.S. sales, the Department failed to note the apparent discrepancy in the respondent's initial questionnaire response that differences in merchandise did exist. Furthermore, the Department failed to address Erbosan's claim that the Turkish economy was hyperinflationary at the time of the POR by providing standard instructions regarding administrative reviews conducted within hyperinflationary economies. (These instructions were provided to Borusan when the Department re-issued section D of the questionnaire with the

[5] The petitioners cite to (1) the statute which states that "[i]nformation that is submitted on a timely basis to the [Department] * * * shall be subject to comment by other parties to the proceeding" (see 19 U.S.C. 1677m(g)); and (2) the SAA which states "all interested parties be informed of the essential facts under consideration that form the basis for a determination in sufficient time for the parties to the proceeding to defend their interest" (see H. Doc. No. 316, 103d Cong., 2d See. 871).

hyperinflation text.) Therefore, we find Erbosan's failure to report its cost data properly as inadvertent, not uncooperative.

Regarding the additional points the petitioners raised with respect to Erbosan's data as unusable, we disagree that Erbosan failed to differentiate between grades of pipe or that there is a high rate of errors for reporting dates of sale. Under section 776(a)(2)(D) of the Act, the Department is authorized to use facts available if an interested party provides necessary information, but the information cannot be verified. In this case, however, based on our verification findings, we find that Erbosan's cost data and sales data are accurate. Regarding the cost data, we found no distinction between the steel costs of grade A and grade B, and that Erbosan's cost accounting records indicate the cost of steel is inclusive of both grades for all products. Therefore, we disagree that the Department should apply an additional difmer adjustment for the differences in grades. Regarding the sales data, we find that the incorrect dates of sale for certain transactions resulted in either those sales now being outside the POR or resulted in minor changes in the month the sale was made for the remaining transactions. Since Erbosan's errors are minor in nature, we made the necessary corrections based on our verification findings and are using Erbosan's data in the final results.

*Comment 2: Correction for Errors Found at Verification*

The petitioners contend that, if the Department does not base the margin on facts available, it should correct for the errors discovered at verification. These errors include omitted home market sales, understated brokerage and handling, overstated discounts for home market sales, and incorrect variable and total costs of manufacture (including the grade differences as mentioned above in Comment 1).

Erbosan agrees that these errors, except for the grade differences (as noted in Comment 1), should be corrected for the final results.

*DOC Position*

We agree with the respondent. Except for the adjustment for steel grade differences, we have corrected the errors identified above in the final results. We did not make adjustment for steel grade differences to variable and total costs of manufacture because we found no difference between actual costs for pipes with different grades, but with the same dimension and size, sold in either market. Moreover, we found no cost difference between grade A and grade B steel in Erbosan's accounting records.

Final Results of Review

As a result of our review, we determine that the following margins exist for the period May 1, 1994, through April 30, 1995:

| Manufacturer/ exporter | Review period | Margin (percent) |
|---|---|---|
| Borusan ..... | 5/1/94–4/30/94 | 3.15 |
| Erbosan ..... | 5/1/94–4/30/94 | 25.01 |

The Department shall determine, and Customs shall assess, antidumping duties on all appropriate entries. The Department will issue appraisement instructions directly to Customs.

Furthermore, the following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of these final results of this administrative review, as provided by section 751(a) of the Act: (1) The cash deposit rate for Borusan and Erbosan will be the rate established above; (2) for merchandise exported by manufacturers or exporters not covered in this review but covered in the original less than fair value (LTFV) investigation or a previous review, the cash deposit will continue to be the most recent rate published in the final determination or final results for which the manufacturer or exporter received a company-specific rate; (3) if the exporter is not a firm covered in this review, or the original investigation, but the manufacturer is, the cash deposit rate will be that established for the manufacturer of the merchandise in these final results of review or the LTFV investigation; and (4) if neither the exporter nor the manufacturer is a firm covered in this or any previous review, the cash deposit rate will be 14.74 percent, the ''all others'' rate established in the LTFV investigation.

These deposit requirements shall remain in effect until publication of the final results of the next administrative review.

This notice also serves as final reminder to importers of their responsibility to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This notice also is the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 C.F.R. 353.34(d). Failure to comply is a violation of the APO.

This administrative review and notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)) and 19 C.F.R. 353.22.

Dated: December 24, 1996.

Jeffrey P. Bialos,

*Acting Assistant Secretary for Import Administration.*

[FR Doc. 96–33296 Filed 12–30–96; 8:45 am]

BILLING CODE 3510–DS–P

## COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

### Announcement of Import Restraint Limits for Certain Wool and Man-Made Fiber Textile Products Produced or Manufactured in Bulgaria

December 24, 1996.

**AGENCY:** Committee for the Implementation of Textile Agreements (CITA).

**ACTION:** Issuing a directive to the Commissioner of Customs establishing limits.

**EFFECTIVE DATE:** January 1, 1997.

**FOR FURTHER INFORMATION CONTACT:** Naomi Freeman, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482–4212. For information on the quota status of these limits, refer to the Quota Status Reports posted on the bulletin boards of each Customs port or call (202) 927–5850. For information on embargoes and quota re-openings, call (202) 482–3715.

**SUPPLEMENTARY INFORMATION:**

Authority: Executive Order 11651 of March 3, 1972, as amended; section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854); Uruguay Round Agreements Act.

Pursuant to the Uruguay Round Agreements Act and the Uruguay Round Agreement on Textiles and Clothing (ATC), the Bilateral Textile Agreement, effected by exchange of notes dated April 22 and May 2, 1996, between the Governments of the United States and Bulgaria establishes limits for the period beginning January 1, 1997 and extending through December 31, 1997.

In the letter published below, the Chairman of CITA directs the

Commissioner of Customs to establish the 1997 limits.

A description of the textile and apparel categories in terms of HTS numbers is available in the CORRELATION: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see Federal Register notice 61 FR 66263, published on December 17, 1996).

The letter to the Commissioner of Customs and the actions taken pursuant to it are not designed to implement all of the provisions of the Uruguay Round Agreements Act and the Uruguay Round Agreement on Textiles and Clothing, but are designed to assist only in the implementation of certain of their provisions.

Philip J. Martello,

*Acting Chairman, Committee for the Implementation of Textile Agreements.*

Committee for the Implementation of Textile Agreements

December 24, 1996.

Commissioner of Customs,
*Department of the Treasury, Washington, DC 20229.*

Dear Commissioner: Pursuant to section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854), the Uruguay Round Agreements Act, the Uruguay Round Agreement on Textiles and Clothing (ATC) and the Bilateral Textile Agreement, effected by exchange of notes dated April 22 and May 2, 1996 between the Governments of the United States and Bulgaria; and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended, you are directed to prohibit, effective on January 1, 1997, entry into the United States for consumption and withdrawal from warehouse for consumption of wool and man-made fiber textile products in the following categories, produced or manufactured in Bulgaria and exported during the twelve-month period beginning on January 1, 1997 and extending through December 31, 1997, in excess of the following levels of restraint:

| Category | Twelve-month limit |
|---|---|
| 410/624 | 2,282,937 square meters of which not more than 823,698 square meters shall be in Category 410. |
| 433 | 12,300 dozen. |
| 435 | 22,146 dozen. |
| 442 | 14,350 dozen. |
| 444 | 67,164 numbers. |
| 448 | 25,345 dozen. |

Imports charged to these category limits for the period January 1, 1996 through December 31, 1996 shall be charged against those levels of restraint to the extent of any unfilled balances. In the event the limits established for that period have been exhausted by previous entries, such goods shall be subject to the levels set forth in this directive.

The limits set forth above are subject to adjustment in the future pursuant to the provisions of the Uruguay Round Agreements Act, the Uruguay Round Agreement on Textiles and Clothing and any administrative arrangements notified to the Textiles Monitoring Body.

In carrying out the above directions, the Commissioner of Customs should construe entry into the United States for consumption to include entry for consumption into the Commonwealth of Puerto Rico.

The Committee for the Implementation of Textile Agreements has determined that these actions fall within the foreign affairs exception of the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,

Philip J. Martello,

*Acting Chairman, Committee for the Implementation of Textile Agreements.*

[FR Doc. 96–33200 Filed 12–30–96; 8:45 am]

BILLING CODE 3510–DR–F

## Adjustment of Import Limits for Certain Cotton, Wool and Man-Made Fiber Textile Products Produced or Manufactured in Costa Rica

December 24, 1996.

**AGENCY:** Committee for the Implementation of Textile Agreements (CITA).

**ACTION:** Issuing a directive to the Commissioner of Customs adjusting limits.

**EFFECTIVE DATE:** December 30, 1996.

**FOR FURTHER INFORMATION CONTACT:** Jennifer Aldrich, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482–4212. For information on the quota status of these limits, refer to the Quota Status Reports posted on the bulletin boards of each Customs port or call (202) 927–5850. For information on embargoes and quota re-openings, call (202) 482–3715.

**SUPPLEMENTARY INFORMATION:**

Authority: Executive Order 11651 of March 3, 1972, as amended; section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854); Uruguay Round Agreements Act.

The current limit for Category 443 is being increased by application of swing, reducing the limit for Categories 342/642 to account for the increase.

A description of the textile and apparel categories in terms of HTS numbers is available in the CORRELATION: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see Federal Register notice 60 FR 65299, published on December 19, 1995). Also see 61 FR 3002, published on January 30, 1996.

The letter to the Commissioner of Customs and the actions taken pursuant to it are not designed to implement all of the provisions of the Uruguay Round Agreements Act and the Uruguay Round Agreement on Textiles and Clothing, but are designed to assist only in the implementation of certain of their provisions.

Philip J. Martello,

*Acting Chairman, Committee for the Implementation of Textile Agreements.*

Committee for the Implementation of Textile Agreements

December 24, 1996.

Commissioner of Customs,
*Department of the Treasury, Washington, DC 20229.*

Dear Commissioner: This directive amends, but does not cancel, the directive issued to you on January 24, 1996, by the Chairman, Committee for the Implementation of Textile Agreements. That directive concerns imports of certain cotton, wool and man-made fiber textile products, produced or manufactured in Costa Rica and exported during the twelve-month period which began on January 1, 1996 and extends through December 31, 1996.

Effective on December 30, 1996, you are directed to adjust the limits for the following categories, as provided for under the Uruguay Round Agreements Act and the Uruguay Round Agreement on Textiles and Clothing:

| Category | Adjusted twelve-month limit [1] |
|---|---|
| 342/642 | 360,678 dozen. |
| 443 | 231,447 numbers. |

[1] The limits have not been adjusted to account for any imports exported after December 31, 1995.

The guaranteed access levels for the foregoing categories remain unchanged.

The Committee for the Implementation of Textile Agreements has determined that these actions fall within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,

Philip J. Martello,

*Acting Chairman, Committee for the Implementation of Textile Agreements.*

[FR Doc. 96–33202 Filed 12–30–96; 8:45 am]

BILLING CODE 3510–DR–F

## Announcement of Import Limits and Guaranteed Access Levels for Certain Cotton, Wool and Man-Made Fiber Textile Products Produced or Manufactured in Costa Rica

December 24, 1996.

**AGENCY:** Committee for the Implementation of Textile Agreements (CITA).

**ACTION:** Issuing a directive to the Commissioner of Customs establishing limits and guaranteed access levels.

**EFFECTIVE DATE:** January 1, 1997.

**FOR FURTHER INFORMATION CONTACT:** Jennifer Aldrich, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482–4212. For information on the quota status of these limits, refer to the Quota Status Reports posted on the bulletin boards of each Customs port or call (202) 927–5850. For information on embargoes and quota re-openings, call (202) 482–3715.

**SUPPLEMENTARY INFORMATION:**

Authority: Executive Order 11651 of March 3, 1972, as amended; section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854); Uruguay Round Agreements Act.

The import restraint limits and Guaranteed Access Levels (GALs) for textile products, produced or manufactured in Costa Rica and exported during the period January 1, 1997 through December 31, 1997 are based on limits notified to the Textiles Monitoring Body pursuant to the Uruguay Round Agreements Act and the Uruguay Round Agreement on Textiles and Clothing (ATC).

In the letter published below, the Chairman of CITA directs the Commissioner of Customs to establish limits and guaranteed access levels for 1997.

A description of the textile and apparel categories in terms of HTS numbers is available in the CORRELATION: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see Federal Register notice 61 FR 66263, published on December 17, 1996).

Requirements for participation in the Special Access Program are available in Federal Register notices 51 FR 21208, published on June 11, 1986; 52 FR 26057, published on July 10, 1987; 54 FR 50425, published on December 6, 1989; 55 FR 21047, published on May 22, 1990, and 61 FR 49439, published on September 20, 1996.

The letter to the Commissioner of Customs and the actions taken pursuant to it are not designed to implement all of the provisions of the Uruguay Round Agreements Act and the ATC, but are designed to assist only in the implementation of certain of their provisions.

Philip J. Martello,

*Acting Chairman, Committee for the Implementation of Textile Agreements.*

Committee for the Implementation of Textile Agreements

December 24, 1996.

Commissioner of Customs,
*Department of the Treasury, Washington, DC 20229.*

Dear Commissioner: Pursuant to section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854), the Uruguay Round Agreements Act and the Uruguay Round Agreement on Textiles and Clothing (ATC); and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended, you are directed to prohibit, effective on January 1, 1997, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton, wool and man-made fiber textile products in the following categories, produced or manufactured in Costa Rica and exported during the twelve-month period beginning on January 1, 1997 and extending through December 31, 1997, in excess of the following restraint limits:

| Category | Twelve-month limit |
|---|---|
| 340/640 ..... | 955,921 dozen. |
| 342/642 ..... | 352,884 dozen. |
| 347/348 ..... | 1,610,938 dozen. |
| 443 ..... | 211,766 numbers. |
| 447 ..... | 11,418 dozen. |

Imports charged to these category limits for the period January 1, 1996 through December 31, 1996 shall be charged against those levels of restraint to the extent of any unfilled balances. In the event the limits established for that period have been exhausted by previous entries, such goods shall be subject to the levels set forth in this directive.

The limits set forth above are subject to adjustment in the future according to the provisions of the Uruguay Round Agreements Act, the ATC, and any administrative arrangements notified to the Textiles Monitoring Body.

Also pursuant to the Uruguay Round Agreements Act and the ATC; and under the terms of the Special Access Program, as set forth in 51 FR 21208 (June 11, 1986), 52 FR 26057 (July 10, 1987) and 54 FR 50425 (December 6, 1989), you are directed to establish guaranteed access levels for properly certified cotton, wool and man-made fiber textile products in the following categories which are assembled in Costa Rica from fabric formed and cut in the United States and re-exported to the United States from Costa Rica during the period beginning on January 1, 1997 and extending through December 31, 1997:

| Category | Guaranteed access level |
|---|---|
| 340/640 ..... | 650,000 dozen. |
| 342/642 ..... | 250,000 dozen. |
| 347/348 ..... | 1,500,000 dozen. |
| 443 ..... | 200,000 numbers. |
| 447 ..... | 4,000 dozen. |

Any shipment for entry under the Special Access Program which is not accompanied by a valid and correct certification and Export Declaration in accordance with the provisions of the certification requirements established in the directive of May 15, 1990 shall be denied entry unless the Government of Costa Rica authorizes the entry and any charges to the appropriate specific limit. Any shipment which is declared for entry under the Special Access Program but found not to qualify shall be denied entry into the United States.

In carrying out the above directions, the Commissioner of Customs should construe entry into the United States for consumption to include entry for consumption into the Commonwealth of Puerto Rico.

The Committee for the Implementation of Textile Agreements has determined that these actions fall within the foreign affairs exception of the rulemaking provisions of U.S.C.553(a)(1).

Sincerely,

Philip J. Martello,

*Acting Chairman, Committee for the Implementation of Textile Agreements.*

[FR Doc.96–33204 Filed 12–30–96; 8:45 am]

BILLING CODE 3510–DR–F

## Consolidation and Amendment of Export Visa Requirements to Include the Electronic Visa Information System for Certain Cotton, Wool, Man-Made Fiber, Silk Blend and Other Vegetable Fiber Textiles and Textile Products Produced or Manufactured in Korea

December 24, 1996.

**AGENCY:** Committee for the Implementation of Textile Agreements (CITA).

**ACTION:** Issuing a directive to the Commissioner of Customs consolidating and amending visa requirements.

**EFFECTIVE DATE:** January 1, 1997.

**FOR FURTHER INFORMATION CONTACT:** Ross Arnold, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482–4212.

**SUPPLEMENTARY INFORMATION:**

Authority: Executive Order 11651 of March 3, 1972, as amended; section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854); Uruguay Round Agreements Act.

In exchange of notes dated November 12, 1996 and December 11, 1996, the Governments of the United States and the Republic of Korea agreed to amend the existing visa arrangement for textile products, produced or manufactured in Korea and exported on and after January

1, 1997. The amended arrangement consolidates existing and new provisions of the export visa arrangement, including provisions for the Electronic Visa Information System (ELVIS). In addition to the ELVIS requirements, shipments will continue to be accompanied by an original visa stamped on the front of the original commercial invoice issued by the Government of the Republic of Korea. Goods which currently require an exempt certificate shall not require an ELVIS transmission, but will continue to require the exempt certificate.

In the letter published below, the Chairman of CITA directs the Commissioner of Customs to amend the existing visa requirements for textile products produced or manufactured in Korea and exported on and after January 1, 1997.

A description of the textile and apparel categories in terms of HTS numbers is available in the CORRELATION: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see Federal Register notice 60 FR 65299, published on December 19, 1995). Also see 56 FR 18574, published on April 23, 1991. Information regarding the 1997 CORRELATION will be published in the Federal Register at a later date.

Interested persons are advised to take all necessary steps to ensure that textile products that are entered into the United States for consumption, or withdrawn from warehouse for consumption, will meet the visa requirements set forth in the letter published below to the Commissioner of Customs.

Philip J. Martello,

*Acting Chairman, Committee for the Implementation of Textile Agreements.*

Committee for the Implementation of Textile Agreements

December 24, 1996.

Commissioner of Customs,

*Department of the Treasury, Washington, DC 20229.*

Dear Commissioner: This directive amends, but does not cancel, the directive issued to you on April 17, 1991, as amended, by the Chairman, Committee for the Implementation of Textile Agreements, that directed you to prohibit entry of certain cotton, wool, man-made fiber, silk blend and other vegetable fiber textiles and textile products, produced or manufactured in Korea for which the Government of the Republic of Korea has not issued an appropriate export visa or exempt certification.

Under the terms of section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854); pursuant to the Export Visa Arrangement, effected by exchange of notes dated November 12, 1996 and December 11, 1996, between the Governments of the United States and the Republic of Korea; and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended, you are directed to prohibit, effective on January 1, 1997, entry into the Customs territory of the United States (i.e., the 50 states, the District of Columbia and the Commonwealth of Puerto Rico) for consumption and withdrawal from warehouse for consumption of cotton, wool, man-made fiber, silk blend and other vegetable fiber textiles and textile products in Categories 200–239, 300–369, 400–469, 600–670 and 800–899, including part categories and merged categories (see Annex A), produced or manufactured in Korea and exported on and after January 1, 1997 for which the Government of the Republic of Korea has not issued an appropriate export visa or Electronic Visa Information System (ELVIS) transmission fully described below. Should additional categories, part categories or merged categories become subject to import quota the entire category(s), part category(s) or merged category(s) shall be included in the coverage of this arrangement.

A visa must accompany each commercial shipment of the aforementioned textile products. A circular stamped marking in blue ink will appear on the front of the original commercial invoice. The original visa shall not be stamped on duplicate copies of the invoice. The original invoice with the original visa stamp will be required to enter the shipment into the United States. Duplicates of the invoice and/or visa may not be used for this purpose.

Each visa stamp shall include the following information:

1. The visa number. The visa number shall be in the standard nine digit letter format, beginning with one numeric digit for the last digit of the year of export, followed by the two character alpha country code specified by the International Organization for Standardization (ISO) (the code for Korea is ''KR''), and a six digit numerical serial number identifying the shipment; e.g., 7KR123456.

2. The date of issuance. The date of issuance shall be the day, month and year on which the visa was issued.

3. The original signature of the issuing official of the Government of the Republic of Korea.

4. The correct category(s), merged category(s), part category(s), quantity(s) and unit(s) of quantity in the shipment as set forth in the U.S. Department of Commerce Correlation and in the Harmonized Tariff Schedule of the United States, annotated or successor documents, shall be reported in the spaces provided within the visa stamp (e.g., ''Cat. 340–510 DOZ'').

Quantities must be stated in whole numbers. Decimals or fractions will not be accepted. Merged category quota merchandise may be accompanied by either the appropriate merged category visa or the correct category visa corresponding to the actual shipment (e.g., Categories 347/348 may be visaed as 347/348 or if the shipment consists solely of Category 347 merchandise, the shipment may be visaed as ''Category 347,'' but not as ''Category 348'').

U.S. Customs shall not permit entry if the shipment does not have a visa, or if the visa number, date of issuance, signature, category, quantity or units of quantity are missing, incorrect or illegible, or have been crossed out or altered in any way. If the quantity indicated on the visa is less than that of the shipment, entry shall not be permitted. If the quantity indicated on the visa is more than that of the shipment, entry shall be permitted and only the amount entered shall be charged to any applicable quota.

If the visa is not acceptable then a new visa must be obtained from the appropriate export association through their Korean suppliers, or a visa waiver may be issued by the U.S. Department of Commerce at the request of the Government of the Republic of Korea in Washington, DC, and presented to the U.S. Customs Service before any portion of the shipment will be released. The waiver, if used, only waives the requirement to present a visa with the shipment. It does not waive the quota requirement.

If the visaed invoice is deficient, the U.S. Customs Service will not return the original document after entry, but will provide a certified copy of that visaed invoice for use in obtaining a new correct original visaed invoice, or a visa waiver.

If a shipment from Korea has been allowed entry into the commerce of the United States with either an incorrect visa or no visa, and redelivery is requested but cannot be made, the shipment will be charged to the correct category limit whether or not a replacement visa or waiver is provided.

ELVIS Requirements:

A. Each ELVIS message will include the following information:

I. The visa number. The visa number shall be in the standard nine digit letter format, beginning with one numeric digit for the last digit of the year of export, followed by the two character alpha country code specified by the International Organization for Standardization (ISO) (the code for Korea is ''KR''), and a six digit numerical serial number identifying the shipment; e.g., 7KR123456.

II. The date of issuance. The date of issuance shall be the day, month and year on which the visa was issued.

III. The correct category(s), merged category(s), part category(s), quantity(s) and unit(s) of quantity in the shipment as set forth in the U.S. Department of Commerce Correlation and in the Harmonized Tariff Schedule of the United States, annotated or successor documents.

IV. The quantity of the shipment in the correct units of quantity.

V. The manufacturer ID code.

B. Entry of a shipment shall not be permitted:

I. if an ELVIS transmission has not been received for the shipment from the country of origin;

II. if the ELVIS transmission for that shipment is missing any of the following:

a. visa number
b. category or part category
c. quantity
d. unit of measure
e. date of issuance
f. manufacturer ID number

III. if the ELVIS transmission for the shipment does not match the information supplied by the importer or the Customs Broker acting as an agent on behalf of the importer, with regard to any of the following:

a. visa number

b. category or part category

c. unit of measure

IV. if the quantity being entered is greater than the quantity transmitted.

V. if the visa number has previously been used, except in the case of a split shipment, or cancelled, except when an entry has been made using the visa number.

C. A new, correct ELVIS transmission from the country of origin is required before a shipment that has been denied entry for one of the circumstances mentioned in paragraph 3.B.I–V will be released.

D. A new, correct ELVIS transmission from the country of origin is required for entries made using a visa waiver under the procedures as previously described. Visa waivers will only be considered for paragraph 3.B.I., if the shipment qualifies as a one-time special purpose shipment that is not part of an ongoing commercial enterprise, or legitimate classification disputes.

E. Shipments will not be released for forty-eight hours in the event of a system failure. If system failure exceeds forty-eight hours, for the remaining period of the system failure the U.S. Customs Service will release shipments on the basis of the paper visaed document.

If import quotas are in force, U.S. Customs Service shall charge only the actual quantity in the shipment to the correct category limit. If a shipment from Korea has been allowed entry into the commerce of the United States with either an incorrect ELVIS transmission, or no ELVIS transmission, and redelivery is requested but cannot be made, the shipment will be charged to the correct category limit whether or not a replacement visa or waiver is provided or a new ELVIS message is transmitted.

Annex B lists all products exempt from quantitative levels of the agreement with the Government of the Republic of Korea.

Other Provisions.

Merchandise imported for the personal use of the importer and not for resale, regardless of value, and properly marked commercial sample shipments valued at U.S.$250 or less, do not require a visa, exempt certification, or ELVIS transmission for entry and shall not be charged to agreement levels, if applicable. All other commercial shipments of the above mentioned require a visa or exempt certification for entry.

The visa and certification stamps remain unchanged.

The actions taken concerning the Government of the Republic of Korea with respect to imports of textiles and textile products in the foregoing categories have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, these directions to the Commissioner of Customs, which are necessary for the implementation of such actions, fall within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553(a)(1). This letter will be published in the Federal Register.

Sincerely,

Philip J. Martello,

*Acting Chairman, Committee for the Implementation of Textile Agreements.*

## Annex A

Part Categories

| | |
|---|---|
| 224–V | Velvet: only HTS numbers 5801.21.0000, 5801.23.0000, 5801.24.0000, 5801.25.0010, 5801.25.0020, 5801.26.0010, 5801.26.0020, 5801.31.0000, 5801.33.0000, 5801.34.0000, 5801.35.0010, 5801.35.0020, 5801.36.0010 and 5801.36.0020. |
| 224–O | Other than velvet: all HTS numbers except those in 224–V. |
| 340–D | Dress shirts: only HTS numbers 6205.20.2015, 6205.20.2020, 6205.20.2025 and 6205.20.2030. |
| 340 | Other than dress shirts: all HTS numbers except those in 340–D. |
| 359–H | Headwear: only HTS numbers 6505.90.1540 and 6505.90.2060. |
| 359–O | Other: all HTS numbers except those in 359–H. |
| 369–L | Luggage: only HTS numbers 4202.12.4000, 4202.12.8020, 4202.12.8060, 4202.92.1500, 4202.92.3015 and 4202.92.6090. |
| 369–O | Other: all HTS numbers except those in 369–L. |
| 459–W | Woven headwear: only HTS number 6505.90.4090. |
| 459–O | Other: all HTS numbers except those in 459–W. |
| 640–D | Dress shirts: only HTS numbers 6205.30.2010, 6205.30.2020, 6205.30.2030, 6205.30.2040, 6205.90.3030 and 6205.90.4030. |
| 640–O | Other than dress shirts: all HTS numbers except those in 640–D. |
| 641–Y | Blouses with two or more colors in the warp and/or filling: only HTS numbers 6204.23.0050, 6204.29.2030, 6206.40.3010 and 6206.40.3025. |
| 641 | Other: all HTS numbers except those in 641–Y. |
| 659–H | Headwear: only HTS numbers 6502.00.9030, 6504.00.9015, 6504.00.9060, 6505.90.5090, 6505.90.6090, 6505.90.7090 and 6505.90.8090. |
| 659–S | Swimwear: only HTS numbers 6112.31.0010, 6112.31.0020, 6112.41.0010, 6112.41.0020, 6112.41.0030, 6112.41.0040, 6211.11.1010, 6211.11.1020, 6211.12.1010 and 6211.12.1020. |
| 659–O | Other: all HTS numbers except those in 659–H and 659–S. |
| 669–P | Polypropylene bags: only HTS numbers 6305.32.0010, 6305.32.0020, 6305.33.0010, 6305.33.0020 and 6305.39.0000. |
| 669–O | Other: all HTS numbers except those in 669–P. |
| 670–L | Luggage: only HTS numbers 4202.12.8030, 4202.12.8070, 4202.92.3020, 4202.92.3030 and 4202.92.9025. |
| 670–O | Other: all HTS numbers except those in 670–L. |

## Annex A—Continued

Merged Categories

300/301
317/326
613/614
619/620
625/626/627/628/629
333/334/335
338/339
342/642
347/348
351/651
353/354/653/654
445/446
633/634/635
638/639
645/646
647/648
369–L/670–L/870

## Annex B

Exempt Products Requiring Exempt Certification (No Visa or ELVIS transmission required)

1. Chima—The long, formless and ample skirt portion of the traditional Korean chima-chogori dress set.
2. Chogori—The short halter-type blouse or top portion of the traditional Korean chima-chogori dress set.
3. Bosun—An ankle boot-type article, wholly of cloth, worn by Korean women indoors.
4. Fabrics—not to exceed 24x48 inches in size, containing hand embroidered or hand painted Korean scenes, and used primarily as decorations or art objects.
5. Handmade carpets—i.e., in which the pile was inserted, knotted by hand and classified by the U.S. Customs Service under HTS 5701.10.1600, 5701.10.4000 (formerly 5701.10.2010) or 5703.20.1000.
6. Korean-style handbags and other flatgoods of the type considered by the U.S. Customs Service to be classified as luggage— Women's and children's handbags, billfolds, card cases, coin purses, eyeglass cases and similar flatgoods.
7. Martial Arts Uniforms.
8. Toys for animals.

[FR Doc. 96–33201 Filed 12–30–96; 8:45 am]

BILLING CODE 3510–DR–F

## Adjustment of Import Limits for Certain Cotton and Man-Made Fiber Textile Products Produced or Manufactured in Sri Lanka

December 23, 1996.

**AGENCY:** Committee for the Implementation of Textile Agreements (CITA).

**ACTION:** Issuing a directive to the Commissioner of Customs adjusting limits.

**EFFECTIVE DATE:** December 31, 1996.

**FOR FURTHER INFORMATION CONTACT:** Helen L. LeGrande, International Trade Specialist, Office of Textiles and

Apparel, U.S. Department of Commerce, (202) 482–4212. For information on the quota status of these limits, refer to the Quota Status Reports posted on the bulletin boards of each Customs port or call (202) 927–5850. For information on embargoes and quota re-openings, call (202) 482–3715.

**SUPPLEMENTARY INFORMATION:**

Authority: Executive Order 11651 of March 3, 1972, as amended; section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854); Uruguay Round Agreements Act.

The current limit for Categories 351/651 is being adjusted for special carryforward and to undo special shift previously applied. Therefore, the special shift subtracted from the limit for Categories 352/652 is being cancelled.

In the letter published below, the Chairman of CITA directs the Commissioner of Customs to increase the limit for Categories 352/652. The limit for Categories 351/651 remains unchanged.

A description of the textile and apparel categories in terms of HTS numbers is available in the CORRELATION: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see Federal Register notice 60 FR 65299, published on December 19, 1995). Also see 60 FR 66265, published on December 21, 1995; and 61 FR 29357, published on June 10, 1996.

The letter to the Commissioner of Customs and the actions taken pursuant to it are not designed to implement all of the provisions of the Uruguay Round Agreements Act and the Uruguay Round Agreement on Textiles and Clothing, but are designed to assist only in the implementation of certain of their provisions.

D. Michael Hutchinson,

*Acting Chairman, Committee for the Implementation of Textile Agreements.*

Committee for the Implementation of Textile Agreements

December 23, 1996.

Commissioner of Customs,
*Department of the Treasury, Washington, DC 20229.*

Dear Commissioner: This directive amends, but does not cancel, the directive issued to you on December 15, 1995, by the Chairman, Committee for the Implementation of Textile Agreements. That directive concerns imports of certain cotton, wool, man-made fiber, silk blend and other vegetable fiber textiles and textile products, produced or manufactured in Sri Lanka and exported during the period which began on January 1, 1996 and extends through December 31, 1996.

Effective on December 31, 1996, you are directed to increase the limit for Categories 352/652 to 1,497,620 dozen [1].

The Committee for the Implementation of Textile Agreements has determined that this action falls within the foreign affairs exception to the rulemaking provisions of 5 U.S.C.553(a)(1).

Sincerely,

D. Michael Hutchinson,

*Acting Chairman, Committee for the Implementation of Textile Agreements.*

[FR Doc.96–33203 Filed 12-30–96; 8:45 am]

**BILLING CODE 3510–DR–F**

[1] The limit has not been adjusted to account for any imports exported after December 31, 1995.

## DEPARTMENT OF ENERGY

### Notice of Intent

**AGENCY:** Department of Energy.

**ACTION:** Notice of Intent.

**SUMMARY:** The Department of Energy (DOE) announces its intent to prepare an Environmental Impact Statement (EIS) on the management of a portion of the aluminum-clad spent nuclear fuel [1] at the Savannah River Site. The Department's objective is to identify and implement appropriate actions to safely and efficiently manage all aluminum-clad spent nuclear fuel and targets assigned to the Savannah River Site, including placing these materials in forms suitable for disposition. To this end, this EIS will cover that portion of the aluminum-clad spent nuclear fuel inventory currently in storage at the Savannah River Site, as well as aluminum-clad foreign, domestic and government research reactor aluminum-clad spent nuclear fuel that has been assigned to, but has not yet been received at the Savannah River Site. Approximately 188 metric tons of spent nuclear fuel and targets currently stored at the SRS are not considered within the scope of this EIS because the Department has already decided on the management strategy for these materials. The spent nuclear fuel included in this EIS consists of approximately 62 metric tons heavy metal of spent nuclear fuel: 34 metric tons currently at the Savannah River Site and 28 metric tons, foreign and domestic, to be shipped to the Savannah River Site. This Notice of Intent briefly describes the proposed DOE action and alternatives, announces the schedule for the public scoping meeting, and solicits public involvement.

**DATES:** DOE invites comments on the proposed scope of the SRS Spent Nuclear Fuel Management EIS from the public. Comments must be postmarked or submitted by fax or electronic mail by March 3, 1997 to ensure consideration in the preparation of the draft EIS. DOE will consider late comments to the extent practicable. DOE will conduct an informational workshop and public scoping meeting on January 30, 1997, from 1:00 p.m. to 4:00 p.m. and 6:00 p.m. to 9:00 p.m., at the North Augusta Community Center, 101 Brookside Drive, North Augusta, South Carolina. The purpose of the workshop and scoping meeting is to discuss spent nuclear fuel management issues at the SRS and provide an opportunity for the public to assist the Department in determining the appropriate scope of the EIS. The date, time and location of the workshop and scoping meeting that appear in this Notice will be announced in the SRS Environmental Bulletin and local newspapers well in advance of the meeting.

**ADDRESSES:** Questions and comments concerning the SRS Spent Nuclear Fuel Management EIS and comments on the scope of the EIS can be submitted in writing to Andrew R. Grainger, NEPA Compliance Officer, Savannah River Operations Office, P.O. Box 5031, Aiken, South Carolina 29804–5031. Internet addresses are drew.grainger@srs.gov or nepa@barms036.b-r.com. Questions and comments may also be submitted by telephone or fax to the toll-free telephone number 1–800–242–8269.

For general information on the DOE NEPA process, contact: Ms. Carol M. Borgstrom, Director, Office of NEPA Policy and Assistance, U.S. Department of Energy, 1000 Independence Avenue, S.W., Washington, D.C. 20585; telephone (202) 586–4600 or leave a message at (800) 472–2756.

**SUPPLEMENTARY INFORMATION:**

Purpose and Need for Action

DOE needs to safely and efficiently manage all aluminum-clad spent nuclear fuel and targets assigned to the SRS until ultimate disposition. The management alternatives could involve the use of existing, modified, or new facilities or processes, consistent with DOE policies regarding the protection of the environment, public and worker safety and health, nonproliferation, and recent DOE decisions regarding the

[1] Aluminum-clad spent nuclear fuel is nuclear reactor fuel that has been withdrawn from a reactor following irradiation, the constituent elements of which have not been separated. The ''spent nuclear fuel'' consists primarily of the fuel (usually enriched uranium), fission products, and the aluminum structural material that serves as cladding. For the purposes of the SRS Spent Nuclear Fuel Management EIS, spent nuclear fuel also includes uranium/neptunium target materials, blanket subassemblies, pieces of fuel, and debris.

programmatic management of spent nuclear fuel and the decision to accept and manage in the United States foreign research reactor spent nuclear fuel containing uranium enriched in the United States.

*Spent Nuclear Fuel Currently Stored at the SRS*

The current SRS inventory of spent nuclear fuel consists of approximately 222 metric tons[2] heavy metal (MTHM, which is the uranium mass, excluding cladding, alloy materials and structural materials). The inventory includes various forms, as follows: (a) SRS spent production reactor fuels consisting of aluminum-clad highly enriched uranium; (b) aluminum-clad targets or slugs containing plutonium or other isotopes; (c) aluminum-clad spent nuclear fuels from offsite domestic and foreign research reactors; and (d) offsite research and test reactor spent nuclear fuels clad in zirconium, stainless steel, or other materials. The SRS spent production reactor fuels, targets and slugs are currently stored under water in the K-, and L-Reactor disassembly basins, while the offsite domestic and foreign research reactor spent nuclear fuel is stored under water in the Receiving Basin for Offsite Fuels. Foreign research reactor spent nuclear fuel is also scheduled to be stored in the L-Reactor disassembly basin.

The spent nuclear fuel and targets that are the subject of the SRS Spent Nuclear Fuel Management EIS will be: that portion of the spent nuclear fuel and targets (34 metric tons) currently stored at the SRS that has been determined to be stable, but whose management pending ultimate disposition has not yet been determined under an environmental impact statement prepared under the National Environmental Policy Act; and approximately 28 metric tons heavy metal of spent nuclear fuel consisting of the foreign research reactor spent nuclear fuel that will be shipped to SRS over the next 13 years, and the DOE and domestic research reactor spent nuclear fuel that will be shipped to SRS for the foreseeable future (i.e., until at least the year 2035).

The proposed action and alternatives considered in this EIS would be consistent with recent Departmental decisions regarding the programmatic management of spent nuclear fuel (Record of Decision, Spent Nuclear Fuel and Idaho National Engineering Laboratory Environmental Restoration and Waste Management Programmatic Environmental Impact Statement, 60 FR 28680 (June 1, 1995), and Amendment of Record of Decision, 61 FR 9441 (March 8, 1996), and Departmental decisions to accept and manage foreign research reactor spent nuclear fuel in the United States (Record of Decision, Environmental Impact Statement on a Proposed Nuclear Weapons Nonproliferation Policy Concerning Foreign Research Reactor Spent Nuclear Fuel, 61 FR 25092, May 17, 1996).

Approximately 188 metric tons of spent nuclear fuel and targets currently stored at the SRS are not considered within the scope of this EIS because the Department has already decided on the management strategy for these materials. These materials were evaluated in the Interim Management of Nuclear Materials (IMNM) EIS (DOE/EIS–0220, October 1995). In that EIS, DOE considered alternatives for stabilizing spent nuclear fuel and other radioactive materials stored at the SRS that DOE determined could not be safely stored over the next decade in their present condition. Following completion of the IMNM EIS, DOE decided (60 FR 65300, December 19, 1995) to stabilize the Mark-31 targets, 81 failed Taiwan Research Reactor elements, and a failed Experimental Breeder Reactor II element (totaling about 159 MTHM) by dissolving them in the F-Canyon facility and by reducing the plutonium component to metal in the FB-Line facility, after which the resulting materials would be stored. Subsequently, DOE announced its decision (61 FR 6633, February 21, 1996) to stabilize Mark-16 and Mark-22 production reactor spent fuels by processing them and blending down the highly enriched uranium component to low enriched uranium in SRS facilities. Other aluminum-clad targets stored in the reactor basins would be stabilized by dissolving them in the canyon facilities and storing the solutions in the SRS high-level waste tanks for eventual conversion to a glass form in the Defense Waste Processing Facility. The glass logs would then be stored at the SRS until ultimate disposition. While these materials are considered spent fuel, their management is not considered within the scope of the SRS Spent Nuclear Fuel Management EIS because, once stabilized, they will be suitable for disposition under existing DOE programs. Accordingly, no other management alternatives need be considered.

The management and disposition of the 62 MTHM[3] are the subject of this EIS. Table 1 provides information on the spent nuclear fuel inventory currently located at the SRS that the Department plans to evaluate in this EIS.

[2] A metric ton is 1,000 kilograms, equal to about 2,200 pounds.

[3] The 34 MTHM currently stored at SRS do not include about 22 MTHM spent fuel clad in stainless steel or zirconium and stored in the Receiving Basin for Offsite Fuels. This material will be shipped to the Idaho National Engineering Laboratory for management there (60 FR 28680, June 1, 1995).

TABLE 1.— EXISTING SRS INVENTORY OF ALUMINUM-CLAD SNF (AS OF SEPTEMBER 30, 1996) TO BE EVALUATED IN EIS

| Fuel type | Location | Number of items | Units | Metric tons heavy metal |
|---|---|---|---|---|
| Fuels: | | | | |
| Mark-14 | RBOF [1] | 1 | Can [2] | <0.001 |
| Taiwan Research Reactor | RBOF | 62 | Cans | 8.7 |
| Experimental Breeder Reactor | RBOF | 59 | Cans | 16.7 |
| Sodium Experimental Reactor | RBOF | 36 | Cans | 2.1 |
| Argonne National Laboratory Janus Reactor | RBOF | 19 | Assemblies [3] | 0.003 |
| Advanced Thermal Source Reactor | RBOF | 21 | Assemblies | 0.003 |
| Massachusetts Institute of Technology Reactor | RBOF | 56 | Assemblies | 0.016 |
| University of Missouri Research Reactor | RBOF | 112 | Assemblies | 0.049 |
| Rhode Island Nuclear Center Reactor | RBOF | 70 | Assemblies | 0.004 |
| University of Michigan Reactor | RBOF | 48 | Assemblies | 0.034 |
| University of Virginia Reactor | RBOF | 44 | Assemblies | 6.062 |
| Nereide (French) Research Reactor | RBOF | 46 | Assemblies | 0.035 |
| Japanese Material Test Reactor | RBOF | 71 | Assemblies | 0.017 |
| French Hot Flux Research Reactor | RBOF | 4 | Assemblies | 0.026 |
| Oak Ridge Research Reactor | RBOF | 165 | Assemblies | 0.111 |
| Sterling Forest | RBOF | 678 | Cans | 0.094 |
| | | 200 | Assemblies | 0.028 |
| Urgent Relief Receipts | RBOF | 252 | Assemblies | 0.05 |
| Targets: | | | | |
| Mark-42 targets | RBOF | 7 | Assemblies | <0.1 |
| Mark-18 americium-241 targets | RBOF | 65 | targets [4] | <0.1 |
| Special curium and other targets | RBOF | 114 | slugs [5] | <0.1 |
| Total | | | | About 34 MTHM |

[1] The Receiving Basin for Offsite Fuels facility at the SRS.
[2] The term ''can'' indicates that the spent nuclear fuel was placed in an aluminum can, which was then sealed to provide a suitable storage container for the fuel element(s).
[3] The term ''assembly'' refers to the nuclear fuel in its assembled form (i.e., fuel, cladding and handling features are all present). In this case, the term ''assembly'' is synonymous with ''fuel element.''
[4] The term ''target'' refers to uranium or transuranic material, clad in aluminum, that was irradiated in a reactor for the purpose of producing special isotopes, e.g., plutonium-238.
[5] The term ''slug'' normally refers to a disassembled target.

Foreign Research Reactor Fuel Assigned to the SRS. Following completion of the *EIS on a Proposed Nuclear Weapons Nonproliferation Policy Concerning Foreign Research Reactor Spent Nuclear Fuel*, DOE and the Department of State decided to implement a new foreign research reactor spent nuclear fuel policy by accepting from foreign reactors spent nuclear fuel containing uranium enriched in the United States (Record of Decision, 61 FR 25092. May 17, 1996). Implementation of this policy will result in the acceptance of up to 22,700 foreign research reactor spent fuel elements (about 19.2 MTHM) by the United States. Of this number, about 17,800 are aluminum-clad fuel elements (about 18.2 MTHM) which have been assigned to the Savannah River Site for management. The remaining foreign research reactor spent fuel elements (about 1 MTHM) have been assigned to the Idaho National Engineering Laboratory for management.

In the Record of Decision (61 FR 25092, May 17, 1996) for the EIS on a Proposed Nuclear Weapons Nonproliferation Policy Concerning Foreign Research Reactor Spent Nuclear Fuel, DOE decided to implement a three-point strategy for managing these fuel elements. First, DOE has started an accelerated program to identify, develop, and demonstrate one or more non-processing, cost-effective treatment or packaging technologies to prepare the foreign research reactor spent nuclear fuel for disposition. The purpose of any new facilities that might be constructed to implement these technologies would be to change the foreign research reactor spent nuclear fuel into a form that is suitable for geologic disposal without necessarily separating the fissile materials. Examples of such treatment technologies could include: press and dilute/poison, melt and dilute/poison, plasma arc treatment, electrometallurgical treatment, glass materials oxidation and dissolution, dissolve and vitrify, direct disposal in small packages, and direct co-disposal with high-level waste.

In conjunction with the examination of new technologies, variations of conventional direct disposal methods would also be explored. After treatment or packaging, the foreign research reactor spent nuclear fuel would be managed on site in dry storage. (After such treatment or packaging, the spent nuclear fuel would then be in a condition often referred to as ''road ready,'' meaning that no further packaging or treatment would be required before being transported off-site for continued storage or disposal.) DOE would select, develop, and implement, if appropriate, one or more of these treatment or packaging technologies by the year 2000. DOE is committed to avoiding indefinite storage of this spent nuclear fuel in a form that is unsuitable for disposal.

Should a new treatment or packaging technology not be ready for implementation by the year 2000, the second part of the strategy would involve use of F-Canyon to chemically separate some foreign research reactor spent nuclear fuel elements while the F-Canyon facility is operating in order to stabilize ''at-risk'' materials (i.e., materials that pose a health or safety concern) in accordance with the Implementation Plan for Defense Nuclear Facilities Safety Board Recommendation 94–1. DOE would use the F-Canyon to process only that quantity of foreign research reactor fuel that could be accommodated by the available canyon capacity. Current schedules show that this activity could take place after the year 2000. As part

of the assessment and analysis of this contingency, DOE committed to commission or conduct an independent study of the nonproliferation and other implications of processing spent nuclear fuel from foreign research reactors. The results of this study will be applicable to all the spent nuclear fuel within the scope of the SRS Spent Nuclear Fuel Management EIS and will be incorporated into a final decision on spent nuclear fuel management at SRS.

The third part of the strategy for managing foreign research reactor spent nuclear fuel is embodied in a program of closely monitoring such fuel placed in wet storage at the SRS. DOE is presently unaware of any technical basis for believing that the foreign research reactor spent nuclear fuel cannot be safely stored until one or more of the new packaging or treatment technologies becomes available. Nevertheless, if health and safety concerns involving any of the foreign research reactor spent fuel materials are identified prior to development of an appropriate treatment or packaging technology, DOE would use the F-Canyon to process the affected spent nuclear fuel materials, while F-Canyon is operating to stabilize the at-risk materials.

DOE and Domestic Research Reactor Fuel to be Shipped to SRS. Following completion of the Programmatic Spent Nuclear Fuel and Idaho National Engineering Laboratory Environmental Restoration and Waste Management EIS, DOE decided that the SRS will be the management site of aluminum-clad fuel that is currently in or may become a part of DOE's inventory (DOE reactor fuel, excluding spent fuel at the Hanford site, university and other domestic research test reactor fuel, and fuel from foreign research reactors) (Record of Decision, 60 FR 28680, June 1, 1996) and Amendment to the Record of Decision, 61 FR 9441, March 8, 1996). This decision will result in the shipment of about 4,500 aluminum-clad spent fuel elements to the SRS from the Idaho National Engineering Laboratory and up to 9,600 aluminum-clad spent fuel elements from domestic DOE and research reactors (for a total of about 10 MTHM). Table 2 provides information on the expected future receipts of spent nuclear fuel at the SRS that the Department plans to evaluate in this EIS.

TABLE 2.—EXPECTED FUTURE RECEIPTS OF SPENT NUCLEAR FUEL AT THE SAVANNAH RIVER SITE

| Source | Number of elements | MTHM |
|---|---|---|
| Domestic Research Reactors | 9,600 | 6.2 |
| Foreign Research Reactors | 17,800 | 18.2 |
| Idaho National Engineering Laboratory | 4,500 | 3.8 |
| Total | About 31,900 elements | About 28.2 MTHM |

Alternatives:

DOE will evaluate several alternatives for the management of both the aluminum-clad spent nuclear fuel currently stored at the Savannah River Site and the foreign and domestic research reactor spent nuclear fuel that is expected to be shipped to the Savannah River Site in the future. Each of the following alternatives will be considered for the spent nuclear fuel currently in storage and that is expected to be shipped to the SRS.

*Continued Wet Storage (No Action)*

The no action alternative would continue storage of spent fuel in the Receiving Basin for Offsite Fuel and the L-Reactor disassembly basin. Future receipts of domestic and foreign fuel would be stored at these locations. This alternative also involves continuation of the enhanced monitoring program and water chemistry management activities at the basins to ensure the safe storage of spent fuel. Under this alternative, DOE would also use the F-Canyon (or H-Canyon) facility to process those fuel elements that are determined to present health and safety vulnerabilities during wet storage, in accordance with the Records of Decision for the Proposed Nuclear Weapons Nonproliferation Policy Concerning Foreign Research Reactor Spent Nuclear Fuel EIS (61 FR 25092, May 17, 1996) and the Interim Management of Nuclear Material EIS (60 FR 65300 and 61 FR 6633, December 19, 1995 and February 21, 1996 respectively). Because each alternative evaluated in this EIS involves some period of wet storage prior to implementation, the potential for processing fuels which are determined to present health and safety vulnerabilities is applicable to all the alternatives. DOE notes that processing for health and safety reasons is already authorized under existing analyses.

*New Processing/Packaging Technologies*

This alternative would include evaluating one or more cost-effective treatment or packaging technologies as described in the Record of Decision (61 FR 25092, May 17, 1996) for the Proposed Nuclear Weapons Nonproliferation Policy Concerning Foreign Research Reactor Spent Nuclear Fuel EIS. Most of these technologies would employ packaging or processing activities that would not separate fissile material from fission products. In the SRS Spent Nuclear Fuel Management EIS, DOE will evaluate the potential impacts of the application of these technologies to the spent nuclear fuel that is the subject of this EIS for the purpose of placing these materials in forms suitable for geologic disposal.

*Dry Storage*

This alternative assesses the potential impacts associated with the construction and operation of a facility (Transfer and Storage Facility) to receive, characterize, condition, package, and dry store SNF prior to shipment to a geologic repository for disposal. DOE would evaluate dry storage for managing existing stable spent nuclear fuel inventories as well as future receipts.

*Conventional Processing*

This alternative would involve processing spent nuclear fuel in the existing chemical separation facilities. For foreign research reactor spent fuel, this alternative would be applicable only to address health and safety concerns, as described above. For stable non-foreign research reactor SNF, DOE would evaluate the potential environmental impacts associated with processing, even where not required for health or safety concerns. This alternative could result in the separation of some fissile materials (generally, highly enriched uranium) from the spent nuclear fuel, which would be blended down to low-enriched uranium prior to removing the material from the processing facility complex. Low-enriched uranium is not weapons-grade nuclear material. Some amount of plutonium-239 would also be separated.

However, there would be no plutonium-239 separated from the vast majority of the fuel, even in instances where plutonium-239 may be present. Plutonium-239 separation would only occur in cases where it was required in order to ensure criticality safety in high-level waste tanks and the subsequent high-level waste vitrification process. In any case, no effort would be made to maintain the purity of the plutonium-239. DOE would process the plutonium to metal for storage in accordance with the DOE standard for storage of plutonium prior to the application of International Atomic Energy Agency (IAEA) safeguards. Any separated plutonium-239 would be placed under IAEA control when such controls are instituted.

Identification of Environmental and Other Issues

DOE has identified the following issues for analysis in the EIS. Additional issues may be identified during the scoping process, and DOE specifically solicits comments on the appropriateness of these issues for consideration in the EIS.

1. Public and worker safety: radiological and nonradiological impacts of the alternatives, including potential effects on workers and the public from the normal operation and accident conditions.

2. Impacts to plants, animals, and habitat, including impacts to wetlands, and threatened and endangered species and their habitat.

3. The consumption of natural resources and energy including water, natural gas, and electricity.

4. Socioeconomic impacts to affected communities from the operations labor force and any required construction labor force, and support services, in the SRS region of influence.

5. Potential disproportionately high or adverse human health or environmental impacts on minority and low-income populations.

6. Transportation of spent nuclear fuel to the Savannah River Site. DOE believes that these impacts are adequately addressed in other environmental impact statements and intends to incorporate the analysis by reference into this EIS.

7. Impacts on cultural resources, historic, archaeological, scientific, or culturally important sites.

8. Status of compliance with all applicable Federal, state, and local statutes and regulation; required Federal and state environmental consultations and notifications; and DOE orders on waste management, waste minimization initiatives, and environmental protection.

9. Potential impact on U.S. nonproliferation policy, especially as the actions considered may produce weapons usable fissile materials that may need to be safeguarded.

10. Cumulative impacts from the proposed action and other past, present, and reasonably foreseeable actions at the Savannah River Site.

11. Potential irreversible and irretrievable commitments of resources.

Related Documents

The following documents, which are available for review at DOE Reading Rooms, contain information related to the issues to be addressed in the SRS Spent Nuclear Fuel EIS.

U.S. Department of Energy. 1995. Department of Energy Programmatic Spent Nuclear Fuel Management and Idaho National Engineering Laboratory Environmental Restoration and Waste Management Programs Final Environmental Impact Statement, DOE/EIS–0203F. Idaho Operations Office, Idaho Falls, ID, April 1996.

U.S. Department of Energy. 1996. Final Environmental Impact Statement on a Proposed Nuclear Weapons Nonproliferation Policy Concerning Foreign Research Reactor Spent Nuclear Fuel, DOE/EIS–0218F. Assistant Secretary for Environmental Management, Washington, D.C. February 1996.

U.S. Department of Energy. 1995. Final Environmental Impact Statement, Interim Management of Nuclear Materials, DOE/EIS–0220. Savannah River Operations Office, Aiken, South Carolina. October 1995.

U.S. Department of Energy. 1995. Facility Utilization Strategy for the Savannah River Site Chemical Separations Facilities. Savannah River Operations Office, Aiken, South Carolina. December 1995.

U.S. Department of Energy. 1994. Environmental Assessment of Urgent-Relief Acceptance of Foreign Research Reactor Spent Nuclear Fuel, DOE/EA–0912. Washington, D.C. April 1994.

Issued in Washington, D.C., this 23rd day of December 1996.

Peter N. Brush,

*Principal Deputy Assistant Secretary, Environment, Safety and Health.*

[FR Doc. 96–33131 Filed 12–30–96; 8:45 am]

BILLING CODE 6450–01–P

## ENVIRONMENTAL PROTECTION AGENCY

**[FRL–5672–7]**

## Agency Information Collection Activities: Proposed Collection; Comment Request: Safe Drinking Water Act State Revolving Fund Program Guidance

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

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that EPA is planning to submit the following proposed Information Collection Request (ICR) to the Office of Management and Budget (OMB): Safe Drinking Water Act State Revolving Fund Program Guidance, insert OMB Control Number. Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects for the proposed information collection as described below.

**DATES:** Comments must be submitted on or before March 3, 1997.

**ADDRESSES:** Comments may be mailed to Clifford Yee, Office of Wastewater Management (4204), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC. 20460.

**FOR FURTHER INFORMATION CONTACT:** Clifford Yee (202) 260–5822; FAX: (202) 260–0116; E-mail: yee.clifford@epamail.epa.gov.

**SUPPLEMENTAL INFORMATION:**

*Affected Entities:* Entities potentially affected by this action are the fifty states, Puerto Rico, and the recipients of assistance in each of these jurisdictions.

*Title:* Safe Drinking Water Act State Revolving Fund Program Guidance.

*Abstract:* The Safe Drinking Water Act (SDWA) Amendments of 1996 (Pub. L. 104–182) authorize the creation of Drinking Water State Revolving Fund (DWSRF) programs in each state and Puerto Rico to assist public water systems to finance the costs of infrastructure needed to achieve or maintain compliance with SDWA requirements and to protect public health. Section 1452 authorizes the Administrator of the U. S. Environmental Protection Agency (EPA) to award capitalization grants to the states and Puerto Rico which, in turn, provide low-cost loans and other types of assistance to eligible drinking water systems.

The information collection activities will occur primarily at the program level through the: (1) Capitalization

Grant Application and Agreement/State Intended Use Plan, (2) Biennial Report, (3) Annual Audit, and (4) Assistance Application Review.

(1) Capitalization Grant Application and Agreement/State Intended Use Plan: The State must prepare a capitalization grant application that includes an Intended Use Plan (IUP) outlining in detail how it will use all the funds covered by the capitalization grant. States may, as an alternative, develop the IUP in two parts. One part that identifies the distribution and uses of funds among the various set-asides and the DW–SRF. The second part addresses project funding to be provided by the DW–SRF itself.

(2) Biennial Report: The state must agree to complete and submit a biennial report on the uses of the capitalization grant. The scope of the report must cover the DW–SRF and all other non-SRF activities included under the capitalization grant agreement. States which jointly administer DW–SRF and CW–SRF programs, in accordance with Section 1452(g)(1), may submit reports (according to the schedule specified for each program) which cover both programs.

(3) Annual Audit: The state must agree to conduct or have conducted a separate audit of its capitalization grant. The scope of the audit will cover the DW–SRF and all other activities included in the capitalization grant agreement. States which jointly administer DW–SRF and CW–SRF programs, in accordance with Section 1452(g)(1), may submit audits which cover both programs but which report financial information for each program separately.

(4) Assistance Application Review: States assist local applicants seeking financial assistance in preparing DW–SRF loan applications. States then review completed loan applications and verify that proposed projects will comply with applicable federal and state requirements.

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.

EPA would like to solicit comments to:

(i) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(ii) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(iii) Enhance the quality, utility, and clarity of the information to be collected; and

(iv) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical or other technological collection techniques or other forms of information technology, e.g. permitting electronic submission of responses.

Burden Statement:

(1) Capitalization Grant Application and Agreement/State Intended Use Plan.

1997: 51 States × 360 Hours = 18,360 Burden Hours
1998: 51 States × 300 Hours = 15,300 Burden Hours
1999: 51 States × 300 Hours = 15,300 Burden Hours

(2) Biennial Report.

1997: 51 States × 200 Hours = 10,200 Burden Hours
1999: 51 States × 250 Hours = 12,750 Burden Hours

(3) Annual Audit.

1997: 51 States × 80 Hours = 4,080 Burden Hours
1998: 51 States × 80 Hours = 4,080 Burden Hours
1999: 51 States × 80 Hours = 4,080 Burden Hours

(4) Loan Application Review.

1997: 51 States × 60 Applications × 40 Hours = 122,400 Burden Hours
1998: 51 States × 75 Applications × 40 Hours = 153,000 Burden Hours
1999: 51 States × 90 Applications × 40 Hours = 183,600 Burden Hours

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; and transmit or otherwise disclose the information.

Dated: December 20, 1996.

Alfred W. Lindsey,

*Acting Director, Office of Wastewater Management.*

[FR Doc. 96–33261 Filed 12–30–96; 8:45 am]

BILLING CODE 6560–50–P

**[FRL–5668–8]**

## Agency Information Collection Activities for Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR)

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

**ACTION:** Notice of Availability of Information Collection Request (ICR) and Supporting Statement.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that EPA is planning to submit the following continuing ICR to the Office of Management and Budget (OMB): *Information Collection Request for 40 CFR part 51 and 52 Prevention of Significant Deterioration and Nonattainment New Source Review:* OMB No. 2060–003, Exp. March 31, 1997. Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection as described below.

**DATES:** Comments must be submitted to the EPA on or before March 3, 1997.

**ADDRESSES:** Comments should be addressed to Dennis Crumpler, NSR ICR Project Manager, Integrated Implementation Group, Information Transfer and Program Integration Division (MD–12), Office of Air Quality Planning and Standards, U.S. EPA, Research Triangle Park, North Carolina 27711. Copies of the ICR Renewal draft Supporting Statement and other background information may be obtained from the ICR Project Manager at the address above, or it may be retrieved electronically from the NSR Bulletin Board (''News/Bulletins'' Menu) located on the Office of Air Quality Planning And Standards Technology Transfer Network (TTN). Access to the TTN is via a computer and communications software at (919) 541–5742. The TTN may be accessed via Internet at the following addresses. TELNET:<ttnbbs.rtpnc.epa.gov>; FTP:<ttnftp.rtpnc.epa.gov>; and WWW:<ttnwww.rtpnc.epa.gov>. For assistance in accessing the TTN, contact the TTN Help Desk at (919) 541–5384 in Research Triangle Park, North Carolina, 1:00 p.m. to 5:00 p.m. eastern standard time.

**FOR FURTHER INFORMATION CONTACT:** Dennis Crumpler, the current NSR ICR project manager at (919) 541–0871.

**SUPPLEMENTARY INFORMATION:**

Affected entities: Entities potentially affected by this action are those which must submit an application for a permit

to construct a new or modify an existing source of air pollution, permitting agencies which review the permit applications, and members of the public who are due the opportunity to comment on permitting actions.

Title: *Information Collection Request for 40 CFR part 51 and 52 Prevention of Significant Deterioration and Nonattainment New Source Review:* OMB No. 2060–007, Exp. March 31, 1997. Abstract: Part C of the Clean Air Act (Act)—''Prevention of Significant Deterioration,'' and part D—''Plan Requirements for Nonattainment Areas'' requires all States to adopt preconstruction review programs for new or modified stationary sources of air pollution. Implementing regulations for State adoption of these two NSR programs into their State Implementation Plan (SIP) are promulgated at 40 CFR 51.160 through 51.166 and appendix S. Federal permitting regulations are promulgated at 40 CFR 52.21 for PSD areas that are not covered by a SIP program.

In order to receive a construction permit for a major new source or major modification, the applicant must conduct the necessary research, perform the appropriate analyses and prepare the permit application with documentation to demonstrate that their project meets all applicable statutory and regulatory NSR requirements. Specific activities and requirements are listed and described in the draft Supporting Statement for the ICR.

Permitting agencies, either State, local or Federal, review the permit application to affirm the proposed source or modification will comply with the Act and applicable regulations. The permitting Agency then provides for public review of the proposed project and issues the permit based on its consideration of all technical factors and public input. The EPA, more broadly, reviews a fraction of the total applications and audits the State and local programs for their effectiveness. Consequently, information prepared and submitted by the source is essential for the source to receive a permit, and for Federal, State and local environmental agencies to adequately review the permit application and thereby properly administer and manage the NSR programs.

To facilitate adequate public participation, information that is submitted by sources as a part of their permit application, should generally be a matter of public record. See sections 165(a)(2) and 110(a)(2) (C), (D) and (F) of the Act. Notwithstanding, to the extent that the information required for the completeness of a permit is proprietary, confidential, or of a nature that it could impair the ability of the source to compete in the market place, that information is collected and handled according to EPA's policies set forth in title 40, chapter 1, part 2, subpart B—Confidentiality of Business Information (see 40 CFR part 2). See also section 114(c) of the Act.

An Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR part 9 and 48 CFR chapter 15.

The EPA would like to solicit comments to:

(i) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;

(ii) Evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(iii) Enhance the quality, utility, and clarity of the information to be collected; and

(iv) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Burden Statement: Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal Agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

Since the last ICR renewal in September 1995, there have been no regulatory changes to affect the previous estimates of the number of respondents or the hourly burdens relative to the activities associated with NSR requirements.[1] Consequently the estimated average annual burden to industry respondents for this collection of information is approximately 649 hours for each of 320 part C PSD permits (responses); 445 hours for each of 590 part D nonattaiment permits, and about 8 hours for each of 19,500 minor source permits. The projected industry costs are approximately $31 thousand for each part C source, $21 thousand for part D sources, and $380 for each minor NSR source. These costs are determined by multiplying the estimated number of hours for each burden category by $47.00 per hour. This hourly rate represents a mixture of 75 percent technical staff and 25 percent management effort. Hourly rates for in-house and contractor effort are believed to be the same; although an average 30 percent of the burden is believed to be contracted. The estimated total annual burden to industry respondents is about 626 thousand hours and a commensurate cost of $30.6 million which includes direct costs of about $1.2 million for preconstruction monitoring. The estimated burden to State and local permitting Agencies is 272 hours per part C permit, 109 hours for a part D permit and 10 hours for a minor NSR permit. The cumulative burden and cost is 346 thousand hours and $12.8 million. The annual estimated burden for the EPA is 16 thousand hours and $594 thousand.

The NSR permit application burden and cost is up-front, so it does not require amortization over the life of the source. There are no operating and maintenance costs. All reporting and compliance monitoring costs associated with the implementation of a source's permitting requirements should be reflected in the burden associated with compliance assurance monitoring regulations, and the appropriate SIP or operating permit program. Therefore, the second and third year ICR burden and costs of the NSR program are zero for each respondent, and the net present value of the costs of the NSR rules are equal to the cost of the first year outlay. Because the average number of permits issued each year is expected to remain relatively constant, the program is expected to result in the same average burden and cost each year.

Based on limited information, EPA has estimated that few small businesses will experience a significant adverse

[1] On July 23, 1996 the EPA proposed regulatory revisions that if adopted would substantially reduce overall burden of the NSR programs, primarily by reducing the number of sources that would require a major source permit. See 61 FR 38249. The ICR will be revised coincident with the promulgation of the final rulemaking expected in early 1998.

impact due to administrative burden of the NSR Program. The projected burden also reflects consideration of environmental justice factors, which may influence certain major source permitting actions.

The EPA will consider all comments submitted in response to this notice when preparing the ICR renewal and supporting statement for submittal to OMB.

Dated: December 20, 1996.

Robert G. Kellam,

*Director, Information Transfer and Program Integration Division.*

[FR Doc. 96–33262 Filed 12–30–96; 8:45 am]

**BILLING CODE 6560–50–P**

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**[FRL–5673–2]**

## Agency Information Collection Activities: Proposed Collection; Comment Request; Request for Information for the Bioremediation Field Initiative Database Systems

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

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that EPA is planning to submit the following continuing Information Collection Request (ICR) to the Office of Management and Budget (OMB): Request for Information for the Bioremediation Field Initiative Database Systems, EPA ICR No. 1672.01, OMB Control No. 2080048, expires 04/30/97. Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection as described below.

**DATES:** Comments must be submitted on or before March 3, 1997.

**ADDRESSES:** Office of Research and Development. A copy of the ICR without charge, can be obtained at: http://www.epa.gov/ORD/WebPubs/biorem

**FOR FURTHER INFORMATION CONTACT:** Fran Kremer, 513–569–7346, KREMER.FRAN@EPAMAIL.EPA.GOV

**SUPPLEMENTARY INFORMATION:**

*Affected entities:* Entities potentially affected by this action are those that are involved in the use of innovative technologies at Superfund sites, such as state and local governments, businesses, and nonprofit institutions.

*Title:* Request for Information for the Bioremediation Field Initiative Database Systems, OMB Control No. 20800048, expires 04/30/97.

*Abstract:* This is an ICR renewal for gathering information on the design, operation, and performance of biological treatment technologies from remediation experts and managers working at sites where biological treatment technologies are being tested or implemented. The authority for collecting information on innovative treatment technologies is described at Section 311 of the Superfund Amendments and Reauthorization Act, Section 8003 of the Resource Conservation and Recovery Act, Section 7001 of the Oil Pollution Act, and Section 10 of the Toxic Substance Control Act. The information will help the EPA to deploy innovative technologies more quickly at Superfund and other sites.

Selected respondents are asked to complete and return, via mail, a two-part questionnaire. The first part requests general site information, such as location, contacts, contaminants, and legislative authority under which the site is being remediated. The second part requests site-specific biotechnology information, such as the stage of the operation, wastes and media being treated, cleanup level goals, and the performance and cost of the treatment. All responses are strictly voluntary. Following the initial questionnaire, respondents receive followup questionnaires on a semi-annual basis to update the information already provided. EPA has developed an easy-to-use PC-based version of the questionnaire that is currently in use. To run the electronic questionnaire, the user must have access to a Windows-capable IBM-compatible PC, preferably 486-class or better. The PC questionnaire has several benefits:

- Questions that apply only under particular circumstances (i.e., are dependent on previous responses) are only presented to the user as necessary.
- Data validations are performed optionally as the user is filling out the questionnaire and are required when a respondent is ready to submit the data to EPA. Data validation conditions are reported with an explanation of the problem/situation and recommended corrective action(s).
- Pick lists are provided for several questions, so that user may choose an item from a list rather than enter the full text using the keyboard.

Repsondents may utilize either the paper- or the PC-based questionnaire, whichever they prefer. In each case, when respondents are updating the site records for sites that are already in the Bioremediation Field Intitative database, the questionnaire shows the site's complete responses from past questionnaires, so that information that has not changed need not be reentered. Respondents with access to the Internet may express comments or request assistance using an e-mail account that is identified in each questionnaire mailing. Each form of the questionnaire is updated occasionally between data collection cycles to include prominent new technologies and contaminants as they are identified in prior collection efforts.

EPA compiles information from completed questionnaires into the Bioremediation Field Initiative computer database. EPA developed a software program called the Bioremediation in the Field Search System (BFSS) to search, view, and report information in the database. BFSS is available to the public via computerized bulletin boards, or interested parties may obtain a copy of BFSS by mail by calling the Bioremediation Field Initiative hotline (513 569–7562) and requesting a copy. The next update to BFSS (scheduled for the Spring of 1997) is also anticipated to be available on the Internet. The Bioremediation Field Initiative database currently contains information on over 465 sites, and approximately 100 new sites are expected to be included in the next update of BFSS. Anyone with access to an IBM-compatible 286–AT class computer equipped with DOS 3.3 or better may run BFSS. The Bioremediation Field Initiative database also has appeared in the Bioremediation in the Field bulletin, published quarterly and distributed to approximately 3,500 addressees who have registered for Bioremediation Field Initiative mailings. Each site contains contact information for one or more individuals associated with the regulatory authority or application of bioremediation technology at the site. Remediation professionals may contact individuals with common site conditions to share information. Summary statistics may be drawn from the database to elucidate trends in bioremediation.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15.

The EPA would like to solicit comments to:

(i) evaluate whether the proposed collection of information is necessary for the proper performance of the

functions of the agency, including whether the information will have practical utility;

(ii) evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(iii) enhance the quality, utility, and clarity of the information to be collected; and

(iv) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

*Burden Statement:* The following burden figures are taken from the currently approved ICR (Attachment A):

| Respondent type | Burden hours |
|---|---|
| First-time respondents | 5.0 |
| Update respondents | 1.0 |
| No-change respondents | 0.5 |
| Nonrespondents | 0.25 |
| Total | 6.75 |

| Respondents type | Respondents | | | |
|---|---|---|---|---|
| | Period one | Period two | Yearly | Total burden hours |
| First-time respondents | 50 | 50 | 100 | 500.0 |
| Update respondents | 499 | 482 | 931 | 931.0 |
| No-change respondents | 129 | 139 | 268 | 134.0 |
| Nonrespondents | 102 | 110 | 212 | 53.0 |
| Total | 730 | 781 | 1511 | 1618.0 |

(First-time respondents fill out a questionnaire for the first time, entering data for a site not previously included in the Bioremediation Field Initiative database. Update respondents receive a questionnaire containing the current record of site data in the Bioremediation Field Initiative database and enter information to make the information current. No-change respondents receive a questionnaire containing the current record of site data in the Bioremediation Field Initiative database, review the information and find that it is current; therefore, they need not modify information to make the site current. Nonrespondents receive the questionnaire, review it, and elect not to respond.)

Each year, the burden figures increase somewhat, as first-time respondents are added to the database. In subsequent years, first-time respondents will be divided among the other respondent types. This growth is offset slightly as sites are removed from the data collection cycle—most typically if the site activity is completed, but for other reasons as well.

For the purposes of this burden estimate, burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purpose of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information, search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

Dated: December 20, 1996.

Robert A. Olexsey,

*Director, LRPCD.*

[FR Doc. 96–33263 Filed 12–30–96; 8:45 am]

BILLING CODE 6560–50–M

**[FRL–5673–1]**

## California State Nonroad Engine and Vehicle Pollution Control Standards; Authorization of State Standards; Notice of Decision

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

**ACTION:** Notice regarding authorization of state standards.

**SUMMARY:** EPA is authorizing California to enforce regulations for exhaust emission standards and test procedures for nonroad recreational vehicles and engines including: off-road motorcycles, all-terrain vehicles (ATVs), golf carts, go-karts 25 horsepower and above, and specialty vehicles less than 25 horsepower; pursuant to section 209(e) of the Clean Air Act.

**ADDRESSES:** The Agency's decision document containing an explanation of the Administrator's decision, as well as all documents relied upon in reaching that decision, including those submitted by the California Air Resources Board (CARB), are available for public inspection in the Air and Radiation Docket and Information Center in Docket A–95–17 during the working hours of 8:00 a.m. to 5:30 p.m., at the Environmental Protection Agency, Air Docket (6102), Room M–1500, Waterside Mall, 401 M Street, S.W., Washington, D.C. 20460. Copies of the decision can be obtained from EPA's Vehicle Program and Compliance Division by contacting David Dickinson, as noted below.

**FOR FURTHER INFORMATION CONTACT:** David Dickinson, Attorney/Advisor, Vehicle Program and Compliance Division (6405J), U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460. Telephone: (202)233–9256. Electronic mail: dickinson.david@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** I have decided to authorize California to enforce regulations for standards and test procedures for nonroad engines and vehicles pursuant to section 209(e) of the Clean Air Act, as amended (Act), 42 U.S.C. 7543. These regulations establish exhaust emission standards and test procedures for off-road motorcycles and

ATVs produced on or after January 1, 1997, establish a zero-emission standard for golf carts produced on or after January 1, 1997, establish exhaust emission standards and test procedures for go-karts 25 horsepower and above produced on or after January 1,1997, and established that specialty vehicles less than 25 horsepower and under, produced on or after January 1, 1995 (please see the discussion below for when enforcement of standards for such vehicles may take place), comply with the current exhaust emission standards applicable to utility equipment engines in California and further comply with a second tier of standards commencing January 1, 1999. A comprehensive description of these California regulations can be found in the decision document for this authorization and in materials submitted by CARB.

On the basis of the record before me, I cannot make the findings required to deny authorization under section 209(e)(2) of the Act. Therefore, I am authorizing California to enforce these regulations.

On June 21, 1995, EPA published a notice of opportunity for a public hearing and a request for written comments concerning an authorization request received from the California Air Resources Board (CARB).[1] EPA received no request for a hearing and therefore no hearing was held. EPA received written comments from the New York State Department of Environmental Conservation, Toro Company, Ransomes Cushman Ryan, and CARB. Consequently, this determination is based on the written submissions from CARB, the written comments submitted in response to the above-mentioned notice, and all other relevant information.[2]

Section 209(e) of the Act as amended, 42 U.S.C. 7543(e), addresses state regulation of nonroad engines and vehicles. EPA issued on July 20, 1994 a final regulation to implement section 209(e).[3] Section 209(e)(1) preempts states from regulating new engines which are used in construction equipment or vehicles or used in farm equipment or vehicles and which are smaller than 175 horsepower and new locomotives or new engines used in locomotives. The section 209(e) regulation sets forth definitions for these preempted categories of engines.

For those pieces of equipment or vehicles other than those a State is permanently preempted from regulating under section 209(e)(1), the State of California may promulgate standards regulating such equipment or vehicles provided California complies with section 209(e)(2). The section 209(e) rule provides that if certain criteria are met, the Administrator shall authorize California to adopt and enforce standards and other requirements relating to the control of emissions from such vehicles or equipment. The criteria include consideration of whether California arbitrarily and capriciously determined that its standards are, in the aggregate, at least as protective of public health and welfare as applicable Federal standards; whether California needs state standards to meet compelling and extraordinary conditions; and whether California's standards and accompanying enforcement procedures are consistent with section 209.

California determined that its standards and test procedures would not cause California emission standards, in the aggregate, to be less protective of public health and welfare as the applicable Federal standards. Information presented to me by parties opposing California's authorization request did not demonstrate that California arbitrarily or capriciously reached this protectiveness determination. Therefore, I cannot find California's determination to be arbitrary or capricious.

CARB has continually demonstrated the existence of compelling and extraordinary conditions justifying the need for its own motor vehicle pollution control program. In addition, CARB provided information regarding actions taken by the California Legislature in an effort to address the current air quality conditions in California, directing CARB to consider adopting regulations for off-road engines. No information has been submitted to demonstrate that California no longer has a compelling and extraordinary need for its own program. Based on previous showings in the context of nonroad authorizations and CARB's submissions to the record regarding the status of air quality in the state, I agree that compelling and extraordinary conditions warrant the need for California's own emissions program. Thus, I cannot deny the waiver on the basis of the lack of compelling and extraordinary conditions.

CARB has submitted information that the requirements of its emission standards and test procedures do not violate the permanent preemption provisions of section 209(e)(1), do not violate the motor vehicle preemption provisions of section 209(a), and are technologically feasible and present no inconsistency with Federal requirements and are, therefore, consistent with section 209 of the Act.

No information has been submitted to demonstrate that California did not satisfy its burden of demonstrating that its emission standards and test procedures do not violate section 209(e)(1). No information has been submitted to demonstrate that California's emission standards and test procedures violate section 209(a). Information submitted to me by parties opposing California's authorization request did not satisfy the burden of persuading EPA that the standards are not technologically feasible within the available lead time, considering costs. In addition, no information has been submitted to demonstrate that California's certification test procedures are inconsistent with Federal certification test procedures. Accordingly, I cannot make the determinations required for a denial of this authorization request under section 209(e) of the Act, and therefore, I authorize the State of California to enforce these regulations.

As explained in the decision document noted above and by the section 209(e) regulation, California can not enforce its standards and test procedures for recreational vehicles until it receives authorization from EPA. Therefore, California is now authorized to enforce its standards and test procedures for specialty vehicles below 25 horsepower and to enforce its standards and test procedures for other recreational vehicles according to the enforcement dates set forth within the recreational vehicle regulation.

My decision will affect not only persons in California but also the manufacturers outside the State who must comply with California's requirements in order to produce nonroad vehicle engines for sale in California. For this reason, I hereby determine and find that this is a final action of national applicability.

Under section 307(b)(1) of the Act, judicial review of this final action may be sought only in the United States Court of Appeals for the District of Columbia Circuit. Petitions for review must be filed by March 3, 1997. Under section 307(b)(2) of the Act, judicial review of this final action may not be obtained in subsequent enforcement proceedings.

As with past waiver decisions, this action is not a rule as defined by Executive Order 12866. Therefore, it is exempt from review by the Office of Management and Budget as required for rules and regulations by Executive Order 12866.

[1] 60 FR 32314 (June 21, 1995).

[2] This information is contained in Docket A–95–17.

[3] See 59 FR 36969 (July 20, 1994) codified at 40 C.F.R. Part 85, Subpart Q, §§ 85.160–85.1606.

In addition, this action is not a rule as defined in the Regulatory Flexibility Act, 5 U.S.C. 6601(2). Therefore, EPA has not prepared a supporting regulatory flexibility analysis addressing the impact of this action on small business entities.

Finally, the Administrator has delegated the authority to make determinations regarding authorizations under section 209(e) of the Act to the Assistant Administrator for Air and Radiation.

Dated: December 23, 1996.

Richard D. Wilson,

*Acting Assistant Administrator for Air and Radiation.*

[FR Doc. 96–33260 Filed 12–30–96; 8:45 am]

BILLING CODE 6560–50–P

**[FRL–5672–9]**

## Proposed Settlement Agreement; Ozone Nonattainment Areas; 15% VOC FIPs for Washington, D.C., Baltimore MD, and Philadelphia PA

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

**ACTION:** Notice of proposed settlement agreement.

**SUMMARY:** In accordance with Section 113(g) of the Clean Air Act (''Act''), as amended, 42 U.S.C. 7413(g), notice is hereby given of a proposed settlement agreement concerning litigation instituted against the Environmental Protection Agency (''EPA'') by the Sierra Club Legal Defense Fund, et. al. The lawsuit concerns EPA's alleged failure to perform a nondiscretionary duty with respect to promulgating a federal implementation plan (''FIP'') to reduce volatile organic compound (''VOC'') emissions by fifteen percent [15%] from 1990 levels, under Act section 182(b)(1), in the Washington, D.C., Baltimore MD, and Philadelphia ozone nonattainment areas.

For a period of thirty [30] days following the date of publication of this notice, the Agency will receive written comments relating to the settlement agreement. EPA or the Department of Justice may withhold or withdraw consent to the proposed settlement agreement if the comments disclose facts or circumstances that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act.

Copies of the settlement agreement are available from Phyllis Cochran, Air and Radiation Division (2344), Office of General Counsel, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, D.C. 20460, (202) 260–7606. Written comments should be sent to Howard J. Hoffman at the above address and must be submitted on or before January 30, 1997.

Dated: December 24, 1996.

Scott C. Fulton,

*Acting General Counsel.*

[FR Doc. 96–33266 Filed 12–30–96; 8:45 am]

BILLING CODE 6560–50–M

## ENVIRONMENTAL PROTECTION AGENCY (EPA)

**[FRL–5672–4]**

## Gulf of Mexico Program's Joint Policy Review Board and Management Committee Meeting

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

**ACTION:** Notice of meeting of the Joint Policy Review Board and Management Committee of the Gulf of Mexico Program.

**SUMMARY:** The Gulf of Mexico Program's Joint Policy Review Board and Management Committee will hold a meeting at the Doubletree Hotel, New Orleans, Louisiana.

**FOR FURTHER INFORMATION CONTACT:** James D. Giattina, Director, Gulf of Mexico Program Office, Building 1103, Room 202, John C. Stennis Space Center, Stennis Space Center, MS 39529–6000, at (601) 688–3726.

**SUPPLEMENTARY INFORMATION:** A meeting of the Joint Policy Review Board and Management Committee of the Gulf of Mexico Program will be held at the Doubletree Hotel, 300 Canal Street, New Orleans, LA. The committee will meet from 10:00 a.m. to 3:00 p.m. on January 29. Agenda items will include: Overview of the GMP Process Model; Management Committee Organizational Recommendations; Hypoxia; Shellfish; and Education and Outreach. The meeting is open to the public.

James D. Giattina,

*Director, Gulf of Mexico Program.*

POLICY REVIEW BOARD & MANAGEMENT COMMITTEE MEETING—AGENDA JANUARY 29, 1997

| | Topic | Lead | Desired outcome |
|---|---|---|---|
| Tuesday, January 29: | | | |
| 10:00–10:15 am | Welcome—Review of the Meeting Objectives and Agenda | Jan Saginaw<br>Jimmy Palmer | Official opening of the meeting and identification of any final adjustments to the meeting agenda. |
| 10:15–10:30 am | Overview of the GMP Process Model | Jim Giattina | Consensus agreement between the partners on a formal workflow process model for the GMP. |
| 10:30–11:00 am | Presentation of the MC Organizational Recommendations | Roxane Dow<br>Stan Meiberg | Comprehensive understanding of the recommendations. |
| 11:00–11:45 am | Discussion—Organziational Recommendations | Roxane Dow<br>Stan Meiberg | Consensus agreement between the partners on a final organizational structure for the GMP. |
| 11:45–12:00 noon | Break<br>(Set-up Time for Working Lunch) | | |
| 12:00–12:45 pm | ''Hypoxia''<br>—Discusison of Current Plans and Activities for FY 97 | Hiram Boone—IMT<br>(Natural Resources Conservation Service) | Consensus agreement between the partners to move ahead on plans and activities presented. |
| 12:45–1:15 pm | ''Shellfish''<br>—Discussion of Current Plans and Activities for FY 97 | Tom Herrington—IMT<br>(Food & Drug Administration) | Consensus agreement between the partners to move ahead on plans and activities presented. |
| 1:15–1:30 pm | Break | | |

POLICY REVIEW BOARD & MANAGEMENT COMMITTEE MEETING—AGENDA JANUARY 29, 1997—Continued

| | Topic | Lead | Desired outcome |
|---|---|---|---|
| 1:30–1:45 pm | ''Education & Outreach'' —Discussion of Current Plans and Activities for FY 97 | Bob Baker—IMT (National Park Service) | Consensus agreement between the partners to move ahead on plans and activities presented. |
| 1:45–2:30 pm | Partners Roundtable —Discussion of Current and Emerging Opportunities to Enhance Program Success and Effectiveness | Jim Giattina | To promote an open exchange of ideas as to ways of seizing the maximum return on the partners investment in the GMP. |
| 2:30–3:00 pm | Summary of Meeting Agreements | Jim Giattina | Summary consensus on agreements and directions established. |
| 3:00 pm | Workshop Adjourned | | |

[FR Doc. 96–33265 Filed 12–30–96; 8:45 am]

BILLING CODE 6560–50–M

## FEDERAL EMERGENCY MANAGEMENT AGENCY

### Crisis Counseling Assistance and Training

**AGENCY:** Federal Emergency Management Agency.

**ACTION:** Notice.

**SUMMARY:** FEMA gives notice that the extension period for the Oklahoma regular crisis counseling program for disaster survivors of the Oklahoma City bombing is extended from 180 days to 11 months. The severity of the emotional trauma resulting from the bombing warrants an extension of an additional 11 months.

**EFFECTIVE DATE:** February 1, 1997.

**FOR FURTHER INFORMATION CONTACT:** Ron Goins, Human Services Division, Response and Recovery Directorate, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646–4677.

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA) is charged with coordinating Federal disaster assistance under the provisions of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (the Act) when the President has declared a major disaster. FEMA provided funding for a regular crisis counseling program to help those suffering the trauma resulting from the April 19, 1995, bombing of the Alfred P. Murrah Federal Building.

FEMA received a request from the State of Oklahoma to extend the otherwise applicable time limitations authorized by section 416 of the Act, so that the State can provide additional mental health services that are critically needed for citizens during the recovery operation. The extent of the emotional impact on all citizens of Oklahoma is of such magnitude that continuation of disaster mental health counseling beyond the normal crisis counseling time period is necessary.

The Director, Center for Mental Health Services (CMHS), as the delegate to FEMA for the Secretary, Department of Health and Human Services, helps FEMA implement crisis counseling training and assistance. FEMA believes there was a well-established need for continuation of the regular crisis counseling program beyond a 90-day extension. Based upon the sound CMHS recommendation, FEMA has approved an 11-month extension to the time period for the Oklahoma regular crisis counseling program.

(Catalog of Federal Domestic Assistance No. 83.516, Disaster Assistance.)

Dated: December 16, 1996.

Lacy Suiter,

*Associate Director.*

[FR Doc. 96–33126 Filed 12–30–96; 8:45 am]

BILLING CODE 6718–02–P

## FEDERAL RESERVE SYSTEM

### Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act, including whether the acquisition of the nonbanking company can ''reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices'' (12 U.S.C. 1843). Any request for a hearing must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal. Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than January 27, 1997.

A. Federal Reserve Bank of St. Louis (Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

*1. Pontotoc BancShares Corp.*, Pontotoc, Mississippi; to become a bank holding company by acquiring 100 percent of the voting shares of First National Bank of Pontotoc, Pontotoc, Mississippi.

B. Federal Reserve Bank of Dallas (Genie D. Short, Vice President) 2200 North Pearl Street, Dallas, Texas 75201-2272:

*1. Laguna Bancshares, Inc.*, Big Lake, Texas, and Laguna Bancshares of Delaware, Inc., Dover, Delaware; to

become bank holding companies by acquiring 100 percent of the voting shares of Big Lake Bank, N.A., Big Lake, Texas.

*2. Waggoner National Bancshares, Inc.*, Vernon, Texas, and Vernon Bancshares, Inc., Dover, Delaware; to become bank holding companies by acquiring 100 percent of the voting shares of The Waggoner National Bank of Vernon, Vernon, Texas.

C. Federal Reserve Bank of San Francisco (Kenneth R. Binning, Director, Bank Holding Company) 101 Market Street, San Francisco, California 94105:

*1. BSM Bancorp*, Santa Maria, California; to become a bank holding company by acquiring 100 percent of the voting shares of Bank of Santa Maria, Santa Maria, California.

*2. Bank SinoPac*, Taipei, Taiwan, Republic of China, and SinoPac Bancorp, Los Angeles, California; to become bank holding companies by acquiring 100 percent of the voting shares of Far East National Bank, Los Angeles, California.

Board of Governors of the Federal Reserve System, December 26, 1996.

William W. Wiles,

*Secretary of the Board.*

[FR Doc. 96–33301 Filed 12-30-96; 8:45 am]

BILLING CODE 6210-01-F

## 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 that engages either directly or through a subsidiary or other company, in a nonbanking activity that is listed in § 225.25 of Regulation Y (12 CFR 225.25) 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. Once the notice has been accepted for processing, it will also 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, including whether consummation of the proposal can ''reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices'' (12 U.S.C. 1843). Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

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 January 16, 1997.

A. Federal Reserve Bank of Chicago (James A. Bluemle, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

*1. Bank of Montreal*, Toronto, Canada; to engage *de novo* through its subsidiary, Cebra, Inc., Toronto, Canada, in providing mortgage lending software to potential borrowers and in data processing activities, pursuant to § 225.25(b)(7)) of the Board's Regulation Y.

Board of Governors of the Federal Reserve System, December 26, 1996.

William W. Wiles,

*Secretary of the Board.*

[FR Doc. 96–33300 Filed 12-30-96; 8:45 am]

BILLING CODE 6210-01-F

## Sunshine Act Meeting

**AGENCY HOLDING THE MEETING:** Board of Governors of the Federal Reserve System.

**TIME AND DATE:** 11:00 a.m., Monday, January 6, 1997.

**PLACE:** Marriner S. Eccles Federal Reserve Board Building, C Street entrance between 20th and 2lst Streets, N.W., Washington, D.C. 20551.

**STATUS:** Closed.

**MATTERS TO BE CONSIDERED:**

1. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.
2. Any items carried forward from a previously announced meeting.

**CONTACT PERSON FOR MORE INFORMATION:** Mr. Joseph R. Coyne, Assistant to the Board; (202) 452-3204. You may call (202) 452-3207, beginning at approximately 5 p.m. two business days before this meeting, for a recorded announcement of bank and bank holding company applications scheduled for the meeting.

Dated: December 27, 1996.

Jennifer J. Johnson,

*Deputy Secretary of the Board.*

[FR Doc. 96-33385 Filed 12-27-96; 3:03 pm]

BILLING CODE 6210-01-P

## FEDERAL TRADE COMMISSION

**[Dkt. C–3679]**

## Ford Motor Company; Prohibited Trade Practices, and Affirmative Corrective Actions

**AGENCY:** Federal Trade Commission.

**ACTION:** Consent order.

**SUMMARY:** In settlement of alleged violations of federal law prohibiting unfair or deceptive acts or practices and unfair methods of competition, this consent order prohibits, among other things, a Michigan-based automobile manufacturer from making any representation about the efficacy of any automotive cabin air filter in the reduction or removal of pollutants, unless such representations are true and the respondent possesses reliable and competent scientific evidence to substantiate such representations.

**DATES:** Complaint and Order issued August 22, 1996.[1]

**FOR FURTHER INFORMATION CONTACT:** Linda Badger, Federal Trade Commission, San Francisco Regional Office, 901 Market Street, Suite 570, San Francisco, CA 94103, (415) 356–5270.

**SUPPLEMENTARY INFORMATION:** On Thursday, April 18, 1996, there was published in the Federal Register, 61 FR 16920, a proposed consent agreement with analysis In the Matter of Ford Motor Company, for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of the order.

A comment was filed and considered by the Commission. The Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered an order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

[1] Copies of the Complaint and the Decision and Order are available from the Commission's Public Reference Branch, H–130, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45)

Benjamin I. Berman,

*Acting Secretary.*

[FR Doc. 96–33288 Filed 12–30–96; 8:45 am]

BILLING CODE 6750–01–M

**[Dkt. C–3695]**

## Hyde Athletic Industries, Inc.; Prohibited Trade Practices, and Affirmative Corrective Actions

**AGENCY:** Federal Trade Commission.

**ACTION:** Consent Order.

**SUMMARY:** In settlement of alleged violations of federal law prohibiting unfair or deceptive acts or practices and unfair methods of competition, this consent order prohibits, among other things, a Massachusetts-based corporation from misrepresenting that footwear made wholly abroad is made in the United States, and the consent order contains a provision indicating that the respondent would not be in violation of the order if the company makes truthful statements concerning domestic production of footwear, as long as it is accompanied by certain disclosures.

**DATES:** Complaint and Order issued December 4, 1996[1].

**FOR FURTHER INFORMATION CONTACT:** C. Steven Baker, Federal Trade Commission, Chicago Regional Office, 55 East Monroe St., Suite 1860, Chicago, IL 60603. (312) 353–8156.

**SUPPLEMENTARY INFORMATION:** On Wednesday, September 18, 1996, there was published in the Federal Register, 61 FR 49141, a proposed consent agreement with analysis In the Matter of Hyde Athletic Industries, Inc., for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of the order.

No comments having been received, the Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered an order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

[1] Copies of the Complaint, the Decision and Order, and Commissioner Starek's statement are available from the Commission's Public Reference Branch, H–130, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46, Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45).

Benjamin I. Berman,

*Acting Secretary.*

[FR Doc. 96–33282 Filed 12–30–96; 8:45 am]

BILLING CODE 6750–01–M

**[Dkt. C–3697]**

## NGC Corporation; Prohibited Trade Practices, and Affirmative Corrective Actions

**AGENCY:** Federal Trade Commission.

**ACTION:** Consent order.

**SUMMARY:** In settlement of alleged violations of federal law prohibiting unfair or deceptive acts or practices and unfair methods of competition, this consent order permits, among other things, NGC Corporation (''NGC''), a Texas-based corporation, to acquire certain natural gas transportation and processing assets from Chevron Corporation, and requires NGC to divest the Mont Belvieu I plant to a Commission-approve buyer. If the transaction is not completed as specified, the consent order requires the respondent to agree to a Commission-appointed trustee.

**DATES:** Complaint and Order issued December 12, 1996.[1]

**FOR FURTHER INFORMATION CONTACT:** Arthur, Nolan, FTC/S–2105, Washington, D.C. 20580. (202) 326–2615.

**SUPPLEMENTARY INFORMATION:** On Monday, September 16, 1996, there was published in the Federal Register, 61 FR 48697, a proposed consent agreement with analysis In the Matter of NGC Corporation, for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions, or objections regarding the proposed form of the order.

No comments having been received, the Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered an order to divest, as set forth in the propose consent agreement, in disposition of this proceeding.

[1] Copies of the Complaint and the Decision and Order are available from the Commission's Public Reference Branch, H–130, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 7, 38 Stat. 731, as amended; 15 U.S.C. 45, 18)

Benjamin I. Berman,

*Acting Secretary.*

[FR Doc. 96–33280 Filed 12–30–96; 8:45 am]

BILLING CODE 6750–01–M

**[Dkt. C–3675]**

## NordicTrack, Inc.; Prohibited Trade Practices, and Affirmative Corrective Actions

**AGENCY:** Federal Trade Commission.

**ACTION:** Consent Order.

**SUMMARY:** In settlement of alleged violations of federal law prohibiting unfair or deceptive acts or practices and unfair methods of competition, this consent order prohibits, among other things, a Minnesota-based manufacturer of exercise equipment from misrepresenting the benefits, efficacy, or performance of such products in promoting weight loss or weight maintenance, and requires the respondent to possess reliable evidence to substantiate such claims in the future.

**DATES:** Complaint and Order issued June 17, 1996.[1]

**FOR FURTHER INFORMATION CONTACT:** Kerry O'Brien, Federal Trade Commission, San Francisco Regional Office, 901 Market Street, Suite 570, San Francisco, CA 94103. (415) 356–5270.

**SUPPLEMENTARY INFORMATION:** On Thursday, February 29, 1996, there was published in the Federal Register, 61 FR 7795, a proposed consent agreement with analysis In the Matter of NordicTrack, Inc., for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of the order.

A comment was filed and considered by the Commission. The Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered an order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45)

Benjamin I. Berman,

*Acting Secretary.*

[FR Doc. 96–33289 Filed 12–30–96; 8:45 am]

BILLING CODE 6750–01–M

[1] Copies of the Complaint and the Decision and Order are available from the Commission's Public Reference Branch, H–130, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580.

**[Dkt. C–3682]**

## Precision Moulding Co., Inc.; Prohibited Trade Practices, and Affirmative Corrective Actions

**AGENCY:** Federal Trade Commission.

**ACTION:** Consent order.

**SUMMARY:** In settlement of alleged violations of federal law prohibiting unfair or deceptive acts or practices and unfair methods of competition, this consent order prohibits, among other things, a California-based supplier of wood products used to construct frames for artists' canvases from requesting, suggesting, urging or advocating that any competitor raise, fix or stabilize prices or price levels, and from entering into any agreement or conspiracy to fix, raise or maintain prices.

**DATES:** Complaint and Order issued September 3, 1996.[1]

**FOR FURTHER INFORMATION CONTACT:** Michael Antalics, FTC/S–2627, Washington, D.C. 20580. (202) 326–2821.

**SUPPLEMENTARY INFORMATION:** On Tuesday, June 25, 1996, there was published in the Federal Register, 61 FR 32824, a proposed consent agreement with analysis In the Mater of Precision Moulding Co., Inc., for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of the order.

No comments having been received, the Commission has order the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered an order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

(Sec. 6,38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45)

Benjamin I. Berman,

*Acting Secretary.*

[FR Doc. 96–33285 Filed 12–30–96; 8:45 am]

BILLING CODE 6750–01–M

[1] Copies of the Complaint and the Decision and Order are available from the Commission's Public Reference Branch, H–130, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580.

**[Dkt. C–3681]**

## Raytheon Company; Prohibited Trade Practices, and Affirmative Corrective Actions

**AGENCY:** Federal Trade Commission.

**ACTION:** Consent order.

**SUMMARY:** In settlement of alleged violations of federal law prohibiting unfair or deceptive acts or practices and unfair methods of competition, this consent order requires, among other things, a Massachusetts-based high technology company to erect an information ''firewall'' for the duration of the Navy competition, and prohibits the dissemination of any non-public information concerning Raytheon's procurement of Chrysler Technologies Holding, Inc. (''CTH'') officials or employees, or receiving any non-public information concerning the bid.

**DATES:** Compliant and Order issued September 3, 1996.[1].

**FOR FURTHER INFORMATION CONTACT:** James Holden, FTC/S–2308, Washington, D.C. 20580. (202) 326–2963.

**SUPPLEMENTARY INFORMATION:** On Thursday, June 20, 1996, there was published in the Federal Register, 61 FR 31526, a proposed consent agreement with analysis In the Matter of Raytheon Company, for the purpose of soliciting publish comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of the order.

No comments having been received, the Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered an order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46, Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 7, 38 Stat. 731, as amended; 15 U.S.C. 45, 18)

Benjamin I. Berman,

*Acting Secretary.*

[FR Doc. 96–33286 Filed 12–30–96; 8:45 am]

BILLING CODE 6750–01–M

[1] Copies of the Compliant and the Decision and Order are available from the Commission's Public Reference Branch, H–130, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580.

**[Dkt. C–3696]**

## RBR Productions, Inc., et al.; Prohibited Trade Practices, and Affirmative Corrective Actions

**AGENCY:** Federal Trade Commission.

**ACTION:** Consent order.

**SUMMARY:** In settlement of alleged violations of federal law prohibiting unfair or deceptive acts or practices and unfair methods of competition, this consent order prohibits, among other things, a New Jersey-based company and its officer from misrepresenting the health, safety and environmental benefits of its beauty salon disinfectant products and aerosol spray, and requires the respondents to possess reliable and competent scientific evidence to substantiate such representations.

**DATES:** Complaint and Order issued December 10, 1996.[1]

**FOR FURTHER INFORMATION CONTACT:** Janet Evans, FTC/S–4002, Washington, D.C. 20580. (202) 326–2125.

**SUPPLEMENTARY INFORMATION:** On Friday, August 16, 1996, there was published in the Federal Register, 61 FR 42616, a proposed consent agreement with analysis in the Matter of RBR Productions, Inc., et al., for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of the order.

No comments having been received, the Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered an order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45)

Benjamin I. Berman,

*Acting Secretary.*

[FR Doc. 96–33281 Filed 12–30–96; 8:45 am]

BILLING CODE 6750–01–M

[1] Copies of the Complaint and the Decision and Order are available from the Commission's Public Reference Branch, H–130, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 10580.

**[Dkt. 9274]**

## RustEvader Corporation, et al.; Prohibited Trade Practices, and Affirmative Corrective Actions

**AGENCY:** Federal Trade Commission.

**ACTION:** Consent Order.

**SUMMARY:** In settlement of alleged violations of federal law prohibiting unfair or deceptive acts or practices and unfair methods of competition, this consent order prohibits, among other things, David F. McCready, a Pennsylvania-based former owner and officer of RustEvader Corporation, from representing that the products he markets are effective in preventing or substantially reducing corrosion in motor vehicle bodies or making any representation concerning the performance, efficacy or attributes of such products, unless such representations are true and the respondent possesses competent and

reliable evidence to substantiate such claims, and from misrepresenting the existence or results of any test or study. In addition, the consent order requires the respondent to pay $200,000 in consumer redress.

**DATES:** Complaint issued August 30, 1995. Order issued October 30, 1996.[1]

**FOR FURTHER INFORMATION CONTACT:** Michael Milgrom, Federal Trade Commission, Cleveland Regional Office, 668 Euclid Avenue, Suite 520–A, Cleveland, OH. 44144. (216) 522–4210.

**SUPPLEMENTARY INFORMATION:** On Tuesday, July 9, 1996, there was published in the Federal Register, 61 FR 36065, a proposed consent agreement with analysis In the Matter of RustEvader Corporation, et al., for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of the order.

A comment was filed and considered by the Commission. The Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered an order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45)

Benjamin I. Berman,

*Acting Secretary.*

[FR Doc. 96–33283 Filed 12–30–96; 8:45 am]

BILLING CODE 6750–01–M

[1] Copies of the Complaint and the Decision and Order are available from the Commission's Public Reference Branch, H–130, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580.

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**[Dkt. C–3699]**

## Telebrands Corp., et al.; Prohibited Trade Practices, and Affirmative Corrective Actions

**AGENCY:** Federal Trade Commission.

**ACTION:** Consent order.

**SUMMARY:** In settlement of alleged violations of federal law prohibiting unfair or deceptive acts or practices and unfair methods of competition, this consent order prohibits, among other things, a Virginia-based mail order company and its officer from representing that their antenna improves television and radio reception, provides the best, crispest, clearest or most focused television reception achievable without cable installation, and requires any claim concerning the relative or absolute performance, attributes, or effectiveness of any product intended to improve a television's or radio's reception, sound, or image to be truthful and substantiated by competent and reliable evidence.

**DATES:** Complaint and Order issued December 13, 1996.[1]

**FOR FURTHER INFORMATION CONTACT:** Donald D'Amato, Federal Trade Commission, New York Regional Office, 150 William Street, 13th Floor, New York, N.Y. 10038–2063. (212) 264–1223.

**SUPPLEMENTARY INFORMATION:** On Tuesday, October 8, 1996, there was published in the Federal Register, 61 FR 52797, a proposed consent agreement with analysis In the Matter of Telebrands Corp., et al., for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of the order.

No comments have been received, the Commission has ordered the issuance of the compliant in the form contemplated by the agreement, made it jurisdictional findings and entered an order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45)

Benjamin I. Berman,

*Acting Secretary.*

[FR Doc. 96–33279 Filed 12–30–96; 8:45 am]

BILLING CODE 6750–01–M

[1] Copies of the Complaint and the Decision and Order are available from the Commission's Public Reference Branch, H–130, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580.

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**[Dkt. C–3680]**

## Young & Rubicam Inc.; Prohibited Trade Practices, and Affirmative Corrective Actions

**AGENCY:** Federal Trade Commission.

**ACTION:** Consent order.

**SUMMARY:** In settlement of alleged violations of federal law prohibiting unfair or deceptive acts or practices and unfair methods of competition, this consent order prohibits, among other things, a New York-based advertising agency from making any pollution-removal claims for Ford Motor Company's MicronAir Filtration System or any similar cabin air filtration system, unless such representations are true and the respondent possesses reliable and competent scientific evidence to substantiate such representations.

**DATES:** Complaint and Order issued August 22, 1996.[1]

**FOR FURTHER INFORMATION CONTACT:** Linda Badger, Federal Trade Commission, San Francisco Regional Office, 901 Market Street, Suite 570, San Francisco, CA 94103, (415) 356–5270.

**SUPPLEMENTARY INFORMATION:** On Thursday, April 18, 1996, there was published in the Federal Register, 61 FR 16922, a proposed consent agreement with analysis In the Matter of Young & Rubicam Inc., for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of the order.

A comment was filed and considered by the Commission. The Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered an order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45)

Benjamin I. Berman,

*Acting Secretary.*

[FR Doc. 96–33287 Filed 12–30–96; 8:45 am]

BILLING CODE 6750–01–M

[1] Copies of the Complaint and the Decision and Order are available from the Commission's Public Reference Branch, H–130, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580.

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**[Dkt. C–3686]**

## Zygon International, Inc.; Prohibited Trade Practices, and Affirmative Corrective Actions

**AGENCY:** Federal Trade Commission.

**ACTION:** Consent Order.

**SUMMARY:** In settlement of alleged violations of federal law prohibiting unfair or deceptive acts or practices and unfair methods of competition, this consent order prohibits, among other things, a Washington-based company and its owner, that manufacture and advertise learning accelerating, memory enhancing, weight loss, and vision improving products and devices, from making any claims concerning the performance, benefits, efficacy, or safety of any product or service they market, unless they possess competent and reliable evidence to substantiate such claims, and requires the respondents to pay $195,000 into escrow accounts for consumer redress programs.

**DATES:** Complaint and Order issued September 24, 1996.[1]

**FOR FURTHER INFORMATION CONTACT:** Dan Forbes, FTC/S–4002, Washington, D.C. 20580. (202) 326–2831.

**SUPPLEMENTARY INFORMATION:** On Wednesday, April 17, 1996, there was published in the Federal Register, 61 FR 16798, a proposed consent agreement with analysis In the Matter of Zygon International, Inc., for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of the order.

Comments were filed and considered by the Commission. The Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered an order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45, 52)

Benjamin I. Berman,

*Acting Secretary.*

[FR Doc. 96–33284 Filed 12–30–96; 8:45 am]

**BILLING CODE 6750–01–M**

[1] Copies of the Complaint and the Decision and Order are available from the Commission's Public Reference Branch, H–130, 6th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20580.

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### National Committee on Vital and Health Statistics: Meetings

Pursuant to the Federal Advisory Committee Act, the Department of Health and Human Services announces the following advisory committee meetings.

*Name:* National Committee on Vital and Health Statistics (NCVHS), Subcommittee on Privacy and Confidentiality.

*Times and Dates:* 9 a.m.–5 p.m.—January 13–14, 1997.

*Place:* Third Floor Meeting Room, Best Western-Key Bridge, 1850 North Fort Myer Drive, Arlington, VA 22209.

(The hotel is located one half block from the Rosslyn Metrorail station.)

*Times and Dates:* 9 a.m.–5 p.m.—February 3–4, 1997; 9 a.m.–5 p.m.—February 18–19, 1997.

*Place:* Hubert H. Humphrey Building, 200 Independence Avenue, SW, Room 503A, Washington, D.C. 20201.

(The Humphrey Building is located one block from Federal Center SW Metrorail station.)

*Status:* Open.

Purpose

Under the administrative simplification subtitle of the Health Insurance Portability and Accountability Act of 1996 (Pub. L. 104–191, section 264) the Secretary of Health and Human Services is required to submit a report to the Congress containing detailed recommendations on standards with respect to the privacy of individually identifiable health information. The report is due in August 1997.

The Secretary is required to consult the National Committee on Vital and Health Statistics in preparing these recommendations. As part of the consultation process the Committee will submit recommendations to the Secretary in the Spring of 1997. The Committee is holding hearings in the course of developing its recommendations.

The purpose of the hearings is to explore in detail the options, choices, and trade-offs that must be a part of any health privacy legislation. To the greatest extent possible, the discussion will focus on specific alternatives that have been identified in legislative proposals, on the consequences for patients and institutions of new rules for use and disclosure of health data, and on how legislation will operate in the real world. Issues will cover the full range of fair information practices, patient rights, limitations on use and disclosure of identifiable information, health identification number, preemption of state laws, and privacy-enhancing technology.

Specifically, comment will be sought on policies for the use and disclosure of individually-identifiable health information from the following types of entities and with respect to the following subject areas:

A. Public Health Agencies and Health Researchers.

B. Health System Oversight Activities (Public and Private) and Law Enforcement.

C. Health Care Providers; Claims Processors and other Intermediaries.

D. Insurers and Employers; Pharmaceutical Industry.

E. Federal Agencies; Social Welfare Agencies; Technology.

F. Privacy and Patient Interest Groups.

The Committee is inviting specific witnesses to address these issues.

Members of the public who wish to provide comments may do so in the form of written statements, to be received by the completion of the last meeting, addressed as follows: NCVHS Subcommittee on Privacy and Confidentiality, c/o Division of Data Policy, Office of the Assistant Secretary for Planning and Evaluation, U.S. Department of Health and Human Services, 440D Humphrey Building, 200 Independence Avenue, S.W., Washington, DC 20201, (for delivery services, address is 200 Independence Ave., SW)

The meetings are open to the public, with attendance limited to space available. There will be a period of time at the end of each day of hearings for members of the public to make oral statements, not exceeding 3 minutes in length, on the subjects being considered by the committee. Members of the pubic who wish to speak are asked to place their names on a list in the hearing room on the day of the meeting. The number of speakers will be limited by the time available, and speakers will be heard in the order in which they place their names on the list. Written comments are encourage; please provide 20 copies.

**NOTICE:** For meetings in the Humphrey Building please observe the following: In the interest of security, the Department has instituted stringent procedures for entrance to the Hubert H. Humphrey building by non-government employees. Thus, persons without a government identification card should plan to arrive at the building each day either between 8:30 and 9:00 a.m. or 12:20 and 1:00 p.m. so they can be escorted to the meeting. Entrance to the meeting at other times during the day cannot be assured.

**CONTACT PERSON FOR MORE INFORMATION:** Substantive program information as well as roster of committee members may be obtained from John P. Fanning, Office of the Assistant Secretary for Planning and Evaluation, DHHS, Room 440D Humphrey Building, 200 Independence Avenue S.W., Washington, D.C. 20201, telephone (202) 690–7100, e-mail jfanning@osaspe.dhhs.gov; or Marjorie S. Greenberg, Acting Executive Secretary, NCVHS, NCHS, CDC, Room 1100, Presidential Building, 6525 Belcrest Road, Hyattsville, Maryland 20782, telephone (301) 436–7050.

Dated: December 23, 1996.

James Scanlon,

*Director, Division of Data Policy, Office of the Assistant Secretary for Planning and Evaluation.*

[FR Doc. 96–33256 Filed 12–30–96; 8:45 am]

**BILLING CODE 4151–04–M**

## Health Resources and Services Administration

## Emergency Medical Services for Children Demonstration Grants

**AGENCY:** Health Resources and Services Administration (HRSA), DWHHS.

**ACTION:** Notice of availability of funds.

**SUMMARY:** The HRSA in collaboration with the National Highway Traffic Safety Administration (NHTSA) announces that approximately $4.1 million in fiscal year (FY) 1997 funds will be available for grants authorized under section 1910 of the PHS Act. These discretionary grants will be made to States or accredited schools of medicine to support projects for the expansion and improvement of emergency medical services for children (EMSC). Within the HRSA, EMSC grants are administered by the Maternal and Child Health Bureau (MCHB).

The NHTSA participated with the MCHB in developing program priorities for the EMSC program for FY 1997. The NHTSA will share the Federal monitoring responsibilities for EMSC awards made during FY 1997 and will continue to provide ongoing technical assistance and consultation in regard to the required collaboration/linkages between applicants and their Highway Safety Offices and Emergency Medical Services Agencies for the State(s). Grantees funded under this program are expected to work collaboratively with the State agency or agencies administering the Maternal and Child Health (MCH) and the Children with Special Health Needs (CSHN) programs under the MCH Services Block Grant, Title V of the Social Security Act (42 U.S.C. 701).

The PHS is committed to achieving the health promotion and disease prevention objectives of Healthy People 2000, a PHS led national activity for setting priority areas. The EMSC grant program will directly address the Healthy People 2000 objectives related to emergency medical services and trauma systems linking prehospital, hospital, and rehabilitation services in order to prevent trauma deaths and long-term disability. Potential applicants may obtain a copy of Healthy People 2000 (Full Report: Stock No. 017–001–00474–0) or Healthy People 2000 (Summary Report: Stock No. 017–001–00473–1) through the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402–9325 (telephone 202–783–3238).

The PHS strongly encourages all grant recipients to provide a smoke-free workplace and promote the non-use of all tobacco products. In addition, Public Law 103–227, the Pro-Children Act of 1994, prohibits smoking in certain facilities (or in some cases, any portion of a facility) in which regular or routine education, library, day care, health care or early childhood development services are provided to children.

**ADDRESSES:** Federal Register notices and application guidance for MCHB programs are available on the World Wide Web via the Internet at address: http://www.os.dhhs.gov/hrsa/mchb. Click on the file name you want to download to your computer. It will be saved as a self-extracting (Macintosh or) WordPerfect 5.1 file. To decompress the file once it is downloaded, type in the file name followed by a <return>. The file will expand to a WordPerfect 5.1 file.

For applicants for Emergency Medical Services for Children Demonstration Grants who are unable to access application materials electronically, a hard copy (Revised PHS form 5161–1, approved under OMB clearance number 0937–0189) must be obtained from the HRSA Grants Application Center. The Center may be contacted by: Telephone Number: 1–888–300–HRSA, FAX Number: 301–309–0579, E-mail Address: HRSA.GAC@ix.netcom.com. Completed applications should be returned to: Grants Management Officer (CFDA #93.127), HRSA Grants Application Center, 40 West Gude Drive, Suite 100, Rockville, Maryland 20850.

**DATES:** The application deadline date is April 11, 1997. Competing applications will be considered to be on time if they are either: (1) Received on or before the deadline date, or (2) postmarked on or before the deadline date and received in time for orderly processing. Applicants should request a legibly dated receipt from a commercial carrier or the U.S. Postal Service, or obtain a legibly dated U.S. Postal Service postmark. Private metered postmarks will not be accepted as proof of timely mailing.

Late competing applications or those sent to an address other than specified in the **ADDRESS** section will be returned to the applicant.

**FOR FURTHER INFORMATION:** Requests for technical or programmatic information from MCHB should be directed to Jean Athey, Ph.D., or Mark E. Nehring, D.M.D., M.P.H., Division of Maternal, Infant, Child and Adolescent Health, Maternal and Child Health Bureau, Health Resources and Services Administration, Room 18A–39, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, telephone 301–443–2250. Requests for technical or programmatic information from NHTSA should be directed to Garry Criddle, R.N., CDR, USCG/USPHS, Department of Transportation, NHTSA EMS Division, NTS–42, 400 Seventh Street SW, Washington, DC 20590, telephone 202–366–5440. Requests for information concerning fiscal, business or administrative management issues should be directed to: Maria Carter, Grants Management Specialist, Grants Management Branch, Maternal and Child Health Bureau, 5600 Fishers Lane, Room 18–12, Rockville, Maryland 20857, telephone 301–443–1440.

The EMSC program funds three national EMSC resource centers that are available to provide technical assistance and support to applicants, particularly in the areas of: (1) Understanding EMSC terminology; (2) developing a manageable approach to EMSC implementation; (3) obtaining local support for the grant application process; (4) facilitating development of community linkages for a collaborative effort; (5) identifying products of previously-funded EMSC projects of interest to potential applicants; (6) offering advice on grant writing; and (7) data collection and analysis. Applicants may contact: James Seidel, M.D., Ph.D., or Deborah Henderson, R.N., M.A., National EMSC Resource Alliance, Research and Education Institute, Harbor/UCLA Medical Center, 1001 West Carson Street, Suite S, Torrance, CA 90502, telephone 310–328–0720; or Jane Ball, R.N., Dr. P.H., EMSC National Resource Center, Children's National Medical Center, Emergency Trauma Services, 111 Michigan Ave., N.W., Washington, DC 20010, telephone 202–745–5188; or J. Michael Dean, M.D., National EMSC Data Analysis Resource Center, University of Utah School of Medicine, 309 Park Building, Salt Lake City, UT 84112, telephone 801–588–3280.

**SUPPLEMENTARY INFORMATION:**

### Program Background and Objectives

The Emergency Medical Services for Children statute (Section 1910 of the PHS Act, as amended) establishes a program of two-year grants to States, through a State-designated agency, or to accredited medical schools within States, for projects for the expansion and improvement of emergency medical services for children who need treatment for trauma or critical illness. For purposes of this grant program, the term ''State'' includes the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, the Northern Mariana

Islands, Guam, American Samoa, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia. The term ''school of medicine'' is defined as having the same meaning as set forth in Section 799(1)(A) of the PHS Act (42 U.S.C. 295p(1)(A)). ''Accredited'' in this context has the same meaning as set forth in section 799(1)(E) of the PHS Act (42 U.S.C. 295p(1)(E)). It is the intent of this grant program to stimulate further development or expansion of ongoing efforts in the States to reduce the problems of life-threatening pediatric trauma and critical illness. The Department does not intend to award grants which would duplicate grants previously funded under the Emergency Medical Services Systems Act of 1972 or which would be used simply to increase the availability of emergency medical services funds allotted to the State under the Preventive Health Services Block Grant.

Eligible Applicants

State governments and accredited schools of medicine are the only eligible applicants for funding under the EMSC program. It is anticipated that the application for planning and implementation funds will come, in most States, from the organization responsible for EMS for children, which will most likely be the Emergency Medical Services agency in the State. Because the purpose of the partnership grants is to solidify the integration of a pediatric perspective within the basic EMS system, the only eligible applicant for that category is the State EMS agency, unless the State specifically requests and designates another State entity or a school of medicine and provides a convincing justification for doing so. Because of the importance of linking EMS activities with the system of care for children, the involvement of the State MCH program in all grant categories is strongly encouraged. Such involvement could be demonstrated either by a co-signed application or by a letter of support.

If the applicant is a school of medicine, the application must be endorsed by the State EMS office. The State's endorsement constitutes an acknowledgement that the applicant has consulted with the State and that the State has been assured that the applicant will work with the State on the proposed project. No application from a school of medicine will be considered for funding without the endorsement. Further information on application endorsements can be found in the program guidance. Any State (or medical school within that State) may apply for any category of grant, subject to the following considerations:

- For Category (1) Planning Grants, States (or medical schools within those States) that have received prior EMSC State systems grants may not apply for a planning grant.
- For Category (2) Implementation Grants, applications from States (and medical schools within those States) that have not previously received EMSC program funds, or that have received only partial support under this program as part of a regional alliance, will receive preference for funding in this category. This means that approved applications from States (and medical schools within those States) with no or very limited prior EMSC program support will be funded ahead of approved applications from outside this group.
- For Category (3) State Partnership Grants, States that have previously received EMSC funds may apply for a State partnership grant, as long as they will not also be receiving implementation or ''enhancement'' funds during the project period of the partnership grant. States that have not previously received EMSC funds are advised to apply first for planning category funds.
- For Category (4) Targeted Issues Grants, eligibility is not affected by previous receipt of other EMSC funding.

Funding of an application for a planning grant or for an implementation grant bars a State from future competitions for that category.

*Funding Categories*

There will be four categories of competition for funding this year: State planning grants, State implementation grants, State partnership grants, and targeted issue grants.

Category (1): State Planning Grants

Planning grants are intended for States that have never received an EMSC grant and that are not at a stage of readiness to initiate a full-scale implementation project. States (or medical schools within those States) that have not received prior EMSC implementation grants are the only applicants eligible for this category. Planning grants are designed to enable a State to assess needs and develop a strategy to begin to address those needs. Funds may be used to hire staff to assist in the assessment of EMSC needs of the State; obtain technical assistance from national, State, regional or local resources; help formulate a State plan for the integration of EMSC services into the existing State EMS plan; and conduct a needs assessment. A comprehensive approach, addressing physical, psychological, and social aspects of EMSC along the continuum of care, should be reflected. An ongoing working relationship with Federal EMSC program staff and resource center staff, beginning with the initiation of a planning grant application, is desirable. The project period is one year.

Category (2): State Implementation Grants

Implementation grants will improve the capacity of a State's EMS program to address the particular needs of children. Implementation grants are used to assist States in integrating research-based knowledge and state-of-the-art systems development approaches into the existing State EMS, MCH and CSHN systems, using the experience and products of previous EMSC grantees. The program components of these grants should reflect the goals of the MCHB/NHTSA Five Year Plan for EMSC. This plan outlines the direction of the EMSC program and identifies specific objectives for the program. It builds on the 1993 report for EMSC conducted by a blue ribbon Institute of Medicine panel. The plan will be included with the application kit. Depending upon the appropriation of funds, project periods are up to two years.

Proposals are sought which include strategies and/or models to ensure that pediatric emergency care is family centered. ''Family centered'' includes the following key elements: maximum possible involvement of families in all phases of the EMSC continuum of care; clear and continuous communication between family members and the emergency care team; attention to the psychological needs of all family members; cultural competence of providers; consumer (parental) involvement in planning and needs assessment; organizational support for the formation of parent involvement groups; and ongoing partnerships with such groups. For this competition, we intend to fund applications from States (and medical schools within those States) that have not as yet received support, or that have received only partial support under this program as part of a regional alliance. This means that approved applications from States (and medical schools within those States) with no or very limited prior EMSC program support will be funded before approved applications from outside this group.

Applications will not be accepted for both planning grants and state implementation grants simultaneously from the same State.

Category (3): State Partnership Grants

State partnership grants will fund activities that represent the next logical step or steps to take to institutionalize EMSC within EMS and to continue to improve and refine EMSC. The program components of these grants should reflect the goals and objectives of the MCHB/NHTSA Five Year Plan for EMSC. For example, funding might be used to improve linkages between local and regional or State agencies, to develop pediatric standards for a region, or to assure effective field triage of the child in physical or emotional crisis to appropriate facilities and/or other resources. States that have previously received EMSC funds may apply for a State partnership grant, as long as they will not also be receiving continuation funding for a State implementation grant or a previously awarded ''System Enhancement Grant'' during the project period of the State partnership grant. The project period is up to two years, depending upon the availability of funds.

Category (4): Targeted Issue Grants

The fourth funding category is that of targeted issue grants on topics of importance to EMSC. Targeted issue grants are intended to address specific, focused issues related to the development of EMSC capacity. Proposals under this category must have a well-conceived methodology for evaluation of the impact of the activity. The EMSC Five Year Plan identifies several activities judged to be appropriate for support through targeted issue grants for FY 1997. They include the following:

*1. Cost-Benefit Analyses Related to EMSC*

Very little information is available on the costs related to different aspects of EMSC, and yet such information is critical to decision making. Projects in this category may include topics such as the following:

- Evaluation of the cost effectiveness of different EMSC program configurations (such as different approaches to medical control, categorization, and regionalization).
- Assessment of the marginal incremental cost of different approaches to improving EMSC.
- Evaluation of the benefits vs. costs of different treatment modalities.

*2. Implications of Managed Care for EMSC*

The changes in reimbursement mechanisms due to managed care are having profound effects on the provision of medical care. It is unclear how these changes may affect pediatric emergency care. Projects in this category may include topics such as:

- Analyses of the impact of managed care and other financing mechanisms on pediatric emergency medical services.
- Analyses of the impact of differing reimbursement policies in contiguous jurisdictions on pediatric patients.
- Demonstrations and analyses of collaborative activities with managed care plans designed to improve access and/or quality of pediatric emergency care.

*3. Evaluations of EMSC Components*

If EMSC is to improve and provide quality services, evaluation is critical. Projects in this category may include topics such as:

- Development of quality standards for the care of children within the EMS system and analyses of how well the system performs.
- Pilot testing and evaluation of model quality improvement programs in EMS/EMSC.
- Models to determine if the right patients are getting to the right levels of care.
- Analyses of outcomes for children using EMS systems.
- National study to identify and document the extent to which EMSC components have been implemented in each State.

*4. Risk-Taking Behaviors of Children and Adolescents*

EMS and emergency department health professionals are uniquely positioned to provide interventions to reduce the incidence of injuries or medical conditions (e.g., noncompliant child or adolescent with a chronic condition, such as diabetes) resulting from risk-taking behavior. Projects in this category can be directed to development and evaluation of materials and strategies in one of the following areas:

- Unintentional injury prevention
- Violence or suicide prevention
- Illegal drug usage
- Integration of mental health services with preventive interventions (injury or medical)

Projects are especially sought to develop, implement, and evaluate model guidelines for emergency departments to use following injury to reduce risk-taking behaviors. Projects are also sought that link prevention with managed care quality indicators.

*5. Models for Improving the Care of Culturally Distinct Populations*

Health care providers are often required to meet the needs of culturally and ethnically distinct children and families, but little training is provided in this area. Projects in this category can be directed to one or more of the following:

- Development, implementation and evaluation of education and training programs in cultural sensitivity for prehospital providers, nurses, and physicians.
- Development (or translation), implementation, and evaluation of discharge, injury prevention and health care materials for low literacy populations and for culturally and/or ethnically distinct populations.

*6. Children's Emergencies in Disasters*

Local, regional, and State disaster plans typically do not address the training and equipment necessary to meet the special needs of children in disasters. Projects in this category should seek to overcome these deficiencies and assess the outcome. Curricula are not being solicited in this category. Examples of projects appropriate for this category include the following:

- Development and evaluation of a strategy to integrate pediatrics into existing disaster plans, in particular focusing on the following components: Training, equipment, psychosocial support, system access and cost reimbursement, shelter services, and mitigation.
- Identification of key data to be collected and analysis of data on children's health and mental health needs in disasters.

*7. Coordination Between Primary Care Providers and EMSC*

Primary care providers are important partners on the EMSC team; however, their role is often overlooked, particularly with respect to injury prevention, emergency care, and discharge planning. Projects in this category may include topics that promote collaboration between primary care providers and EMS, including topics such as the following:

- Implementation and evaluation of model programs designed to improve a primary care provider's office-preparedness to handle increased patient acuity and emergencies.
- Development and evaluation of an information system to provide access to patient information and to enhance communication and coordination between emergency care providers and primary care providers.

Proposals may be submitted on emerging issues that are not included in the above list. However, any such proposal must demonstrate relevance to

the EMSC Five Year Plan and must make a persuasive argument that the issue is particularly critical. The justification provided should clearly link the activities in the application with the Plan's objectives. The project period is up to two years, depending upon the availability of funds.

Availability of Funds

Approximately $4.1 million will be available for competitive grants. It is anticipated that a total of 47 grants will be awarded for the project periods shown in the four identified funding categories:

| Category | Grants | Amount | Project Period (year(s)) |
|---|---|---|---|
| State Planning Grants | 2 | $ 50,000 | 1 |
| State Implementation Grants | 4 | 250,000 | 2 |
| State Partnership Grants | 32 | 60,000 | 2 |
| Targeted Issue Grants | 7 | 50–150,000 | 2 |

Special Concerns

HRSA's Maternal and Child Health Bureau places special emphasis on improving service delivery to women, children and youth from communities with limited access to comprehensive care. In order to assure access and cultural competence, it is expected that projects will involve individuals from the populations to be served in the planning and implementation of the project. The Bureau's intent is to ensure that project interventions are responsive to the cultural and linguistic needs of special populations, that services are accessible to consumers, and that the broadest possible representation of culturally distinct and historically underrepresented groups is supported through programs and projects sponsored by the MCHB. This same special emphasis applies to improving service delivery to children with special health care needs.

In keeping with the goals of advancing the development of human potential, strengthening the Nation's capacity to provide high quality education by broadening participation in MCHB programs of institutions that may have perspectives uniquely reflecting the Nation's cultural and linguistic diversity, and increasing opportunities for all Americans to participate in and benefit from Federal public health programs, HRSA will place a funding priority on projects from Historically Black Colleges and Universities (HBCU) or Hispanic Serving Institutions (HSI) in all categories in this notice for which applications from academic institutions are encouraged. This is in conformity with the Federal Government's policies in support of White House Initiatives on Historically Black Colleges and Universities (Executive Order 12876) and Educational Excellence for Hispanic Americans (Executive Order 12900). An approved proposal from a HBCU or HSI will receive a 0.5 point favorable adjustment of the priority score in a 4 point range before funding decisions are made.

Evaluation Protocol

A maternal and child health discretionary grant project, including any project awarded as part of the Emergency Medical Services for Children Demonstration Grants program, is expected to incorporate a carefully designed and well planned evaluation protocol capable of demonstrating and documenting measurable progress toward achieving the project's stated goals. The protocol should be based on a clear rationale relating the grant activities, the project goals, and the evaluation measures. Wherever possible, the measurements of progress toward goals should focus on health outcome indicators, rather than on intermediate measures such as process or outputs. A project lacking a complete and well-conceived evaluation protocol as part of the planned activities will not be funded.

Project Review and Funding

The Department will review applications in the preceding funding categories as competing applications and will fund those which, in the Department's view, are consistent with the statutory purpose of the program, with particular attention to children from culturally distinct populations and children with special health care needs; and that best meet the purposes of the EMSC program and address achievement of applicable Healthy People 2000 objectives related to emergency medical services and trauma systems.

Review Criteria

The review of applications will take into consideration the following criteria:

- For Category (1) State Planning Grants:

—Evidence of the State's commitment to improve pediatric emergency care services and to continue with EMSC program implementation.

—The adequacy of the applicant's proposed method to identify problems and conduct a needs assessment.

—Evidence of the applicant's understanding of obstacles to EMSC activity in the past, and the completeness of proposed strategies to overcome these obstacles.

—The adequacy of the applicant's proposed planning process for improving EMSC.

—The soundness of the methods the applicant will use to: (1) recruit, select and assemble appropriate participants, including members of culturally distinct populations, with demonstrated expertise and experience in EMS; trauma systems; child health issues; and emergency care for children; and (2) obtain input from potential consumers (i.e., families) of a State EMSC plan.

—Reasonableness of the proposed budget, soundness of the arrangements for fiscal management, effectiveness of use of personnel, and likelihood of project completion within the proposed grant period.

- For Category (2) State Implementation Grants:

—The adequacy of the applicant's understanding of the problem of pediatric trauma and critical illness in the State and/or project area, including the special problems of (a) children with special health care needs and their families; and (b) minority children and families (including American Indian/Alaska Natives, and Native Hawaiians).

—The appropriateness of project objectives and outcomes in relation to the specific nature of the problems identified by the applicant.

—The adequacy of the proposed methodology for achieving project goals and objectives.

—The soundness of the plan for evaluating progress in achieving project objectives and outcomes.

—The adequacy of the plan for organizing and carrying out the project.

—The reasonableness of the proposed budget and soundness of the applicant's plans for fiscal management.

—The qualifications and experience of the Project Director and proposed staff.

—The extent to which the applicant will employ products and expertise of EMSC programs in other States, especially of current and former grantees of the Federal EMSC program. Such resources include, but are not limited to, technical assistance and consultation.

—The extent to which the applicant demonstrates the involvement and participation of consumers (i.e., families) and parent involvement groups in planning, needs assessment, and project implementation.

—The extent to which the project gives special emphasis to the concerns identified in the Special Concerns section (see page 19–20).

—The evidence that the applicant will collaborate and coordinate with other participants in the EMSC continuum including, but not limited to, the State EMS agency (if not the applicant) the State MCH/CSHN agency, the State Highway Safety Office, other relevant State agencies, tribal nations, State and local professional organizations, private sector voluntary organizations, business organizations, parent advocacy groups, consumer or community representatives, hospital organizations, and any other ongoing Federally-funded projects in EMS, injury prevention, and rural health.

—The extent to which the applicant demonstrates a multi-disciplinary approach to EMSC system development, including providers at all levels (e.g., physicians, nurses, EMTs, social workers, and others appropriate to project activities).

—The adequacy of the applicant's plan to integrate pediatric emergency care into the primary care delivery system.

—The adequacy with which the applicant addresses institutionalization of the proposed project.

• For Category (3) State Partnership Grants:

—The adequacy of the applicant's plan to institutionalize EMSC into EMS.

—The evidence that the applicant will collaborate and coordinate with other participants in the EMSC continuum including, but not limited to, the State MCH/CHSN agency, the State Highway Office, tribal nations, State and local professional organizations, private sector voluntary organizations, parent advocacy groups, consumer or community representatives, hospital organizations, and any other ongoing Federally-funded projects in EMS, injury prevention, and rural health.

—The reasonableness of the proposed budget and soundness of the applicant's plans for fiscal management.

• For Category (4),Targeted Issue Grants:

—The appropriateness of project objectives and outcomes in relation to the specific nature of the problems identified by the applicant.

—The adequacy of the proposed methodology for achieving project goals and outcome objectives.

—The soundness of the plan for evaluating progress in achieving project objectives and outcomes.

—The reasonableness of the proposed budget and soundness of the arrangements for fiscal management.

—The adequacy of the plan for organizing and carrying out the project.

—The qualifications and experiences of the Project Director and proposed staff.

—The extent to which the project addresses the issues raised in the section on Special Concerns.

—The relevance of the proposed project to the MCHB/NHTSA Five Year Plan for EMSC.

Allowable Costs

The HRSA may support reasonable and necessary costs of EMSC Demonstration Grant projects within the scope of approved projects. Allowable costs may include salaries, equipment and supplies, travel, contracts, consultants, and others, as well as indirect costs as negotiated. The HRSA adheres to administrative standards reflected in the Code of Federal Regulations, 45 CFR Part 92 and 45 CFR Part 74.

Public Health System Reporting Requirements

This program is subject to the Public Health System Reporting Requirements (approved under OMB No. 0937–0195). Under these requirements, community-based nongovernmental applicants must prepare and submit a Public Health System Impact Statement (PHSIS). The PHSIS is intended to provide information to State and local health officials to keep them apprised of proposed health services grant applications submitted by community-based nongovernmental organizations within their jurisdictions. Community-based non-governmental applicants are required to submit the following information to the head of the appropriate State and local health agencies in the area(s) to be impacted no later than the Federal application receipt due date:

(a) A copy of the face page of the application (SF 424).

(b) A summary of the project (PHSIS), not to exceed one page, which provides:

(1) A description of the population to be served.

(2) A summary of the services to be provided.

(3) A description of the coordination planned with the appropriate State or local health agencies.

The project abstract may be used in lieu of the one-page PHSIS, if the applicant is required to submit a PHSIS.

Executive Order 12372

This program has been determined to be a program which is subject to the provisions of Executive Order 12372 concerning intergovernmental review of Federal programs by appropriate health planning agencies, as implemented by 45 CFR Part 100. Executive Order 12372 allows States the option of setting up a system for reviewing applications from within their States for assistance under certain Federal programs. The application packages to be made available under this notice will contain a listing of States which have chosen to set up such a review system and will provide a single point of contact (SPOC) in the States for review. Applicants (other than federally-recognized Indian tribal governments) should contact their State SPOCs as early as possible to alert them to the prospective applications and receive any necessary instructions on the State process. For proposed projects serving more than one State, the applicant is advised to contact the SPOC of each affected State. The due date for State process recommendations is 60 days after the application deadline for new and competing awards. The granting agency does not guarantee to ''accommodate or explain'' for State process recommendations it receives after that date. (See Part 148, Intergovernmental Review of PHS Programs under Executive Order 12372 and 45 CFR Part 100 for a description of the review process and requirements).

The OMB Catalog of Federal Domestic Assistance number is 93.127.

Dated: December 23, 1996.

Ciro V. Sumaya,

*Administrator.*

[FR Doc. 96–33097 Filed 12–30–96; 8:45 am]

BILLING CODE 4160–15–P

## Advisory Council; Notice of Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), announcement is made of the following National Advisory body are scheduled to meet during the month of February 1997:

*Name:* HRSA AIDS Advisory Committee.

*Time:* February 25–26, 1997 8:00 a.m.

*Place:* JW Marriott Hotel, Capitol Ballroom D, 1331 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

The meeting is open to the public.

*Agenda:* The topics to be discussed include the Ryan White CARE Act Title IV program; pending HRSA reorganization; and access to treatment advances for HIV/AIDS.

Anyone requiring information regarding the subject Committee should contact Gloria Weissman, AIDS Program Office, Health Resources and Services Administration, Room 18A19, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, Telephone (301) 443–3478.

Agenda Items are subject to change as priorities dictate.

Dated: December 23, 1996.

Jackie E. Baum,

*Advisory Committee Management Officer, HRSA.*

[FR Doc. 96–33095 Filed 12–30–96; 8:45 am]

**BILLING CODE 4160–15–P**

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## Substance Abuse and Mental Health Services Administration (SAMHSA)

### Notice of Meetings

Pursuant to Public Law 92–463, notice is hereby given of meetings of five Substance Abuse and Mental Health Services Administration committees (SAMHSA National Advisory Council, Center for Substance Abuse Prevention National Advisory Council, Center for Substance Abuse Treatment National Advisory Council, Center for Mental Health Services National Advisory Council, and the Advisory Committee for Women's Services) in January 1997.

The first meeting will be a combined session of the committees and will be open and include discussions on parity for alcohol, drug abuse and mental health services; implications of welfare reform for populations that SAMHSA serves; and future directions for the Agency's Knowledge Development and Application program. Attendance by the public will be limited to space available. Interested persons may present information or views, orally or in writing, on issues pending before the committees. Those desiring to make formal presentations should contact Dr. Mary C. Knipmeyer, Acting Associate Administrator for Program and Policy Coordination, SAMHSA, 5600 Fishers Lane, Room 12C–06, Rockville, Maryland, 20857, before January 10, and submit a brief statement of: the general nature of the information or arguments they wish to present, the names, addresses, and telephone number of proposed participants, identification of organizational affiliation, and an indication of the approximate time required to make their comments. Time for presentations may be limited by the number of requests. Photocopies, up to five pages of material, may be distributed at the meeting through the Executive Secretary, if provided by January 10.

Substantive program information may be obtained from the contact whose name and telephone number is listed below.

*Committee Names*:

Substance Abuse and Mental Health Services Administration National Advisory Council

Center for Substance Abuse Prevention National Advisory Council

Center for Substance Abuse Treatment National Advisory Council

Center for Mental Health Services National Advisory Council

Advisory Committee for Women's Services

*Meeting Date:* January 27, 1997

*Place:* Hyatt Regency Hotel, 1800 Presidents Street, Reston, Virginia

*Open:* January 27, 1997, 8:30 a.m. to 6:00 p.m.

The SAMHSA National Advisory Council will hold an individual meeting and a portion of the meeting will be open and will provide orientation sessions about the mission of the Agency for new members. Attendance by the public will be limited to space available. Interested persons may present information or views, orally or in writing, on issues pending before the SAMHSA Council. Those desiring to make formal presentations should notify the contact person before January 10, and submit a brief statement of: the general nature of the information or arguments they wish to present, the names and addresses of proposed participants, and an indication of the approximate time required to make their comments. Time for presentations may be limited by the number of requests, so photocopies may be distributed at the meeting through the Executive Secretary, if provided by January 10.

The meeting of the SAMHSA Council will also include a presentation and discussion of information about the Agency's procurement plans. Therefore, a portion of the meeting will be closed to the public as determined by the Administrator, SAMHSA in accordance with Title 5 U.S.C. 552b(c)(3) and 5 U.S.C. App. 2, Section 10(d).

A summary of the meeting and a roster of Council members may be obtained from: Ms. Susan E. Day, Program Assistant, SAMHSA National Advisory Council, 5600 Fishers Lane, Room 12C–15, Rockville, Maryland 20857. Telephone: (301) 443–4640.

Substantive program information may be obtained from the contact whose name and telephone number is listed below.

*Committee Name:*

Substance Abuse and Mental Health Services Administration National Advisory Council

*Meeting*

*Dates:* January 28, 1997

*Place:* Hyatt Regency Hotel, 1800 Presidents Street, Reston, Virginia

*Closed:* January 28, 1997, 9:00 a.m. to 9:30 a.m.

*Open:* January 28, 1997, 10:00 a.m. to 12:00 p.m.

*Contact:* Toian Vaughn, Executive Secretary, Parklawn Building, Room 12C–15, Telephone: (301) 443–4640, Fax: (301) 443–1450

The Center for Substance Abuse Prevention (CSAP) National Advisory Council will also hold an individual meeting and a portion of the meeting will include the presentation and discussion of the Center's procurement plans. Therefore, a portion of this meeting will be closed to the public as determined by the Administrator, SAMHSA, in accordance with Title 5 U.S.C. 552(b)(3) and 5 U.S.C. App. 2, section 10(d).

The agenda will also include a presentation from the Department of Education, discussions of administrative matters and announcements, and reports of workgroups of the SAMHSA National Advisory Council and the CSAP National Advisory Council.

A summary of this meeting and roster of Council members may be obtained from: Yuth Nimit, Ph.D., Executive Secretary, CSAP National Advisory Council, Rockwall II Building Suite 901, 5600 Fishers Lane, Rockville, Maryland 20857. Telephone: (301) 443–8455.

Substantive program information may be obtained from the contact whose name and telephone number is listed below.

*Committee Name:* Center for Substance Abuse Prevention National Advisory Council

*Meeting Date:* January 28, 1997

*Place:* Hyatt Regency Hotel, 1800 Presidents Street, Reston, Virginia

*Closed:* January 28, 1997, 8:30 a.m. to 9:30 a.m.

*Open:* January 28, 1997, 9:30 a.m. to 4:30 p.m.

*Contact:* Yuth Nimit, Ph.D., Executive Secretary, Rockwall II Building, Suite 901, Telephone: (301) 443–8455

The Center for Substance Abuse Treatment (CSAT) National Advisory Council will also hold an individual meeting. The meeting will include the

review and discussion of information about the Center's procurement plans. Therefore, a portion of the meeting will be closed to the public as determined by the Administrator, SAMHSA, in accordance with Title 5 U.S.C. 552(b)(3) and 5 U.S.C. App. 2, sec. 10(d).

The agenda will also include discussions of the Center's policy issues and current administrative, legislative, and program developments.

A summary of the meeting and roster of Council members may be obtained from: Ms. Joann M. Exline, CSAT, Rockwall II Building, Suite 619, 5600 Fishers Lane, Rockville, Maryland 20857. Telephone: (301) 443–8923.

Substantive program information may be obtained from the contact whose name and telephone number is listed below.

*Committee Name:* Center for Substance Abuse Treatment National Advisory Council

*Meeting Date:* January 28, 1997

*Place:* Hyatt Regency Hotel, 1800 Presidents Street, Reston, Virginia

*Closed:* January 28, 1997, 8:45 a.m. to 9:00 a.m.

*Open:* January 28, 1997, 9:00 a.m. to 5:30 p.m.

*Contact:* Marjorie M. Cashion, Executive Secretary, Rockwall II Building, Suite 619, Telephone: (301) 443–6077

Dated: December 23, 1996.

Jeri Lipov,

*Committee Management Officer, Substance Abuse and Mental Health Services Administration.*

[FR Doc. 96–33096 Filed 12–30–96; 8:45 am]

BILLING CODE 4162–20–P

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

**[AK–962–1410–00–P; AA–9285]**

### Alaska Native Claims Selection

In accordance with Departmental regulation 43 CFR 2650.7(d), notice is hereby given that a decision to issue conveyance under the provisions of section 14(h)(1) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1613(h)(1), will be issued to Calista Corporation for approximately 56.45 acres. The lands involved are in the vicinity of Nunivak Island, Alaska.

Seward Meridian, Alaska

T. 3 S., R. 102 W.,
Sec. 10.

A notice of the decision will be published once a week, for four (4) consecutive weeks, in the Anchorage Daily News. Copies of the decision may be obtained by contacting the Alaska State Office of the Bureau of Land Management, 222 West Seventh Avenue, #13, Anchorage, Alaska 99513–7599 ((907) 271–5960).

Any party claiming a property interest which is adversely affected by the decision, an agency of the Federal government or regional corporation, shall have until January 30, 1997 to file an appeal. However, parties receiving service by certified mail shall have 30 days from the date of receipt to file an appeal. Appeals must be filed in the Bureau of Land Management at the address identified above, where the requirements for filing an appeal may be obtained. Parties who do not file an appeal in accordance with the requirements of 43 CFR Part 4, Subpart E, shall be deemed to have waived their rights.

Patricia A. Baker,

*Land Law Examiner, ANCSA Team, Branch of 962 Adjudication.*

[FR Doc. 96–33100 Filed 12–30–96; 8:45 am]

BILLING CODE 4310–$$–P

**[NV–030–97–1020–24–1 A]**

### Sierra Front/Northwest Great Basin Resource Advisory Council—Notice of Meeting Locations and Times

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Resource Advisory Council meeting locations and times.

**SUMMARY:** In accordance with the Federal Land Policy and Management Act and the Federal Advisory Committee Act of 1972 (FACA), the Department of the Interior, Bureau of Land Management (BLM) Council meetings will be held as indicated below. The agenda includes nature of issues to be addressed by RAC, how issues will be raised and how recommendations will be treated, how to deal with statewide issues; issues regarding the Black Rock Desert; BLM's ''Vision for the Future'' and RAC members predictions for the future; public comment period and determination of the subject matter for future meetings.

All meetings are open to the public. The public may present written comments to the council. Each formal council meeting will have a time allocated for public comments. The public comment period for the council meeting is listed below. Individuals who plan to attend and need further information about the meeting or need special assistance such as sign language interpretation or other reasonable accommodations, should contact Joan Sweetland at the Carson City Field Office, 1535 Hot Springs Road, Carson City, NV 89706, telephone (702) 885–6000.

**DATES, TIMES:** The council will meet on Friday, January 24th, 1997, at the Bureau of Land Management, Nevada State Office, 850 Harvard Way, Reno, NV 89520–0006 from 8:30 a.m. to 5:00 p.m. Public comment period will be at 4:30 p.m.

**FOR FURTHER INFORMATION CONTACT:** Joan Sweetland, Public Affairs Specialist, Carson City Field Office, telephone (702) 885–6000.

Dated: December 16, 1996.

Karl L. Kipping,

*Associate District Manager.*

[FR Doc. 96–33221 Filed 12–30–96; 8:45 am]

BILLING CODE 4310–HC–M

**[CO–932–1430–01; COC–58828]**

### Public Land Order No. 7232; Withdrawal of National Forest System Land for the Protection of Loveland Ski Area; Colorado

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Public Land Order.

**SUMMARY:** This order withdraws 850 acres of National Forest System land from mining for 50 years to protect recreational resources and facilities at the Loveland Ski Area. The land has been and remains open to such forms of disposition as may by law be made of National Forest System land and to mineral leasing.

**EFFECTIVE DATE:** December 31, 1996.

**FOR FURTHER INFORMATION CONTACT:** Doris E. Chelius, BLM Colorado State Office, 2850 Youngfield Street, Lakewood, Colorado 80215-7076, 303-239-3706.

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (1988), it is ordered as follows:

1. Subject to valid existing rights, the following described National Forest System land is hereby withdrawn from location and entry under the United States mining laws (30 U.S.C. Ch. 2 (1988)), for the protection of planned and existing facilities at the Loveland Ski Area:

Sixth Principal Meridian

Arapaho National Forest

T. 4 S., R. 76 W.,

sec. 15, SE¼SW¼NW¼, SW¼SE¼NW¼, SW¼, W½NW¼SE¼, SE¼NW¼SE¼, SW¼SE¼, and W½SE¼SE¼;
sec. 16, SE¼NE¼SE¼, SW¼SW¼SE¼, E½SW¼SE¼, and SE¼SE¼;
sec. 22, W½NE¼NE¼, W½NE¼, S½SE¼NE¼, NW¼, NE¼SW¼, and N½SE¼;
sec. 23, SW¼SW¼NW¼, S½NE¼SW¼, NW¼SW¼, NE¼SE¼SW¼, and W½SE¼SW¼.

The area described contains 850 acres of National Forest System Land in Clear Creek County.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of National Forest System land under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

3. This withdrawal will expire 50 years from the effective date of this order unless, as a result of a review conducted before the expiration date pursuant to Section 204(f) of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714(f) (1988), the Secretary determines that the withdrawal shall be extended.

Dated: December 6, 1996.

Bob Armstrong,

*Assistant Secretary of the Interior.*

[FR Doc. 96–33295 Filed 12–30–96; 8:45 am]

**BILLING CODE 4310–JB–P**

## AGENCY FOR INTERNATIONAL DEVELOPMENT

### Housing Guaranty Program; Notice of Investment Opportunity

The U.S. Agency for International Development (''USAID'') has authorized the guaranty of a loan as evidenced by the guaranteed promissory notes to be issued by Infrastructure Leasing & Financial Services Limited (the ''Borrower'') as part of USAID's development assistance program. USAID has approved the Tiruppur Area Development Programme for funding under the Financial Institution Reform and Expansion Program (''FIRE'') of up to twenty five million dollars ($25,000,000). The proceeds of the loan will be used to finance a portion of the architectural, engineering and construction cost of a water and wastewater delivery, treatment and disposal systems for the City of Tiruppur, India and surrounding areas. At this time, the Borrower has authorized Siebert Brandford Shank & Co. (''Financial Advisor'') to request sealed bids from eligible investors to purchase the notes under this program in the amount of twenty-five million U.S. Dollars (US $25,000,000) (the ''Notes'').

The full repayment of the Notes will be guaranteed by USAID. The USAID guaranty will be backed by the full faith and credit of the United States of America and will be issued pursuant to authority in Section 222 of the Foreign Assistance Act of 1961, as amended (the ''Act'').

The name and address of the Borrower's representatives to be contacted by interested U.S. lenders or investors, and the amount of the loan and project number are indicated below:

$25,000,000

*USAID Project No:* 386–HG–IV

*Housing Guaranty Loan No.:* 386–HG–015–AO1, 386–HG–016–AO1

Mr. Shahzaad Dalal, Infrastructure Leasing & Financial Services Ltd., Mahindra Towers, 4th Floor

Dr. G.M. Bhosale Marg, Worli, Mumbai, INDIA 011–91–22–493–5148,011–91–22–493–0080 (fax)

Mr. Peter C. Wong, Siebert Brandford Shank & Co., 220 Sansome Street, 15th Floor, San Francisco, CA 94104, 415–439–4450, 415–439–4480 (fax).

Interested lenders and investors should contact the Borrower or its Financial Advisor to obtain a copy of the complete bid package which includes a Preliminary Offering Circular, an Official Bid Form, a Note Purchase Agreement and a Paying and Transfer Agency Agreement (together, the Bid Package) which contain the terms and conditions for the submission of sealed bids on the proposed guaranteed Notes under the Housing Guaranty Program. Interested lenders and investors should submit their bids to the Borrower's representatives, with a copy to USAID, by Wednesday, January 15, 1997, 11:00 a.m. (New York Time). Any bid submitted after the deadline will not be accepted.

The Borrower is currently considering the following structure on the proposed Notes:

*Par Amount:* U.S. $25,000,000.

*Term:* 30 years (final maturity).

*Interest Rate:* Floating rate based on a three-month LIBOR with quarterly reset.

*Mandatory Redemption:* The amortization of principal on the Notes will begin on May 1, 2007 with equal quarterly mandatory redemption of principal through final maturity on February 1, 2007.

*Optional Redemption:* The Notes are subject to redemption at the option of the Borrower as more fully described in the Bid Package.

*Redemption in Connection with Project Agreement:* USAID reserves the right to accelerate the loan in connection with a breach by the Borrower of the Project Agreement, dated March 8, 1994, between USAID and the Borrower; any such redemption would be at par plus accrued interest.

*Closing Date:* Closing will be within four (4) weeks after the acceptance of bids and award of the Notes to the bidder submitting the lowest effective interest cost to the Borrower. The award of the Notes to the winning bidder and the delivery of the Notes are subject to certain conditions required of the Borrower by USAID as set forth in agreements between USAID and the Borrower.

Lenders and investors eligible to receive the USAID guaranty are those specified in Section 238(c) of the Act. They are: (1) U.S. citizens; (2) domestic U.S. corporations, partnerships, or associations substantially beneficially owned by U.S. citizens; (3) foreign corporations whose share capital is at least 95 percent owned by U.S. citizens; and (4) foreign partnerships or associations wholly owned by U.S. citizens.

Information as to the eligibility of investors and other aspects of the USAID housing guaranty program can be obtained from: Ms. Viviann Gary, Director, Office of Environment and Urban Programs, U.S. Agency for International Development, 1601 Kent Street, Rosslyn, VA 22209, Telephone: (703) 875–4510, Facsimile: (703) 875–4639.

Dated: December 20, 1996.

Michael G. Kitay,

*Assistant General Counsel, Bureau for Global Programs, Field Support and Research, U.S. Agency for International Development.*

[FR Doc. 96–33312 Filed 12–30–96; 8:45 am]

**BILLING CODE 6116–01–M**

## DEPARTMENT OF LABOR

### Employment and Training Administration

### Notice of Determinations Regarding Eligibility to Apply for Worker Adjustment Assistance and NAFTA Transitional Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, as amended, the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers (TA–W) issued during the period of December, 1996.

In order for an affirmative determination to be made and a certification of eligibility to apply for worker adjustment assistance to be

issued, each of the group eligibility requirements of Section 222 of the Act must be met.

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated,

(2) That sales or production, or both, of the firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

Negative Determinations for Worker Adjustment Assistance

In each of the following cases the investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

*TA–W–32,881; National Food Products, Limited, Reading, PA*

In the following cases, the investigation revealed that the criteria for eligibility have not been met for the reasons specified.

*TA–W–32,836; Father & Sons Stores, Scranton, PA*

*TA–W–32,785; Midas International, Inc., North Brunswick, NJ*

*TA–W–32,842; Sara Lee Bodywear, Mcadoo, PA*

*TA–W–32,937; Cogema Resources, Inc., Pathfinder Mines Corp., Shirley Basin Mine, Mills, WY*

The workers firm does not produce an article as required for certification under Section 222 of the Trade Act of 1974.

*TA–W–32,894A; AMP, Inc., Gastonia, NC*

The investigation revealed that criteria (1) and criteria (3) have not been met. A significant number or proportion of the workers did not become totally or partially separated as required for certification. Increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have not contributed importantly to the separations or threat thereof, and the absolute decline in sales or production.

Affirmative Determinations for Worker Adjustment Assistance

The following certifications have been issued; the date following the company name & location for each determination references the impact date for all workers for such determination.

*TA–W–32,782; Hydro-Fit, Inc., Eugene, OR: September 30, 1995.*

*TA–W–32,904; James River Corp., Old Town, ME: July 22, 1996.*

*TA–W–32,897; Kibak Tile, Redmond, OR: October 15, 1995.*

*TA–W–32,009; Alde, Inc., San Frncisco, CA: November 18, 1995.*

*TA–W–32,848; Anchor Glass Container Corp., Zanesville Mould Div., Zanesville, OH: October 3, 1995.*

*TA–W–32,861; Keystone Fireworks & Speciality Co., Dunbar, PA: October 14, 1995.*

*TA–W–32,890; Lambda Electronics, Inc., McAllen, TX: October 18, 1995.*

*TA–W–32,894; AMP, Inc., Lowell, NC: October 28, 1995.*

*TA–W–32,690; Bruckner Manufacturing Corp., (Formerly Faberware, Inc), Bronx, NY: July 29, 1995.*

Also, pursuant to Title V of the North American Free Trade Agreement Implementation Act (P.L. 103–182) concerning transitional adjustment assistance hereinafter called (NAFTA–TAA) and in accordance with Section 250(a) Subchapter D, Chapter 2, Title II, of the Trade Act as amended, the Department of Labor presents summaries of determinations regarding eligibility to apply for NAFTA–TAA issued during the month of November and December, 1996.

In order for an affirmative determination to be made and a certification of eligibility to apply for NAFTA–TAA the following group eligibility requirements of Section 250 of the Trade Act must be met:

(1) That a significant number of proportion of the workers in the workers' firm, or an appropriate subdivision thereof, (including workers in any agricultural firm or appropriate subdivision thereof) have become totally or partially separated from employment and either—

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely,

(3) That imports from Mexico or Canada of articles like or directly competitive with articles produced by such firm or subdivision have increased, and that the increases in imports contributed importantly to such workers' separations or threat of separation and to the decline in sales or production of such firm or subdivision; or

(4) That there has been a shift in production by such workers' firm or subdivision to Mexico or Canada of articles like or directly competitive with articles which are produced by the firm or subdivision.

Negative Determinations NAFTA–TAA

In each of the following cases the investigation revealed that criteria (3) and (4) were not met. Imports from Canada or Mexico did not contribute importantly to workers' separations. There was no shift in production from the subject firm to Canada or Mexico during the relevant period.

*NAFTA–TAA–01289; Magnatek, Huntington, IN*

*NAFTA–TAA–01330; Jensports, Div. of Charland Sportswear, New Kensington, PA*

*NAFTA–TAA–01337; Rayonier, Inc., Port Angeles Mill, Port Angles, WANAFTA–TAA–01347; AMP, Inc., Erie, PA*

*NAFTA–TAA–01368; Armour Swift Eckrich, El Paso, TX*

*NAFTA–TAA–01278; Fabry Glove & Mitten Co., Div., of Saranac Glove Co., Marinette, WI*

In the following cases, the investigation revealed that the criteria for eligibility have not been met for the reasons specified.

*NAFTA–TAA–01290; Sara Lee Bodywear, Mcadoo, PA*

The investigation revealed that the workers of the subject firm did not produce an article within the meaning of Section 250(a) of the Trade Act, as amended.

Affirmative Determinations NAFTA–TAA

The following certifications have been issued; the date following the company name & location for each determination references the impact date for all workers for such determination.

*NAFTA–TAA–01314; Kibak Tile, Redmond, OR: October 14, 1995.*

*NAFTA–TAA–01315; Hecht Manufacturing Co., Inc., Milwaukee, WI: October 30, 1995.*

*NAFTA–TAA–01346; Hamilton Beach—Proctor Silex, Inc., Southern Pines, NC: November 19, 1995.*

*NAFTA–TAA–01319; AMP, Inc., Lowell, NC: October 28, 1995.*

*NAFTA–TAA–01317; Timberline Forest Products, Burlington, WA: October 25, 1995.*

*NAFTA–TAA–01334; Wright-Bernet, Inc., Div. of Elkco Group, Inc., Hamilton, OH: November 5, 1995.*

*NAFTA–TAA–01342; Springs Industries, Springs Window Fashions, City of Industry, CA: October 24, 1995.*

*NAFTA–TAA–01335; Plaid Clothing Group, Inc., J. Schoeneman, Chambersburg, PA: November 5, 1995.*

*NAFTA–TAA–01324; Alde, Inc., San Francisco, CA: October 1, 1995.*

*NAFTA–TAA–01316; Lambda Electronics, Inc., McAllen, TX: October 18, 1995.*

*NAFTA–TAA–01338; Miller International, Inc., Rocky Mountain Clothing Co., Baxley, GA: October 31, 1995.*

I hereby certify that the aforementioned determinations were issued during the month of December, 1996. Copies of these determinations are available for inspection in Room C–4318, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210 during normal business hours or will be mailed to persons who write to the above address.

Dated: December 20, 1996.

Linda G. Poole,

*Acting Program Manager, Policy & Reemployment Services, Office of Trade Adjustment Assistance.*

[FR Doc. 96–33225 Filed 12–30–96; 8:45 am]

**BILLING CODE 4510–30–M**

## Investigations Regarding Certifications of Eligibility to Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under Section 221(a) of the Trade Act of 1974 (''the Act'') and are identified in the Appendix to this notice. Upon receipt of these petitions, the Program Manager of the Office of Trade Adjustment Assistance, Employment and Training Administration, has instituted investigations pursuant to Section 221(a) of the Act.

The purpose of each of the investigations is to determine whether the workers are eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Program Manager, Office of Trade Adjustment Assistance, at the address show below, not later than January 10, 1997.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Program Manager, Office of Trade Adjustment Assistance, at the address shown below, not later than January 10, 1997.

The petitions filed in this case are available for inspection at the Office of the Program Manager, Office of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, 200 Constitution Ave, NW, Washington, DC 20210.

Signed at Washington, D.C. this 16th day of December, 1996.

Linda G. Poole,

*Acting Program Manager, Policy & Reemployment Services, Office of Trade Adjustment Assistance.*

APPENDIX—PETITIONS INSTITUTED ON 12/16/96

| TA–W | Subject firm (petitioners) | Location | Date of petition | Product(s) |
|---|---|---|---|---|
| 33,016 | Paramount Headware (Wkrs) | Mountain Grove, MO | 10/17/96 | Baseball Caps. |
| 33,017 | Amy Industries (Wkrs) | Fort Gaines, GA | 10/06/96 | Knit Underwear. |
| 33,018 | California Fashion Ind. (Comp). | Los Angeles, CA | 11/26/96 | Ladies' Apparel. |
| 33,019 | Fox Packaging (Wkrs) | McAllen, TX | 11/25/96 | Plastic and Burlap Bags. |
| 33,020 | Weldotron Corp (Comp) | Piscataway, NJ | 11/27/96 | Automatic Sealer Systems. |
| 33,021 | Crown Industries, Inc (Wkrs) | Selma, AL | 11/20/96 | Sweatpants. |
| 33,022 | Quality Apparel Mfg, Inc (Comp). | New Bedford, MA | 11/15/96 | Children's & Ladies' Apparel. |
| 33,023 | Associated Food Stores (Comp). | Pocatello, ID | 11/14/96 | Grocery Distribution & Warehouse. |
| 33,024 | Eagles Nest, Inc (UMWA) | Johnstown, PA | 12/04/96 | Metallurgical Coal. |
| 33,025 | Imco Recycling of Calif. (Comp). | Corona, CA | 11/22/96 | Recycling Aluminum. |
| 33,026 | Clay Sportwear (Wkrs) | Moss, TN | 12/02/96 | Ladies' Sportswear. |
| 33,027 | Hanna Instruments Inc (Comp). | Woonsocket, RI | 11/27/96 | Meters. |
| 33,028 | Fun-Tees, Inc (Comp) | Concord, NC | 12/04/96 | Men's & Boys' Tee Shirts. |
| 33,029 | Willamette Industries (Comp) | Dallas, OR | 11/13/96 | Plywood. |
| 33,030 | General Textiles (Comp) | Murphy, NC | 11/25/96 | Ladies' Apparel. |
| 33,031 | Eaton Corporation (Comp) | Belmond, IA | 12/05/96 | Engine Valves. |
| 33,032 | All-American Apparel, Inc (Wkrs). | Salem, MO | 12/05/96 | Men's Top Apparel. |
| 33,033 | Energy Development Corp (Wkrs). | Houston, TX | 12/03/96 | Oil & Gas Production, Exploration. |
| 33,034 | Bristol Lingerie, Inc (Wkrs) | Bristol, VA | 11/12/96 | Ladies' Sportswear. |
| 33,035 | R.H.O. Industries (UNITE) | Buffalo, NY | 11/25/96 | Chestpieces; Components. |

[FR Doc. 96–33227 Filed 12–30–96; 8:45 am]

**BILLING CODE 4510–30–M**

## Texaco Trading & Transportation, Incorporated; Amended Certification Regarding Eligibility to Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor issued a Notice of Certification Regarding Eligibility to Apply for Worker Adjustment Assistance on August 8, 1996, applicable to all workers of Texaco Trading & Transportation, Incorporated located in Glendive, Montana. The notice was published in the Federal Register on August 26, 1996 (61 FR 43791).

At the request of the company, the Department reviewed the certification for workers of the subject firm. New findings show that worker separations have occurred at Texaco Trading & Transportation, Incorporated in Dickinson, North Dakota. The workers are engaged in activities related to the production of crude oil. Accordingly, the Department is amending the certification to include workers of the subject firm in Dickinson, North Dakota.

The amended notice applicable to TA–W–32,450 is hereby issued as follows:

''All workers of Texaco Trading & Transportation, Incorporated, Glendive, Montana (TA–W–32,450) and Dickinson, North Dakota (TA–W–32,450) who became totally or partially separated from employment on or after May 28, 1995 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.''

Signed at Washington, D.C. this 9th day of December 1996.

Russell T. Kile,

*Program Manager, Policy and Reemployment Services, Office of Trade Adjustment Assistance.*

[FR Doc. 96–33226 Filed 12–30–96; 8:45 am]

**BILLING CODE 4510–30–M**

## Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under Section 221(a) of the Trade Act of 1974 (''the Act'') and are identified in the Appendix to this notice. Upon receipt of these petitions, the Program Manager of the Office of Trade Adjustment Assistance, Employment and Training Administration, has instituted investigations pursuant to Section 221 (a) of the Act.

The purpose of each of the investigations is to determine whether the workers are eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Program Manager, Office of Trade Adjustment Assistance, at the address show below, not later than January 10, 1997.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Program Manager, Office of Trade Adjustment Assistance, at the address show below, not later than January 10, 1997.

The petitions filed in this case are available for inspection at the Office of the Program Manager, Office of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 9th day of December, 1996.

Russell T. Kile,

*Program Manager, Policy & Reemployment Services, Office of Trade Adjustment Assistance.*

APPENDIX—PETITIONS INSTITUTED ON 12/09/96

| TA–W | Subject firm (petitioners) | Location | Date of petition | Product(s) |
|---|---|---|---|---|
| 32,998 | Thomas Industry (Wkrs) | Los Angeles, CA | 11/22/96 | Distribution of Household Light Fixtures. |
| 32,999 | Springdale Fashions (Co.) | Clinton, NC | 11/19/96 | Children's Apparel. |
| 33,000 | Pratt and Whitney (Co.) | North Haven, CT | 11/25/96 | Jet Engines and Engine Parts. |
| 33,001 | Professional Mfg., Inc. (Wkrs). | Paris, ID | 11/22/96 | Motorcycle Helmets, Snowmobile Helmets. |
| 33,002 | Ilissa Bridals (UNITE) | New York, NY | 12/02/96 | Bridal Gowns. |
| 33,003 | Maidenform (Wkrs) | Bayonne, NJ | 11/24/96 | Bras, Panties, Foundations. |
| 33,004 | International Medication (Co.) | El Monte, CA | 11/25/96 | Pharmaceuticals. |
| 33,005 | Dystar L.P. (Co.) | Coventry, RI | 11/19/96 | Textile Dyes. |
| 33,006 | East Point Seafood (FCW) | South Bend, WA | 11/27/96 | Oysters, Crab and Shrimp. |
| 33,007 | Barth & Dreyfus Printing (Wkrs). | Albemarle, NC | 11/29/96 | Printed Kitchen and Bath Towels. |
| 33,008 | Dudley Apparel (Wkrs) | Dudley, GA | 11/26/96 | Men's & Ladies' Pants and Shorts. |
| 33,009 | Alde, Inc (UNITE) | San Francisco, CA | 11/18/96 | Ladies' Apparel. |
| 33,010 | Sau Mee Sewing (UNITE) | San Francisco, CA | 11/18/96 | Ladies' Apparel. |
| 33,011 | Joe Manufacturing (UNITE) | San Francisco, CA | 11/18/96 | Ladies' Apparel. |
| 33,012 | Sunny Company (UNITE) | San Francisco, CA | 11/18/96 | Ladies' Apparel. |
| 33,013 | Karen Tang Sewing (UNITE) | San Francisco, CA | 11/18/96 | Ladies' Apparel. |
| 33,014 | Remington Arms Co., Inc. (UMW). | Lonoke, AR | 11/06/96 | Ammunition for Rifles, Shotguns etc. |
| 33,015 | Sunbeam (Comp) | Cookeville, TN | 11/18/96 | Small Electric Motor Components. |

[FR Doc. 96–33229 Filed 12–30–96; 8:45 am]

**BILLING CODE 4510–30–M**

**[TA–W–32,732]**

## Hotsey Equipment Company Boyertown, Pennsylvania; Dismissal of Application for Reconsideration

Pursuant to 29 CFR 90.18(C) an application for administrative reconsideration was filed with the Program Manager of the Office of Trade Adjustment Assistance for workers at Hotsey Equipment Company, Boyertown, Pennsylvania. The review indicated that the application contained no new substantial information which would bear importantly on the Department's determination. Therefore, dismissal of the application was issued.

TA–W–32,732; Hotsy Equipment Company, Boyertown, Pennsylvania (December 13, 1996)

Signed at Washington, D.C. this 18th day of December, 1996.

Russell T. Kile,

*Program Manager, Policy & Reemployment Services, Office of Trade Adjustment Assistance.*

[FR Doc. 96–33228 Filed 12–30–96; 8:45 am]

**BILLING CODE 4510–30–M**

## Mine Safety and Health Administration

### Proposed Information Collection Request Submitted for Public Comment and Recommendations; Underground Retorts

**ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA5) (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.

Currently, the Mine Safety and Health Administration (MSHA) is soliciting comments concerning the proposed extension of the information collection related to the Underground Retorts. MSHA 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.

A copy of the proposed information collection request can be obtained by contacting the employee listed below in the Contact section of this notice.

**DATES:** Submit comments on or before March 3, 1997.

**ADDRESSES:** Written comments shall be mailed to Patricia W. Silvey, Director, Office of Standards, Regulations, and Variances, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203–1984. Commenters are encouraged to send their comments on a computer disk, or via E-mail to psilvey@msha.gov, along with an original printed copy.

Ms. Sivley can be reached at (703) 235-1910 (voice) or (703) 235-5551 (facsimile).

**FOR FURTHER INFORMATION CONTACT:** George M. Fesak, Director, Office of Program Evaluation and Information Resources, U.S. Department of Labor, Mine Safety and Health Administration, Room 715, 4015 Wilson Boulevard, Arlington, VA 22203–1984. Mr. Fesak can be reached at gfesak@msha.gov (Internet E-mail), (703) 235–8378 (voice), or (703) 235–1563 (facsimile).

**SUPPLEMENTARY INFORMATION:**

I. Background

This regulation pertains to the safety requirements to be followed by the mine operators in the use of underground retorts to extract oil from shale by heat or fire. Prior to ignition of retorts the mine operator must submit a written plan indicating the acceptable levels of combustible gases and oxygen; specifications and location of off-gas monitoring procedures and equipment; procedures for ignition of retorts and details of area monitoring and alarm systems for hazardous gases and actions to be taken to assure safety of miners.

II. Current Actions

This request for information contains provisions whereby mine operators can maintain compliance with the regulations and assure the safety of mining personnel where underground retorts are used.

*Type of Review:* Reinstatement.

*Agency:* Mine Safety and Health Administration.

*Title:* Underground Retorts.

*OMB Number:* 1219–0096.

*Affected Public:* Business or other for-profit.

*Cite/Reference/Form/etc:* 30 CFR 57.22401.

*Total Respondents:* 1.

*Frequency:* On occasion.

*Total Responses:* 1.

*Average Time per Response:* 160 hours.

*Estimated Total Burden Hours:* 160 hours.

*Estimated Total Burden Cost:* none.

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 will also become a matter of public record.

Dated: December 23, 1996.

George M. Fesak,

*Director, Program Evaluation and Information Resources.*

[FR Doc. 96–33224 Filed 12–30–96; 8:45 am]

BILLING CODE 4510–43–M

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

**Notice (96–146)**

### Government-Owned Inventions, Available for Licensing

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Notice of availability of inventions for licensing.

**SUMMARY:** The inventions listed below are assigned to the National Aeronautics and Space Administration, have been filed in the United States Patent and Trademark Office, and are available for licensing.

Copies of patent applications cited are available from the Office of Patent Counsel, Lewis Research Center. Claims are deleted from the patent applications to avoid premature disclosure.

**DATES:** December 31, 1996.

**FOR FURTHER INFORMATION CONTACT:** Kent N. Stone, Office of Patent Counsel, Mail Code 0120, Cleveland, OH 44135–3191; telephone (216) 433–2320.

NASA Case No. LEW–16,231–1: Resilient Braided Rope Seal;

NASA Case No. LEW–20,006–1: Oxidation Resistant Ti–A1–Fe Diffusion for FeCrA1Y Coatings on Titanium Aluminides;

NASA Case No. LEW–20,000–1: Single Block Thru-Reflect-Line (TRL) Calibration Standard and Test Fixture for the Cryogenic Characterization of Planar;

NASA Case No. LEW–15,870–1: Low to High Temperature Face Seal.

Dated: December 23, 1996.

Edward A. Frankle,

*General Counsel.*

[FR Doc. 96–33245 Filed 12–30–96; 8:45 am]

BILLING CODE 7510–01–M

## NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

### Agency Information Collection Activities: Submission for OMB Review; Comment Request

**AGENCY:** National Archives and Records Administration (NARA).

**ACTION:** Notice.

**SUMMARY:** NARA is giving public notice that the agency has submitted to OMB

for approval the information collection described in this notice, which is used to request copies of land entry records in the National Archives of the United States. The public is invited to comment on the proposed information collection pursuant to the Paperwork Reduction Act of 1995.

**DATES:** Written comments must be submitted to OMB at the address below on or before January 30, 1997 to be assured of consideration.

**ADDRESSES:** Comments should be sent to: Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: Ms. Maya Bernstein, Desk Officer for NARA, Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the proposed information collections and supporting statements should be directed to Mary Ann Hadyka or Nancy Allard at telephone number 301–713–6730, or fax number 301–713–7270.

**SUPPLEMENTARY INFORMATION:** Pursuant to the Paperwork Reduction Act of 1995 (Pub. L. 104–13), NARA invites the general public and other Federal agencies to comment on proposed information collections. NARA published a notice of proposed collection for this information collection on August 22, 1996 (61 FR 43388). No comments were received. The previous notice referred in the title of the information collection and description to ''land claim records.'' The actual title of the form is ''National Archives Order for Land Entry Files'' and this notice correctly carries that title. NARA has submitted the described information collection to OMB for approval.

In response to this notice, comments and suggestions should address one or more of the following points: (a) Whether the proposed collection information is necessary for the proper performance of the functions of NARA; (b) the accuracy of NARA's estimate of the burden of the proposed information collections; (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 the use of information technology. In this notice, NARA is soliciting comments concerning the following information collection

*Title:* National Archives Order for Land Entry Files

*OMB number:* New collection; number to be assigned.

*Agency form number:* NATF 84

*Type of review:* Regular.

*Affected public:* Individuals who wish to order copies of land entry records in the National Archives of the United States.

*Estimated number of respondents:* 14,000.

*Estimated time per response:* 10 minutes.

*Frequency of response:* On occasion (when respondent wishes to search for or order copies of land entry records in the custody of the National Archives of the United States).

*Estimated total annual burden hours:* 2,334 (rounded off number).

*Abstract:* The NATF form 84 will be used by researchers to request that NARA search for and make copies of pages from Federal land entry case files in the custody of the National Archives. These records generally date from 1800 to approximately 1965. Submission of requests on a form is necessary to handle in a timely fashion the volume of requests received for these records (approximately 14,00 per year) and the need to obtain specific information from the researcher to search for the records sought. The form will be printed on carbonless paper as a multi-part form to allow the researcher to retain a copy of his request and NARA to respond to the researcher on the results of the search or to bill for copies if the researcher wishes to order the copies. As a convenience, the form will allow researchers to provide credit card information to authorize billing and expedited mailing of the copies. NARA is not able at present to accept electronic submission of requests; however, we intend to address security of financial information and other issues as we continue our efforts to increase electronic access to NARA and its holdings.

Dated: December 20, 1996.

L. Reynolds Cahoon,

*Assistant Archivist for Policy and IRM Services.*

[FR Doc. 96–33110 Filed 12–30–96; 8:45 am]

**BILLING CODE 7515–01–M**

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## Office of Records Administration; Records Schedules; Availability and Request for Comments

**AGENCY:** National Archives and Records Administration, Office of Records Administration.

**ACTION:** Notice of availability of proposed records schedules; request for comments.

**SUMMARY:** The National Archives and Records Administration (NARA) publishes notice at least once monthly of certain Federal agency requests for records disposition authority (records schedules). Records schedules identify records of sufficient value to warrant preservation in the National Archives of the United States. Schedules also authorize agencies after a specified period to dispose of records lacking administrative, legal, research, or other value. Notice is published for records schedules that (1) Propose the destruction of records not previously authorized for disposal, or (2) reduce the retention period for records already authorized for disposal. NARA invites public comments on such schedules, as required by 44 U.S.C. 3303a(a).

**DATES:** Requests for copies must be received in writing on or before February 14, 1997. Once the appraisal of the records is completed, NARA will send a copy of the schedule. The requester will be given 30 days to submit comments.

**ADDRESSES:** Address requests for single copies of schedules identified in this notice to the Records Appraisal and Disposition Division (NIR), National Archives and Records Administration, College Park, MD 20740. Requesters must cite the control number assigned to each schedule when requesting a copy. The control number appears in the parentheses immediately after the name of the requesting agency.

**SUPPLEMENTARY INFORMATION:** Each year U.S. Government agencies create billions of records on paper, film, magnetic tape, and other media. In order to control this accumulation, agency records managers prepare records schedules specifying when the agency no longer needs the records and what happens to the records after this period. Some schedules are comprehensive and cover all the records of an agency or one of its major subdivisions. These comprehensive schedules provide for the eventual transfer to the National Archives of historically valuable records and authorize the disposal of all other records. Most schedules, however, cover records of only one office or program or a few series of records, and many are updates of previously approved schedules. Such schedules also may include records that are designated for permanent retention.

Destruction of records requires the approval of the Archivist of the United States. This approval is granted after a thorough study of the records that takes into account their administrative use by the agency of origin, the rights of the Government and of private persons directly affected by the Government's activities, and historical or other value.

This public notice identifies the Federal agencies and their subdivisions requesting disposition authority,

includes the control number assigned to each schedule, and briefly describes the records proposed for disposal. The records schedule contains additional information about the records and their disposition. Further information about the disposition process will be furnished to each requester.

Schedules Pending

1. Department of the Air Force (N1–AFU–96–7). Medical waste management records at medical treatment facilities and base civil engineer offices.
2. Department of the Air Force (N1–AFU–97–4). Implant device and/or medical equipment log/database proposed for long-term retention.
3. Department of Commerce, Patent and Trademark Office (N1–241–96–5). Updated Chapter of a comprehensive schedule, covering records of the Trademark Trial and Appeals Board, the Board of Patent Appeals and Interferences, the Office of the Chief Information Officer, and related program offices.
4. Department of Health and Human Services (N1–468–97–1). Pre-grant clearance files of the Office for Civil Rights.
5. Department of State, Bureau of Consular Affairs (N1–59–97–10). Immigrant Control and Reporting System (ICARS) maintained by Visa Services.
6. Department of State, All Foreign Service Posts (N1–84–97–4). Diversity Visa Applicant System (DVACS).
7. U.S. Agency for International Development, Europe and New Independent States (N1–286–96–3). Routine, facilitative, and duplicative records.
8. Bonneville Power Administration (N1–305–96–2). Records covering billing source data.
9. General Services Administration, Federal Supply Service (N1–137–97–1 through 6). Electronic records relating to sales, transportation, and supplies.
10. Panama Canal Commission (N1–185–96–2). Marine Traffic Control and Ship Data Bank electronic systems.
11. Panama Canal Commission (N1–185–97–1). Communications and mail management records.
12. Susquehanna River Basin Commission (N1–220–96–11). Budget justifications, working papers to reports and comprehensive plans, and subject and intergovernmental affairs files.
13. United States Information Agency, Office of Research N1–306–96–3). Routine, facilitative, and duplicative records of the Office of Research and predecessor units. Policy records scheduled as permanent.

Dated: December 30, 1996.

James W. Moore,

*Assistant Archivist for Records Administration.*

[FR Doc. 96–33109 Filed 12–30–96; 8:45 am]

BILLING CODE 7515–01–M

## NUCLEAR REGULATORY COMMISSION

**[Docket No. 50–331]**

### IES Utilities, Inc.; Notice of Withdrawal of Application For Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of IES Utilities Inc. (the licensee) to withdraw its January 30, 1996, application for proposed amendment to Facility Operating License No. 50–331 for the Duane Arnold Energy Center, located in Palo, Iowa.

The proposed amendment would have revised the control rod scram insertion time testing requirements in the plant Technical Specifications.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the Federal Register on February 14, 1996 (61 FR 5814). However, by letter dated February 26, 1996, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated January 30, 1996, and the licensee's letter dated February 26, 1996, which withdrew the application for license amendment. The above documents are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Cedar Rapids Public Library, 500 First Street, S.E., Cedar Rapids, Iowa 52401.

Dated at Rockville, Maryland, this 24th day of December 1996.

For the Nuclear Regulatory Commissions.

Glenn B. Kelly, Sr.,

*Project Manager, Project Directorate III–3, Division of Reactor Projects III/IV, Office of Nuclear Reactor Regulation.*

[FR Doc. 96–33251 Filed 12–30–96; 8:45 am]

BILLING CODE 7590–01–P

**[Docket No. 50–133]**

### Pacific Gas and Electric Company Humboldt Bay Power Plant, Unit No. 3; Notice of Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Pacific Gas and Electric Company (the licensee) to withdraw its November 23, 1994, application for proposed amendment to Facility Operating License No. DPR–7 for the Humboldt Bay Power Plant, Unit No. 3, located in Humboldt County, California.

The proposed amendment would have revised the facility technical specifications pertaining to liquid radioactive effluent limitations.

The Commission has previously issued a Notice of Consideration of Issuance of Amendment published in the Federal Register on March 1, 1995 (60 FR 11139). However, by letter dated December 9, 1996, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated November 23, 1994, and the licensee's letter dated December 9, 1996, which withdrew the application for license amendment. The above documents are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Humboldt County Library, 1313 3rd Street, Eureka, California 95501.

Dated at Rockville, Maryland, this 24th day of December 1996.

For the Nuclear Regulatory Commission.

Richard F. Dudley, Jr.,

*Senior Project Manager, Non-Power Reactors and Decommissioning Project Directorate, Division of Reactor Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 96–33247 Filed 12–30–96; 8:45 am]

BILLING CODE 7590–01–P

**[Docket No. 50–354]**

### Public Service Electric & Gas Company and Atlantic City Electric Company (Hope Creek Generating Station); Notice of Denial of Amendment to Facility Operating License and Opportunity for Hearing

The U.S. Nuclear Regulatory Commission (the Commission) has denied a request by Public Service Electric & Gas and Atlantic City Electric Company, (the licensees) for an amendment to Facility Operating

License No. NPF–57, issued to the licensee for operation of the Hope Creek Generating Station located in Lower Alloways Creek Township, Salem County, New Jersey. Notice of Consideration of Issuance of this amendment was not published in the Federal Register.

The purpose of the licensee's amendment request was to revise the Hope Creek Generating Station (HCGS) Updated Final Safety Analysis Report, Section 9.2.5, regarding the Station Service Water System and Ultimate Heat Sink.

The NRC staff has concluded that the licensee's request cannot be granted. The licensee was notified of the Commission's denial of the proposed change by a letter dated December 24, 1996.

By January 30, 1997, the licensee may demand a hearing with respect to the denial described above. Any person whose interest may be affected by this proceeding may file a written petition for leave to intervene.

A request for hearing or petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date.

A copy of any petitions should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to M. J. Wetterhahn, Esquire, Winston & Strawn, 1400 L Street, NW., Washington, DC 20005–3502, attorney for the licensee.

For further details with respect to this action, see (1) the application for amendment dated August 30, 1996, and (2) the Commission's letter to the licensee dated December 24, 1996.

These documents are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Pennsville Public Library, 190 S. Broadway, Pennsville, New Jersey 08070.

Dated at Rockville, Maryland, this 24th day of December 1996.

For the Nuclear Regulatory Commission.

John F. Stolz,

*Director, Project Directorate I–2, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.*

[FR Doc. 96–33253 Filed 12–30–96; 8:45 am]

BILLING CODE 7590–01–P

## Advisory Committee on Nuclear Waste Seeking Qualified Candidates

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Request for résumés.

**SUMMARY:** The Nuclear Regulatory Commission (NRC) is seeking qualified candidates for possible appointment to its Advisory Committee on Nuclear Waste (ACNW). One opening is expected on the committee in mid-1997.

**ADDRESSES:** Submit résumés to: Ms. Jude Himmelberg, Office of Personnel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

**FOR FURTHER INFORMATION, CALL:** 1–800–952–9678. Please refer to Announcement Number 97–1002.

**SUPPLEMENTARY INFORMATION:** The ACNW is a part-time advisory group established by the NRC in 1988 to provide independent technical review and advice on the disposal of nuclear waste, including all aspects of nuclear waste disposal facilities, as directed by the Commission. This advice covers activities related to licensing, operation, and closure of high-level and low-level radioactive waste disposal facilities and associated rulemakings, regulatory guides and NRC staff technical positions. The ACNW also reviews performance assessment evaluations of waste disposal facilities.

The committee interacts with representatives of the NRC, the Advisory Committee on Reactor Safeguards, the Department of Energy, other Federal, State, and local agencies, Indian Nations, and private organizations as appropriate.

A wide variety of engineering and scientific skills are needed to conduct the broad-based reviews required in the committee's work. Engineers and scientists are needed with work experience in the high-level and low-level radioactive waste disposal programs coupled with broad experience in a pertinent technical field, such as nuclear engineering and technology, nuclear fuel cycle analysis, geoscience, chemistry, and materials science.

Applicants should have a minimum of 20 years' work experience in related fields, or fields that can be applied directly to the work of the committee, including graduate level education. In addition to the length of the work experience, applicants should have achieved a level of distinction in their discipline and must be able to devote approximately 50-100 days per year to committee business. Most meetings are held in Rockville, Maryland. Some additional travel is required to other sites.

NRC regulations and policies restrict the participation of members in areas where these members have conflicts of interest. The degree to which an individual's participation in ACNW activities will be restricted is considered in the selection progress. Each qualified candidate's financial interests must be reconciled with applicable Federal and NRC rules and regulations prior to final appointment. This might require divestiture of securities issued by nuclear industry entities, or discontinuance of industry-funded research contracts or grants.

A résumé describing the educational and professional background of the candidate, including special accomplishments, professional references, and current address and telephone number should be provided. All qualified candidates will receive careful consideration. Appointment will be made without regard to race, color, religion, national origin, sex, age, or disabilities. Candidates must be citizens of the United States. Applications will be accepted until February 20, 1997.

Dated: December 24, 1996.

Andrew L. Bates,

*Advisory Committee Management Officer.*

[FR Doc. 96–33246 Filed 12–30–96; 8:45 am]

BILLING CODE 7590–01–P

## Proposed Generic Communication; Degradation of Steam Generator Internals

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of opportunity for public comment.

**SUMMARY:** The Nuclear Regulatory Commission (NRC) is proposing to issue a generic letter concerning the degradation of steam generator internals at foreign pressurized-water reactor facilities. The purpose of the proposed generic letter is to (1) re-alert addressees to the previously communicated findings of damage to steam generator internals, namely, tube support plates and tube bundle wrappers, at foreign PWR facilities; (2) emphasize to addressees the importance of performing comprehensive examinations of steam generator internals to ensure steam generator tube structural integrity is maintained in accordance with the requirements of Appendix B to 10 CFR Part 50; and (3) request all addressees to submit information that will enable the NRC staff to verify whether or not the condition of addressees' steam generator

internals comply and conform with the current licensing basis for their respective facilities. The NRC is seeking comment from interested parties regarding both the technical and regulatory aspects of the proposed generic letter presented under the **SUPPLEMENTARY INFORMATION** heading.

The proposed generic letter was endorsed by the Committee to Review Generic Requirements (CRGR) on December 17, 1996. The relevant information that was sent to the CRGR will be placed in the NRC Public Document Room. The NRC will consider comments received from interested parties in the final evaluation of the proposed generic letter. The NRC's final evaluation will include a review of the technical position and, as appropriate, an analysis of the value/impact on licensees. Should this generic letter be issued by the NRC, it will become available for public inspection in the NRC Public Document Room.

**DATES:** Comment period expires January 30, 1997. Comments submitted after this date will be considered if it is practical to do so, but assurance of consideration cannot be given except for comments received on or before this date.

**ADDRESSES:** Submit written comments to Chief, Rules Review and Directives Branch, U.S. Nuclear Regulatory Commission, Mail Stop T–6D–69, Washington, DC 20555–0001. Written comments may also be delivered to 11545 Rockville Pike, Rockville, Maryland, from 7:30 am to 4:15 pm, Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, 2120 L Street, N.W. (Lower Level), Washington, D.C.

**FOR FURTHER INFORMATION CONTACT:** Stephanie M. Coffin, (301) 415–2778.

**SUPPLEMENTARY INFORMATION:**

NRC Generic Letter 96–XX: Degradation of Steam Generator Internals

*Addressees*

All holders of operating licenses for pressurized water reactors (PWRs), except those licenses that have been amended to possession-only status.

*Purpose*

The U.S. Nuclear Regulatory Commission (NRC) is issuing this generic letter to (1) re-alert addressees to the previously communicated findings of damage to steam generator internals, namely, tube support plates and tube bundle wrappers, at foreign PWR facilities; (2) emphasize to addressees the importance of performing comprehensive examinations of steam generator internals to ensure steam generator tube structural integrity is maintained in accordance with the requirements of Appendix B to 10 CFR Part 50; and (3) request all addressees to submit information that will enable the NRC staff to verify whether or not the condition of addressees' steam generator internals comply and conform with the current licensing basis for their respective facilities.

*Background*

The NRC issued Information Notice (IN) 96–09 and IN 96–09, Supplement 1 to alert addressees to findings of damage to steam generator internals at foreign PWR facilities.

*Description of Circumstances*

Foreign authorities have reported various steam generator tube support plate damage mechanisms. The affected steam generators are similar, but not identical, to Westinghouse Model 51 steam generators. As previously documented in IN 96–09 and IN 96–09, Supplement 1, one damage mechanism involved the wastage of the uppermost support plate caused by the misapplication of a chemical cleaning process. A second damage mechanism involved broken tube support plate ligaments at the uppermost, and sometimes at the next lower, tube support plates. The support plate ligaments broke near a radial seismic restraint and near an antirotation key; the damage apparently dates back to initial startup of the affected plants. According to foreign authorities, the ligaments may have broken because of excessive stress during the final thermal treatment of the monobloc steam generators, which in turn was caused by inadequate clearance for differential thermal expansion between the support plates, wrapper, and seismic restraints.

As previously documented in IN 96–09, Supplement 1, a third damage mechanism involved wastage not associated with chemical cleaning and affected tube support plates at various elevations. This damage mechanism is active (progressive) and apparently involves a corrosion or erosion-corrosion mechanism of undetermined origin.

The staffs of potentially affected foreign reactors are currently inspecting steam generators for evidence of the various damage mechanisms, both visually and with eddy current testing. Tubes without adequate lateral support are being plugged.

In 96–09, Supplement 1, also documented that cooling transients involving the injection of large quantities of auxiliary feedwater may have been a key factor in the steam generator wrapper drop phenomenon observed at a foreign PWR facility. These cooling transients are believed to have been particularly severe for two units as a result of the use of a special operating procedure to accelerate the transition from hot to cold shutdown. The weight of the wrapper assembly and support plates is borne by six tenons mounted on the steam generator shell. The wrapper is nominally free to expand axially relative to the shell. However, it is postulated that an interference fit developed between the wrapper and the seismic restraints (mounted to the shell) as a result of differential thermal expansion associated with the cooling transients at the seventh support plate elevation. This interference fit prevented axial expansion of the wrapper, which led to excessive vertical bearing loads at the tenon supports, thus causing localized wrapper failure at this location and downward displacement of the wrapper (20 millimeters, maximum). Poor quality wrapper support welds may also have contributed to this failure. Repairs have been implemented at the affected foreign PWR facility. Wrapper dropping is being monitored in all steam generators of similar design. The monitoring is through online instrumentation and through visual inspections during outages. In addition to the wrapper dropping problem, cracking of the wrapper above the original upper support was discovered at the same foreign unit. The cause of the cracking is not yet known.

*Discussion*

The reported foreign experience highlights the potential for degradation mechanisms that may lead to tube support plate and tube bundle wrapper damage. The steam generator tube support plates support the tubes against lateral displacement and vibration and minimize bending moments in the tubes in the event of an accident. Support plate damage can impair their ability to perform this function and, thus, could potentially lead to the impairment of tube integrity. Vibration-induced fatigue could present a potential problem if tube support plates lose integrity, particularly in areas of high secondary side crossflows. As previously noted in IN 96–09, tube support plate signal anomalies found during eddy current testing of the steam generator tubes may be indicative of support plate damage or ligament cracking. Certain visual and video camera inspections on the secondary side of a steam generator may also provide useful information concerning the degradation of steam

generator internals. The NRC staff will continue to monitor information on tube support plate and tube bundle wrapper damage as it becomes available from foreign authorities.

This letter also alerts addressees to the importance of performing comprehensive examinations of steam generator internals to ensure steam generator tube structural integrity is maintained in accordance with the requirements of Appendix B to 10 CFR Part 50. Criterion XI of Appendix B, ''Test Control,'' requires, in part, that a test program be established to assure that all testing required to demonstrate that structures, systems, and components will perform satisfactorily in service is identified and performed in accordance with written test procedures which incorporate the requirements and acceptance limits contained in the applicable design documents. The applicable steam generator tube design documents include General Design Criteria (GDCs) 14, 15, 30, 31, and 32 of 10 CFR Part 50, Appendix A and Section III of the ASME Boiler and Pressure Vessel code. Criterion XVI of Appendix B, ''Corrective Action,'' requires in part that measures be established to assure that conditions adverse to quality are promptly identified and corrected.

*Requested Information*

Within 60 days of the date of this generic letter, each addressee is requested to provide a written report that includes the following information for its facility:

(1) Discussion of the program in place, if any, to detect degradation of steam generator internals and a description of the inspection plans, including the inspection scope, frequency, methods, equipment and criteria, and plans for corrective action in the event degradation is found.

The discussion should include the following information:

(a) Whether past inspection records at the facility have been reviewed for indications of tube support plate signal anomalies from eddy current testing of the steam generator tubes that may be indicative of support plate damage or ligament cracking. If the addressee has performed such a review, include a discussion of the findings.

(b) Whether visual or video camera inspections on the secondary side of the steam generators have been performed at the facility to provide information on the condition of steam generator internals (e.g., support plates, tube bundle wrappers, or other components). If the addressee has performed such inspections, include a discussion of the findings.

(c) Whether degradation of steam generator internals has been detected at the facility, and how the degradation was assessed and dispositioned.

(2) If the addressee currently has no program in place to detect degradation of steam generator internals, the written response should include a discussion of the plans for establishing such a program, or a justification as to why no such program is needed.

Addressees are encouraged to work closely with industry groups on the coordination of inspections, evaluations, and repair options for all types of steam generator degradation that may be found.

The NRC is aware that the industry has developed generic industry guidance on performing steam generator inspections, and that this guidance is continually being updated. If an addressee intends to follow the guidance developed by the industry for this issue, reference to the relevant generic guidance documents is acceptable, and encouraged, as part of the response, as long as the referenced documents have been officially submitted to the NRC. However, additional plant-specific information will be needed.

*Required Response*

Within 30 days of the date of this generic letter, each addressee is required to submit a written response indicating: (1) Whether or not the requested information will be submitted and (2) whether or not the requested information will be submitted within the requested time period. Addressees who choose not to submit the requested information, or are unable to satisfy the requested completion date, must describe in their response any alternative course of action that is proposed to be taken, including the basis for the acceptability of the proposed alternative course of action.

NRC staff will review the responses to this generic letter and if concerns are identified, affected addressees will be notified.

Address the required written responses to the U.S. Nuclear Regulatory Commission, Attn: Document Control Desk, Washington, D.C. 20555-0001, under oath or affirmation under the provisions of Section 182a, Atomic Energy Act of 1954, as amended, and 10 CFR 50.54(f).

*Backfit Discussion*

Under the provisions of Section 182a of the Atomic Energy Act of 1954, as amended, and 10 CFR 50.54(f), this generic letter transmits an information request for the purpose of verifying compliance with applicable existing regulatory requirements. Specifically, the requested information will enable the NRC staff to determine whether or not the condition of the addressees' steam generator internals comply and conform with the current licensing basis for their respective facilities. In particular, it would help ascertain whether or not the regulatory requirements pursuant to Appendix B to 10 CFR Part 50 are met, namely, (1) Criterion XI, ''Test Control,'' concerning the establishment of effective test programs for systems, structures and components, and (2) Criterion XVI, ''Corrective Action,'' which requires that measures shall be established to assure that conditions adverse to quality, such as failures, malfunctions, deficiencies, deviations, defective material and equipment, and nonconformances are promptly identified and corrected. Additionally, no backfit is either intended or approved in the context of issuance of this generic letter. Therefore, the staff has not performed a backfit analysis.

Dated at Rockville, Maryland, this 23rd day of December 1996.

For the Nuclear Regulatory Commission.

David B. Matthews,

*Acting Director, Division of Reactor Program Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 96–33250 Filed 12–30–96; 8:45 am]

BILLING CODE 7590–01–P

## Proposed Generic Communication; Steam Generator Tube Inspection Techniques (M96401)

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of opportunity for public comment.

**SUMMARY:** The Nuclear Regulatory Commission (NRC) is proposing to issue a generic letter concerning steam generator tube inspection practices at pressurized-water reactor facilities. The purpose of the proposed generic letter is to (1) emphasize to addressees the importance of performing steam generator tube inservice inspections using qualified techniques in accordance with the requirements of Appendix B to 10 CFR Part 50, and (2) request certain information from addressees to verify whether or not steam generator tube inservice inspection practices comply and conform with the current licensing basis for their respective facilities. The NRC is seeking comment from interested

parties regarding both the technical and regulatory aspects of the proposed generic letter presented under the Supplementary Information heading.

The proposed generic letter was endorsed by the Committee to Review Generic Requirements (CRGR) on December 17, 1996. The relevant information that was sent to the CRGR will be placed in the NRC Public Document Room. The NRC will consider comments received from interested parties in the final evaluation of the proposed generic letter. The NRC's final evaluation will include a review of the technical position and, as appropriate, an analysis of the value/impact on licensees. Should this generic letter be issued by the NRC, it will become available for public inspection in the NRC Public Document Room.

**DATES:** Comment period expires January 30, 1997. Comments submitted after this date will be considered if it is practical to do so, but assurance of consideration cannot be given except for comments received on or before this date.

**ADDRESSES:** Submit written comments to Chief, Rules Review and Directives Branch, U.S. Nuclear Regulatory Commission, Mail Stop T–6D–69, Washington, DC 20555–0001. Written comments may also be delivered to 11545 Rockville Pike, Rockville, Maryland, from 7:30 am to 4:15 pm, Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, 2120 L Street, N.W. (Lower Level), Washington, D.C.

**FOR FURTHER INFORMATION CONTACT:** Phillip J. Rush, (301) 415–2790.

**SUPPLEMENTARY INFORMATION:**

NRC Generic Letter 96–XX: Steam Generator Tube Inspection Techniques

*Addressees*

All holders of operating licenses for pressurized water reactors (PWRs), except those licenses that have been amended to possession-only status.

*Purpose*

The U.S. Nuclear Regulatory Commission (NRC) is issuing this generic letter to (1) emphasize to the addressees the importance of performing steam generator tube inservice inspections using qualified techniques in accordance with the requirements of Appendix B to 10 CFR Part 50, and (2) request certain information from addressees to verify whether or not steam generator tube inservice inspection practices comply and conform with the current licensing basis for their respective facilities.

*Background*

Steam generator tubing constitutes a significant portion of the reactor coolant pressure boundary (RCPB). The design of the RCPB for structural and leakage integrity is a requirement under Title 10 of the Code of Federal Regulations, Part 50 (10 CFR Part 50), Appendix A. Specifically, the General Design Criteria (GDC) of Appendix A state that the RCPB shall ''have an extremely low probability of abnormal leakage'' (GDC 14), ''shall be designed with sufficient margin to assure that the design conditions of the reactor coolant pressure boundary are not exceeded during any condition of normal operation'' (GDC 15), and ''shall be designed to permit periodic inspection and testing of important areas and features to assess their structural and leaktight integrity'' (GDC 32).

Once a plant is in operation, licensees are required by their technical specifications to perform periodic inservice inspections of the steam generator tubing and to repair or remove from service all tubes with degradation exceeding the tube repair limits. Eddy-current inspection techniques are the primary means by which licensees assess the condition of the steam generator tubes. Such inspections are an important component of the defense-in-depth measures to ensure the structural and leaktight integrity of the steam generator tubes.

The NRC issued Generic Letter (GL) 95–03, ''Circumferential Cracking of Steam Generator Tubes,'' on April 28, 1995. One of the purposes of GL 95–03 was to emphasize the importance of utilizing qualified inspection techniques and equipment capable of reliably detecting steam generator tube degradation.

Criterion IX, ''Control of Special Processes,'' contained in Appendix B to 10 CFR Part 50 states, in part, that ''measures shall be established to assure that special processes, including * * * nondestructive testing, are controlled and accomplished by qualified personnel using qualified procedures.'' Although the main focus of GL 95–03 was to address circumferential steam generator tube cracking, the requirement of using qualified inspection techniques applies to all inspections for all forms of tube degradation.

Criterion XI, ''Test Control,'' requires, in part, that a test program be established to assure that all testing required to demonstrate that structures, systems, and components will perform satisfactorily in service is identified and performed in accordance with written test procedures which incorporate the requirements and acceptance limits contained in applicable design documents.

Licensees have traditionally relied upon eddy-current inspection techniques to assess the condition of their steam generator tubes. Although eddy-current methods are a proven technique for detecting tube degradation, there has been only limited success in demonstrating the capability to accurately depth size indications from the eddy-current signals. Specifically, tube degradation from intergranular attack (IGA) and stress corrosion cracking (SCC), major modes of steam generator tube degradation, are difficult to size with eddy-current inspection techniques because of a number of complicating variables. Through recent inspections and discussions of eddy-current practice with various licensees, the NRC has become aware that several utilities are allowing degraded steam generator tubes to remain in service on the basis of estimates of IGA and SCC degradation depths using eddy-current methods.

*Discussion*

(1) Evaluation of recent inspection experience. In general, plant technical specifications require the removal from service or the repair of those steam generator tubes with degradation exceeding 40 percent of the nominal tube-wall thickness. Criterion IX in Appendix B to 10 CFR Part 50 requires that nondestructive testing be completed using qualified procedures. Therefore, licensees must be able to demonstrate through the qualification process that an inspection technique used for sizing steam generator tube indications can measure the through-wall penetration of cracks and other forms of degradation with an accuracy commensurate with the ''bases'' of the tube repair limits in the technical specifications.

Theoretically, there is a relationship between the depth of penetration of a defect and the eddy-current signal response; in practice, however, the relationship between signal voltage or phase angle and the degradation depth is influenced by many other variables. Oxide deposits, variability of tube material properties and geometry, degradation morphology, human factors, and eddy-current data analysis and acquisition practices are some of the factors that can significantly alter a depth estimation of steam generator tube degradation. The NRC is aware that the depth of several specific forms of volumetric steam generator tube degradation can be sized with a reasonable degree of accuracy; however,

qualifying techniques for sizing of some forms of degradation, e.g., IGA and SCC, has been problematic.

In order to successfully disposition steam generator tube degradation in accordance with the repair limits in the technical specifications and Appendix B to 10 CFR Part 50, the inspection process must be capable of (1) detecting indications of tube degradation, (2) characterizing the mode of degradation, e.g., cracklike, IGA, corrosion induced thinning, or wear and the orientation for cracklike degradation, and (3) accurately sizing the depth of the indication. The term ''inspection process'' refers to the use of one or a combination of nondestructive inspection techniques to evaluate a specific mode of steam generator tube degradation. This evaluation could potentially include three inspection methods (e.g., eddy current probes)-one for detection, one for characterization, and a third to size the indication. However, the successful qualification of the inspection process requires a qualification of each method (i.e., probe) for the mode of degradation being evaluated in the steam generator tube examinations. Experience has demonstrated that for effective qualification the data set demonstrating the capability of the inspection process should consist, to the extent practical, of service-degraded tube specimens (i.e., specimens removed from operating steam generators), supplemented, as necessary, by tube specimens containing flaws fabricated using alternative methods provided that the nondestructive examination parameter responses from these flaws are fully consistent with actual inservice degradation of the same flaw geometry.

(2) Safety assessment. Steam generator tube degradation is managed through a combination of several defense-in-depth measures including inservice inspection, tube repair criteria, primary-to-secondary leak rate monitoring, water chemistry, operator training, and analyses to ensure safety objectives are met. In addition, on the basis of NRC conclusions regarding the potential consequences of steam generator tube failure events in NUREG–0844, ''NRC Integrated Program for the Resolution of Unresolved Safety Issues A–3, A–4, and A–5 Regarding Steam Generator Tube Integrity,'' the risk from the potential rupture of one or more tubes is small. However, since tube ruptures represent a failure of one of the principal fission product boundaries and present a pathway for a release to the environment bypassing the containment, all reasonable precautions should be taken to prevent such an occurrence.

To verify compliance with Appendix B to 10 CFR Part 50 and the technical specifications, and to maintain a reasonable level of assurance that the structural and leakage integrity margins for steam generator tubes provided in the General Design Criteria (Appendix A to 10 CFR Part 50) are satisfied, the NRC has concluded that it is appropriate for the addressees to review the types of steam generator tube degradation that are being left in service based on sizing, the inspection method being used to perform the sizing for each type of degradation, and the technical basis for the acceptability of each inspection method.

*Requested Information*

Within 60 days of the date of this generic letter, all addressees are requested to provide the following information: (1) Whether it is their practice to leave steam generator tubes with defects in service, based on sizing, and (2) if the response to item (1) is affirmative, those licensees are requested to submit a written report that includes, for each type of steam generator degradation mechanism, a description of the associated nondestructive examination method being used and the technical basis for the acceptability of the technique used.

*Required Response*

Within 30 days of the date of this generic letter, addressees are required to submit a written response indicating: (a) Whether or not the requested information will be submitted, and (b) whether or not the requested information will be submitted within the requested time period. Addressees who respond in the affirmative to item (1) under Requested Information and choose not to submit the requested information, or are unable to satisfy the requested completion date, must describe in their response any alternative course of action that is proposed to be taken, including the basis for the acceptability of the proposed alternative course of action.

NRC staff will review the responses to this generic letter and if concerns are identified, affected addressees will be notified.

Address written material to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555–0001, under oath or affirmation under the provisions of Section 182a, Atomic Energy Act of 1954, as amended, and 10 CFR 50.54(f).

*Backfit Discussion*

This generic letter only requests information from the addressees under the provisions of Section 182a of the Atomic Energy Act of 1954, as amended, and 10 CFR 50.54(f). The information requested will enable the NRC staff to determine whether addressees' steam generator tube inspection practices comply and conform with the current licensing basis for their respective facilities. In particular, it would help ascertain whether or not the regulatory requirements pursuant to Appendix B to 10 CFR Part 50, namely, Criterion IX, ''Control of Special Processes,'' and Criterion XI, ''Test Control,'' are met. Additionally, no backfit is either intended or approved in the context of issuance of this generic letter. Therefore, the staff has not performed a backfit analysis.

Dated at Rockville, Maryland, this 23rd day of December, 1996.

For the Nuclear Regulatory Commission.

David B. Matthews,

*Acting Director, Division of Reactor Program Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 96–33248 Filed 12–30–96; 8:45 am]

BILLING CODE 7590–01–P

## Proposed Generic Communication; Effectiveness of Ultrasonic Testing Systems in Inservice Inspection Programs

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of opportunity for public comment.

**SUMMARY:** The Nuclear Regulatory Commission (NRC) is proposing to issue a generic letter to determine if addressees are taking appropriate action to qualify future ultrasonic testing (UT) examinations. The purpose of the proposed generic letter is to (1) alert addressees to the importance of using equipment, procedures, and examiners (UT systems) capable of reliably detecting and sizing flaws in the performance of comprehensive examinations of reactor vessels and piping, (2) notify addressees about enhancements in UT systems and the significance of these enhancements in plant-specific inservice inspection (ISI) programs, (3) request that all addressees describe the extent to which their piping and reactor pressure vessel ISI activities are being qualified consistent with the objectives of Appendix VIII to Section XI of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code), and (4) require that all addressees send to the NRC a written response to this generic letter relating to the actions and information requested in this letter. The

NRC is seeking comment from interested parties regarding both the technical and regulatory aspects of the proposed generic letter presented under the **SUPPLEMENTARY INFORMATION** heading.

The proposed generic letter was endorsed by the Committee to Review Generic Requirements (CRGR) on December 19, 1996. The relevant information that was sent to the CRGR will be placed in the NRC Public Document Room. The NRC will consider comments received from interested parties in the final evaluation of the proposed generic letter. The NRC's final evaluation will include a review of the technical position and, as appropriate, an analysis of the value/impact on licensees. Should this generic letter be issued by the NRC, it will become available for public inspection in the NRC Public Document Room.

**DATES:** Comment period expires January 30, 1997. Comments submitted after this date will be considered if it is practical to do so, but assurance of consideration cannot be given except for comments received on or before this date.

**ADDRESSES:** Submit written comments to Chief, Rules Review and Directives Branch, U.S. Nuclear Regulatory Commission, Mail Stop T–6D–69, Washington, DC 20555–0001. Written comments may also be delivered to 11545 Rockville Pike, Rockville, Maryland, from 7:30 am to 4:15 pm, Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, 2120 L Street, N.W. (Lower Level), Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Donald G. Naujock (301) 415–2767.

**SUPPLEMENTARY INFORMATION:**

Generic Letter 96–XX: Effectiveness of Ultrasonic Testing Systems In Inservice Inspection Programs

*Addressees*

All holders of operating licenses or construction permits for nuclear power reactors, except those licenses that have been amended to possession-only status.

*Purpose*

The U.S. Nuclear Regulatory Commission (NRC) is issuing this generic letter to (1) Alert addressees to the importance of using equipment, procedures, and examiners capable of reliably detecting and sizing flaws in the performance of comprehensive examinations of reactor vessels and piping, (2) notify addressees about enhancements in ultrasonic testing (UT) systems (Note: As used in this document, ''UT systems'' refers to the equipment, procedures, or examiners involved in the ultrasonic examination) and the significance of these enhancements in plant-specific inservice inspection (ISI) programs, (3) request that all addressees describe the extent to which their piping and reactor pressure vessel ISI activities are being qualified consistent with the objectives of Appendix VIII (Note: ''Consistent with the objectives of Appendix VIII'' means in close conformance with Appendix VIII criteria, even though the Appendix has not been formally incorporated into the regulations as a requirement.) To Section XI of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code), and (4) require that all addressees send to the NRC a written response to this generic letter relating to the actions and information requested in this letter.

*Background*

In the 1970s, operating experience and industry tests indicated a need for improving UT procedures to consistently and reliably detect and characterize flaws during ISI of reactor vessel welds. Also noted was the need for more definitive reporting of results and for more descriptive requirements for essential variables associated with ultrasonic examinations. That need was satisfied with the issuance of Regulatory Guide (RG) 1.150, Revision 1, ''Ultrasonic Testing of Reactor Vessel Welds During Preservice and Inservice Examinations,'' in February 1983. RG 1.150 was incorporated into the technical specifications of many plants.

As the nuclear industry gained more operating experience, the need for improving ISI capabilities became apparent. For example, in the late 1970s, thermal fatigue cracks were found on the inner-blend radius of nozzle-to-vessel surfaces in boiling-water reactor (BWR) feedwater and control rod drive return line nozzles. The NRC staff recommended, in NUREG–0619, ''BWR Feedwater Nozzle and Control Rod Drive Return Line Nozzle Cracking,'' dated November 1980, that licensees develop ISI programs to search for cracks in the inner-blend radii using dye-penetrant, visual, and ultrasonic examinations. The NRC staff recognized the potential for improvements to UT systems, and stated in NUREG–0619 that demonstrated improvements could be used as the basis for modifying the inspection criteria.

Also in the late 1970s, intergranular stress corrosion cracking (IGSCC) was identified in austenitic stainless steel piping. The NRC staff recommended in NUREG–0313, ''Technical Report on Material Selection and Processing Guidelines for BWR Coolant Pressure Boundary Piping,'' dated July 1977, and in subsequent revisions published in July 1980 and January 1988, that a program be established to conduct formal IGSCC performance demonstration testing for UT examiners.

The regulatory guide and NUREG reports were issued as guidance in detecting flaws and in preventing the conditions that could lead to unacceptable flaws.

The need for additional guidance related to performing UT in ISI programs, that were based on requirements in Section XI of the ASME Code, prompted a reexamination of the effectiveness of UT as it was being applied through the ASME Code. The conventional (amplitude-based) UT requirements in the ASME Code establish minimum acceptable inspection standards. In the 1970s and 1980s, the nuclear industry tested UT systems extensively to identify the critical aspects of an effective UT inspection program that would provide a high reliability for detection and characterization of flaws. In the mid-1980s, the NRC and the nuclear industry recognized that the reliability of UT in ISI programs could be significantly improved through performance-demonstration qualification of nondestructive examination equipment, procedures, and examiners.

In 1984, the NRC entered into an agreement, known as the IGSCC Coordination Plan, with the Boiling Water Reactor Owners' Group (BWROG) and the Electric Power Research Institute (EPRI) to coordinate selected activities in regard to training and qualification of personnel using UT to examine piping weldments. As part of the IGSCC Coordination Plan, EPRI administered IGSCC performance demonstration tests to personnel seeking UT qualifications in IGSCC detection and characterization in piping systems.

The nuclear industry set about changing ASME Code requirements for UT from the current minimum inspection standards to inspection standards with performance-based qualifications. The performance-based qualifications would also produce uniform acceptance criteria for evaluating new technology and addressing new forms of degradation. The efforts of the industry to develop performance-based qualification criteria culminated with the publication of Appendix VIII to Section XI of the ASME Code, which was published in

the 1989 Addenda. Appendix VIII, ''Performance Demonstration for Ultrasonic Examination Systems,'' contains detailed requirements for UT performance demonstrations that include statistically based acceptance criteria to detect and size flaws.

The NRC has initiated rulemaking to amend 10 CFR 50.55a to reference Section XI of the ASME Code up to and including the 1995 Edition. After completion of rulemaking, Appendix VIII to Section XI will become a requirement for all licensees. The final rule incorporating Appendix VIII is expected to be issued around July 1998.

*Description of Circumstances*

Appendix VIII is based on the qualification of equipment, procedures, and examiners using performance demonstrations; whereas, existing requirements in the 1989 (and earlier) Edition of Section XI of the ASME Code are prescriptive, minimum inspection standards. A performance-based qualification program encourages development of improved methods for detecting and characterizing flaws, and facilitates implementing the methods with a defined testing curriculum. The performance demonstrations require that equipment, procedures, and examiners be tested on flawed and notched materials and configurations similar to those found in actual conditions. The nuclear industry created the Performance Demonstration Initiative (PDI) in 1991 to manage implementation of the performance demonstration criteria of Appendix VIII (Note: The PDI activities have been assessed by the NRC staff, as described in the letter from J. Strosnider (NRC) to B. Sheffel (PDI) dated March 6, 1996, and have been found to provide a significantly improved method for qualification of equipment, procedures, and examiners. Overall, the NRC staff found that PDI has established and is in the process of executing a well-planned and effective program to test UT technicians on selected portions of Appendix VIII. Accordingly, the NRC staff finds that UT procedures qualified under the PDI program using performance demonstration methods provide an acceptable level of quality and safety.)

Because performance demonstrations test the ability of equipment, procedures, and examiners to detect and size flaws, the demonstrations raise the performance threshold for examiners conducting ultrasonic inspections. For example, a sampling of individuals tested in the different piping examinations under the PDI program revealed that 22% of them did not satisfy the screening criteria for detection of flaws; 41% did not satisfy the screening criteria for length-sizing; 67% did not satisfy the screening criteria for depth measurement; and 49% did not satisfy the screening criteria for IGSCC. These percentages are based on a sampling that included retests. The PDI tests ensure that the equipment must have adequate sensitivity, the procedures must have sufficient detail, and the individuals must be sufficiently skilled in order to successfully qualify under the PDI program.

The improvements in UT techniques performed using Appendix VIII criteria became apparent in 1993 during the reactor pressure vessel shell weld augmented examination at the Browns Ferry Nuclear Power Plant, Unit 3, and in 1995 during the inspection of piping systems for IGSCC at the Millstone Nuclear Power Station, Unit 1. At Browns Ferry, the equipment, procedures, and examiners were qualified consistent with the objectives of Appendix VIII. The examination revealed 15 flaws that did not meet the ASME Code, Section XI,

Subarticle IWB–3500 acceptance criteria and that required further evaluation. Of the 15 flaws, only 3 would have been recordable using conventional Section XI minimum inspection standards and RG 1.150 criteria, and only 2 of the 3 flaws would have required an analytical evaluation in accordance with Section XI, Subarticle IWB–3600. This experience indicates that flaws large enough to require analytical evaluation might not be detected using current UT standards.

Millstone Unit 1 inspectors performed an augmented UT examination for IGSCC in the welds in reactor system piping. The licensee used a newly developed ultrasonic transducer technology to supplement the original examinations. Before the examination, UT examiners from Millstone who were qualified under the IGSCC Coordination Plan demonstrated the adequacy of the new transducer technology by successfully passing the Appendix VIII performance demonstration test administered through the PDI program. During the augmented examination, the UT inspection personnel examined 264 of the 411 pipe welds and found that 35 welds had cracks. A review of examination records from 1984 through 1994 revealed 211 indications that were previously considered by Level III inspectors to be nonmetallurgical or geometric indications. During the 1995 inspection, 14 of the indications previously identified as nonmetallurgical or geometric were identified as flaws; 3 of these flaws developed through-wall leaks when they were mechanically buffed in preparation for repair by the NRC-approved overlay process. The Appendix VIII qualification by Millstone inspectors using normal IGSCC UT procedures increased the licensee's reliability in detection of IGSCC. The additionally demonstrated capability of the new transducer technology under the PDI-administered program clearly increased the level of confidence in the new transducer technology used to identify previous errors made in flaw disposition.

Although, the above experiences clearly depict the need for improvement by using performance demonstration methods in performing UT examinations of reactor vessels and piping, it should be noted that a safety concern does not exist which would warrant immediate backfitting of Appendix VIII in advance of the rulemaking that has been initiated. The staff has reached this conclusion based on consideration of defense-in-depth measures, Code margins in component design, and leakage monitoring systems. In addition, the staff has been requiring for some time now that selected inspections be performed using performance-based qualified techniques (e.g., IGSCC piping inspections).

*Regulatory Requirements*

10 CFR 50.55a requires that systems and components of boiling-water and pressurized-water reactors conform to the requirements of the ASME Code, Sections III and XI.

Appendix A to 10 CFR Part 50 Criterion 14 requires that the reactor coolant pressure boundary shall be designed, fabricated, erected, and tested so as to have an extremely low probability of abnormal leakage, of rapidly propagating failure, and of gross rupture.

Criterion XVI of Appendix B to 10 CFR Part 50 requires that measures shall be established to assure that conditions adverse to quality, such as failures, malfunctions, deficiencies, deviations, defective material and equipment, and nonconformances are promptly identified and corrected. In the case of significant conditions adverse to quality, the measures shall assure that the cause of the condition is determined and corrective action taken to preclude repetition. The identification of the significant condition adverse to quality, the cause of the condition, and the corrective action taken shall be documented and reported to appropriate levels of management.

Criterion II of Appendix B to 10 CFR Part 50 requires, in part, that a quality assurance program shall take into account the need for special controls, processes, test equipment, tools, and skills to attain the required quality and the need for verification of quality by inspection and test. It also requires that the program provide for indoctrination and training of personnel performing activities affecting quality, as necessary to assure that suitable proficiency is achieved and maintained.

*Discussion*

The qualification statistics from PDI discussed above and the issuance of the regulatory guide and staff reports highlight the fact that some UT systems satisfying ASME Code, Section XI amplitude-based UT requirements are less effective in identifying and characterizing certain types of flaws. The experiences at Browns Ferry Unit 3 and Millstone Unit 1 highlight the significant improvements in the effectiveness of UT systems when equipment, procedures, and examiners are qualified through a performance-demonstration program. Therefore, a significant improvement is gained in the effectiveness of UT systems qualified through performance demonstrations (e.g., Appendix VIII) over those satisfying conventional Section XI amplitude-based UT requirements.

The early and accurate detection of flaws in plants is important for maintaining the structural integrity and ensuring the safety function of safety-related systems and components. As plants age, improved reliability in inspection methods, more flexibility in utilizing advanced technology, and a better ability to detect new forms of degradation gain increased importance in ISI programs. The nuclear industry recognizes Appendix VIII as an improvement over the current ISI requirements, and the NRC staff finds that Appendix VIII criteria, as implemented by the PDI program, provide UT results that generally are superior to those of the 1989 (and earlier) Edition of Section XI of the ASME Code. The NRC staff finds that implementation of Appendix VIII criteria enhances the reliability of inspections and provides a significant improvement in the methods used to satisfy existing regulatory requirements and assure plant safety.

Some licensees have already submitted requests to utilize Appendix VIII performance demonstrations as an alternative examination for selective ASME Code, Section XI requirements. Licensees have also submitted requests to the staff to use Appendix VIII criteria in lieu of criteria in Regulatory Guide 1.150. Some licensees are using Appendix VIII concepts in developing alternatives to the IGSCC Coordination Plan, and the NRC staff has already approved the use of either the PDI program or the original IGSCC program for IGSCC qualification of examiners

(Note: Letter from W. T. Russell (NRC) to K. P. Donovan (Chairman, Boiling Water Reactor Owners' Group), ''Transition From the IGSCC Qualification Program to the Performance Demonstration Initiative Program,'' March 1, 1996.)

In conclusion, the NRC staff has determined that using only existing ISI requirements for performing UT examinations might not provide reasonable assurance that flaws can be reliably detected and sized in certain areas. The staff considers cracks and flaws in the reactor vessel and other safety-related components to be a concern when the possibility exists for flaws exceeding the ASME Code, Section XI allowable flaw sizes not being reliably detected or sized. Adequate safety exists through defense-in-depth measures, leakage monitoring systems, and Code margins in component design; however, significant improvement in the ability to reliably detect and size flaws in reactor vessels and piping can be achieved using performance demonstration methods. In order to assess whether the margins required by the ASME Code, Section XI are adequately maintained and to ensure compliance with the applicable existing requirements identified above, the NRC has concluded that it is appropriate to request certain actions and information from the addressees, as indicated below.

*Requested Actions*

In consideration of the information and concerns addressed above, each addressee is requested to perform an evaluation to determine whether its current ISI program ensures that flaws in the reactor vessel and safety-related piping are reliably detected and sized.

If it is determined that flaws in the reactor vessel and safety-related piping cannot be reliably detected and sized, each addressee is expected to take appropriate corrective action in future inspections, in accordance with the requirements of Criteria II and XVI of Appendix B to 10 CFR Part 50, to improve the capability to reliably detect and size flaws.

*Requested Information*

Within 90 days of the date of this generic letter, addressees are requested to submit a written summary report that includes the following:

1. A brief description of the addressee's evaluation of its ISI program, its determination regarding the capability of its current program to reliably detect and size flaws, and corrective actions taken (if any) in response to the requested actions above.

2. If the addressee is not using and does not plan to use the criteria in Appendix VIII of the ASME Code Section XI or other performance-based methods for the qualification of ISI activities, then provide a discussion of any plans for ensuring the effectiveness of current UT systems in detecting and sizing flaws in the reactor vessel and safety-related piping.

3. If the addressee is using or plans to use Appendix VIII for the qualification of ISI activities, then discuss the extent to which the equipment, procedures, and examiners in your ISI program for the reactor vessel and safety-related piping are (or will be) qualified using Appendix VIII criteria or other performance-based methods. Include in this discussion a description of any alternate examination methods (i.e., IWA–2240 of ASME Code Section XI) in your ISI program that use Appendix VIII or other performance-based examination methods as allowed in applicable sections of 10 CFR 50.55a for inspecting the reactor vessel and safety-related piping.

*Required Response*

Within 30 days of the date of this generic letter, addressees are required to submit a written response indicating: (1) Whether or not the requested actions will be completed, (2) whether or not the requested information will be submitted, and (3) whether or not the requested information will be submitted within the requested time period.

Addressees who choose not to complete the requested actions, or choose not to submit the requested information, or are unable to satisfy the requested completion date, must describe in their response any alternative course of action that is proposed to be taken, including the basis for establishing the acceptability of the proposed alternative course of action. [For addressees that fail to have or implement appropriate qualification methods for future UT examinations where subsequent inspections find previously unidentified or improperly dispositioned flaws, the staff will consider whether such circumstances (a) are the result of failing to adequately take into account the need for special controls, skills and training needed to ensure suitable proficiency in the conduct of UT examinations contrary to the requirements of Criterion II, Quality

Assurance Program, of Appendix B ''Quality Assurance Criteria for Nuclear Power Plants and Fuel Reprocessing Plants,'' of 10 CFR Part 50; and/or (b) represent inadequate corrective action for known inadequacies contrary to the requirements of Criterion XVI, Corrective Action, of Appendix B, of 10 CFR Part 50.]

Address the required written responses to the U.S. Nuclear Regulatory Commission, *ATTN:* Document Control Desk, Washington, D.C. 20555–0001, under oath or affirmation under the provisions of Section 182a, Atomic Energy Act of 1954, as amended, and 10 CFR 50.54(f). In addition, send a copy to the appropriate regional administrator.

*Related Generic Communications*

(1) Information Notice 96–32, ''Implementation of 10 CFR 50.55a(g)(6)(ii)(A), Augmented Examination of Reactor Vessel,'' June 5, 1996.

(2) Information Notice 93–20, ''Thermal Fatigue Cracking of Feedwater Piping to Steam Generators,'' March 24, 1993.

(3) Generic Letter 88–01, ''NRC Position on IGSCC in BWR Austenitic Stainless Steel Piping,'' January 25, 1988.

*Backfit Discussion*

This generic letter transmits an information request pursuant to the provisions of Section 182a of the Atomic Energy Act of 1954, as amended, and 10 CFR 50.54(f) to determine if licensees are taking appropriate action to qualify future UT examinations. To the extent that the actions requested in this letter may result in corrective actions taken by addressees that are considered backfits, the backfits are justified under the compliance exception of the backfit rule, i.e., 10 CFR 50.109 (a)(4)(i).

Dated at Rockville, Maryland, this 23rd day of December, 1996.

For the Nuclear Regulatory Commission.

David B. Matthews,

*Acting Director, Division of Reactor Program Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 96–33249 Filed 12–30–96; 8:45 am]

**BILLING CODE 7590–01–P**

## SECURITIES AND EXCHANGE COMMISSION

**[Release No. 34–38077; File No. SR–Amex–96–43]**

## Self-Regulatory Organizations; Order Granting Accelerated Approval of a Proposed Rule Change by the American Stock Exchange, Inc., Relating to Extending Trading Hours to Permit the Execution of Matched Orders for Exchange-Listed Securities Which Are Part of a Basket Trade Being Done in Large Part on the New York Stock Exchange's Crossing Session II

December 23, 1996.

I. Introduction

On November 12, 1996, the American Stock Exchange, Inc. (''Amex'' or ''Exchange'') filed a proposed rule change with the Securities and Exchange Commission (''SEC'' or ''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder,[2] to extend its trading hours to permit the execution of aggregate-price orders for Exchange-listed securities which are part of a basket trade being done in large part on the New York Stock Exchange's (''NYSE'') Crossing Session II.

Notice of the proposal was published for comment and appeared in the Federal Register on November 26, 1996.[3] No comment letters were received on the proposed rule change. This order approves the Exchange's proposal, on an accelerated basis.

II. Description of the Proposal

When the Exchange implemented an After-Hours Trading (''AHT'') facility for single-sided and matched closing price orders,[4] it determined that it would not, at that time, establish an after-hours crossing session for aggregate-price basket trades similar to the NYSE's Crossing Session II.[5] Some member organizations, however, have noted that the Exchange's lack of such a facility has impaired their ability to effect program trades which include Amex-listed stocks. For example, if a firm wanted to do an after-hours program trade based on the S&P 500 Index, it would cross the component stocks listed on the NYSE during Crossing Session II; it would cross those listed on Nasdaq in-house; but it would have to cross most of the Amex-listed component stocks overseas. Because most of the Amex-listed stocks included in the S&P 500 Index are not 19c–3 securities (that is, they were exchange-listed on or prior to April 26, 1979), Exchange Rule 5 (Off Board Trading) applies and prohibits member firms from acting as principal in an upstairs trade in these securities executed in the United States. Due to the time differences, the Exchange believes that executing the Amex component of the basket trade overseas creates administrative difficulties and increased costs for member firms engaging in these transactions.

The Exchange is proposing to create a facility to permit members and member organizations to execute on the Exchange, after normal trading hours, aggregate-price orders for Amex-listed securities which are part of a larger aggregate-price basket trade otherwise being done in the NYSE's Crossing Session II.[6] Operationally, the Exchange's AHT facility for aggregate-price orders would work in the same manner as the NYSE's Crossing Session II. The Exchange's AHT facility for aggregate-price orders would be available from 4 p.m. to 5:15 p.m. (New York p.m. (New York time). After the

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] See Securities Exchange Act Release No. 37965 (November 19, 1996), 61 60135 (November 26, 1996) (''Release No. 37965'').

[4] See Securities Exchange Act Release Nos. 29515 (August 2, 1991), 56 FR 37736 (August 8, 1991); 23263 (May 25, 1993), 58 FR 31558 (June 3, 1993); 33561 (February 1, 1994), 59 FR 5789 (February 8, 1994); and 33993 (May 2, 1994), 59 FR 23902 (May 9, 1994).

[5] As part of its overall after-hours trading plan, the NYSE created a facility for the execution of aggregate-price basket orders involving at least 15 NYSE-listed securities with an aggregate minimum value of one million dollars (''Crossing Session II''). In this facility, which is available from 4:00 p.m. to 5:15 p.m., New York time, a member transmits matched buy and sell orders to the NYSE on a facsimile form listing the number of stocks and shares to be traded and the total dollar value of the basket trade. Transactions effected during Crossing Session II are aggregated and reported on Tape A as an administrative message at the close of the session. Only the aggregate share volume and dollar amount of all programs executed during the session are reported. No reports are printed with respect to the individual stocks comprising the baskets. Notwithstanding the foregoing, members and member organizations effecting trades in Crossing Session II are required to submit to the NYSE's Market Surveillance by T+3 the names and the number of shares of each NYSE-listed stock comprising each basket. *See* Securities Exchange Act Release Nos. 33992 (May 2, 1994), 59 FR 23907 (May 9, 1994); and 29237 (May 31, 1991), 56 FR 24853 (June 3, 1991) (''NYSE Crossing Session II Approval Orders'').

[6] The Exchange anticipates commencing operation of the facility no earlier than January 2, 1997. The Exchange will provide notice to, and educate, its membership regarding the rules of the facility prior to their implementation. See Letter from William Floyd-Jones, Assistant General Counsel, Legal & Regulatory Policy Division, Amex, to John Ayanian, Attorney, Office of Market Supervision (''OMS''), Division of Market Regulation (''Market Regulation''), Commission, dated December 18, 1996 (''Date of Implementation Letter'').

close of the 9:30 a.m. to 4 p.m. trading session, dual Amex/NYSE members and member organizations using the facility would transmit to the NYSE Service Desk a facsimile form to which would specify the number of stocks, aggregate number of shares and the dollar value of the securities to be crossed. NYSE personnel will review the order, and if eligible, execute the NYSE portion of the basket. NYSE Service Desk personnel then will fax the order to the Amex Service Desk. Amex personnel will review the order and execute the Amex portion of the basket.[7] The trade would be executed, and a report transmitted by facsmile to the initiating firm. At the end of the session (5:15 p.m. New York time) the total number of shares [8] and the dollar value of all baskets traded during the session would be aggregated separately by Amex and NYSE personnel for their respective Exchange-listed and NYSE-listed components of the baskets, and the totals would be transmitted to the SIAC for publication on the ''Tape'' as administrative messages. A print of the NYSE listed portion of the basket would appear on Tape B reflecting the Exchange-listed portion of the basket transactions.

On T+3 members will report to the Exchange the names and number of shares of each Amex-listed stock included in the basket. On T+4, the Exchange will publish this information in its Daily Sales Report.

The Amex will waive all transaction fees in connection with the execution of aggregate price orders for Amex-listed securities which are part of an aggregate-price basket trade otherwise being done in the NYSE's Crossing Session II.

## III. Commission Finding and Conclusions

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange, and, in particular, the requirements of section 6(b)(5) [9] and 11A [10] of the Act. The Commission believes that the Exchange's proposal to extend its trading hours to permit the execution of matched orders for Exchange-listed securities which are part of a basket trade being done in large part on the NYSE Crossing Session II, is reasonably designed to promote just and equitable principles of trade, prevent fraudulent and manipulative acts and practices, and remove impediments to and perfect the mechanism of a free and open market and a national market system.

The Commission believes that the Exchange's proposal will benefit investors by providing members and member organizations the ability to cross the Amex component(s) of the larger basket trade on the Exchange's AHT facility. The Commission notes that for the Amex-listed portion of the basket to be eligible for execution as an aggregate price order on the Exchange's AHT facility, as proposed herein, the larger basket must be eligible for NYSE's Crossing Session II, [11] and submitted for execution as an aggregate-price order in that exchange's Off-Hours Trading Facility.

Although the execution of an aggregate-price order on the Exchange's AHT facility does not provide a traditional auction market for basket trades, the reality of the marketplace is that these trades currently are being effected off-exchange and, frequently, overseas. By bringing these institutional trades within the purview of U.S. regulatory bodies, the marketplace and the investing public generally benefits, for example, through the Commission and Exchange oversight, trade reporting, and consolidated surveillance.

The Amex has also requested exemptive relief from the requirement of Rule 11Aa3–1(b)(2)(iv) under the Act that the Exchange disseminate on a consolidated basis trading volume for each of the Amex-listed component securities in the aggregate-price order executed on the Exchange's AHT facility.[12] The Amex has proposed a plan under which the Exchange would collect the required trade detail information by T+3 and would publish this information in the Daily Sales Report on T+4. The Commission staff is currently reviewing the Exchange's request for exemptive relief from certain provisions of Rule 11Aa3–1(b)(2)(iv) under the Act. The Commission's approval of the proposed rule change is contingent upon the Commission's granting of the necessary Rule 11Aa3–1(b)(2)(iv) exemptive relief.

The Amex also requested an exemption from Rule 10a–1 under the Act to permit, subject to certain conditions, short sales of certain orders during the AHT session without complying with the ''tick'' provisions of the Rule.[13] The Commission is currently reviewing the Exchange's request.

The Commission expects the Exchange, through the use of its surveillance procedures, to monitor for, and report to the Commission, any patterns of manipulation or trading abuses or unusual trading activity resulting from the AHT facility.

The Commission finds good cause for approving the proposed rule change prior to the thirtieth day after the date of publication of notice of filing thereof in the Federal Register. The Commission notes that Exchange represents that operationally, the Exchange's AHT facility for aggregate-price orders would work in the same manner as the NYSE's Crossing Session II, which the Commission approved in 1994.[14] The Commission also notes that the Exchange will implement the AHT facility for aggregate-price orders no earlier than January 2, 1997.[15] The Commission believes that by granting accelerated approval the Exchange may, in a timely manner, notify and educate its membership regarding the rules of the AHT facility approved in this release, prior to their implementation. Additionally, no comments were received on the proposal, which was subject to the full 21 day notice and comment period.[16]

Accordingly, the Commission believes it is consistent with Sections 6(b)(5) and 19(b)(2) of the Act to approve the proposed rule change on an accelerated basis.

## IV. Conclusion

Based on the foregoing, the Commission finds that approval of the Exchange's proposal to extend its

[7] See Letter from William Floyd-Jones, Assistant General Counsel, Legal & Regulatory Policy Division, Amex, to John Ayanian, Attorney, OMS, Market Regulation, Commission, dated December 10, 1996 (''Amex Letter'').

[8] The Amex erroneously indicated in its original filing that the number of stocks in the basket would be transmitted to the Securities Industry Automation Corporation (''SIAC'') for publication on the Tape as administrative text messages. The Amex states that, as is currently the case with NYSE's Crossing Session II facility, only the total number of shares and dollar value of such shares in the basket will be transmitted to SIAC on trade date for dissemination. *See* Amex Letter, *supra* note 7.

[9] 15 U.S.C. 78f(b)(5).

[10] 15 U.S.C. 78k–1.

[11] See NYSE Crossing Session II Approval Orders, *supra* note 5.

[12] See Letter from William Floyd-Jones, Assistant General Counsel, Legal & Regulatory Policy Division, Amex, to Larry Bergmann, Senior Associate Director, Office of Risk Management and Control, Market Regulation, Commission, dated November 11, 1996 (''Exemptive Relief Letter'').

[13] See Exemptive Relief Letter, *supra* note 12. See also Letter from William Floyd-Jones, Assistant General Counsel, Legal & Regulatory Policy Division, Amex, to Blair Corkran, Senior Special Counsel, Office of Risk Management and Control, Market Regulation, Commission, dated December 4, 1996.

[14] See NYSE Crossing Session II Approval Orders, *supra* note 5.

[15] See Date of Implementation Letter *supra* note 6.

[16] See Release No. 37965, *supra* note 3.

trading hours to permit the execution of aggregate-price orders for Exchange-listed securities which are part of a basket trade being done in large part on the New York Stock Exchange's (''NYSE'') Crossing Session II is consistent with the Act.

*It is therefore ordered,* pursuant to Section 19(b)(2) of the Act,[17] that the proposed rule change (File No. SR–Amex–96–43) is approved, contingent upon the Commission's granting of the necessary Rule 11Aa3–1(b)(2)(iv) exemptive relief, on an accelerated basis.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[18]

Margaret H. McFarland,

*Deputy Secretary.*

[FR Doc. 96–33272 Filed 12–30–96; 8:45 am]

**BILLING CODE 8010–01–M**

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**[Release No. 34–38080; File No. SR–CBOE–96–78]**

## Self-Regulatory Organizations; Notice of Filing of Proposed Rule Change by the Chicago Board Options Exchange, Incorporated Relating to Circuit Breaker Halts

December 23, 1996.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on December 18, 1996, the Chicago Board Options Exchange, Incorporated (''CBOE'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'' or ''SEC'') the proposed rule change relating to certain market-wide circuit breaker provisions as described in Items I, II, and III below, which Items have been prepared by the CBOE. 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 CBOE proposes to amend CBOE Rule 6.3B (Trading Halts Due to Extraordinary Market Volatility—''circuit breakers'') to increase the levels of decline in the Dow Jones Industrial Average (''DJIA'')[3] that would trigger a trading halt on the Exchange pursuant to that Rule.

The text of the proposed rule change is available at the Office of the Secretary, CBOE and at the Commission.

### II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the CBOE included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The CBOE has prepared summaries, set for in sections (A), (B), and (C) below, of the most significant parts of such statements.

#### *A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change*

1. Purpose

The purpose of the proposed rule change is to conform the circuit breaker trading halt procedures of the CBOE to the circuit breaker trading halt procedures of the New York Stock Exchange, Inc. (''NYSE''), as such procedures are currently proposed to be amended by the NYSE. CBOE Rule 6.3B, which sets forth the CBOE's circuit breaker trading halt procedures, currently contains substantially the same provisions as are contained in NYSE Rule 80B, which sets forth the NYSE's circuit breaker trading halt procedures. On December 11, 1996, the NYSE submitted a rule filing to the Commission designated as File No. SR–NYSE–96–38, which proposed to modify the NYSE's circuit breaker trading halt procedures by proposing to amend NYSE Rule 80B. The CBOE's proposed amendments to Rule 6.3B are intended to maintain the conformity between the circuit breaker trading halt procedures of the CBOE and the NYSE by proposing to amend Rule 6.3B in the same manner that the NYSE is proposing to amend NYSE Rule 80B in File No. SR–NYSE–96–38.

CBOE Rule 6.3B currently provides, in part, that if the DJIA falls 250 or more points below its previous trading day's closing value, trading in all securities on the Exchange will halt for thirty minutes. It further provides that, if on the same day the DJIA drops 400 or more points from its previous trading day's close, trading on the Exchange will halt for one hour. In conformity with the NYSE, the Exchange is now proposing to amend CBOE Rule 6.3B to increase the foregoing circuit breaker levels from 250 points to 350 points and from 400 points to 550 points.

In conformity with the NYSE, the adoption of amendments to CBOE Rule 6.3B would be contingent upon the adoption of amended rules or procedures substantively identical to CBOE Rule 6.3B by (i) all United States stock exchanges and the National Association of Securities Dealers with respect to the trading of stocks, stock options, and stock index options; and (ii) all United States futures exchanges with respect to the trading of stock index futures and options on such futures.

The CBOE's proposed amendments to Rule 6.3B will serve to maintain the coordinated approach of the NYSE, the CBOE, and other markets to trading halt procedures that are applicable during large, rapid market declines. Various studies of the October, 1987 market break noted that the stock, options, and futures markets are interrelated. And, in addition, the Exchange recognizes the Commission's desire to have coordinated mechanisms across these markets to deal with potential strains that may develop during periods of extreme downward volatility.[4] Such a coordinated approach is also in accordance with the recommendations contained in the Report of the Presidential Task Force on Market Mechanisms, which recommended, among other things, that circuit breaker mechanisms, in order to be effective, need to be coordinated across stock, stock index futures, and options markets in order to prevent intermarket problems of the kind experienced in October, 1987.[5]

2. Statutory Basis

The basis under the Act for this proposed rule change is the requirement under Section 6(b)(5) that an Exchange have rules that are designed to promote just and equitable principles of trade, to remove impediments to, and perfect the mechanism of a free and open market and a national market system and, in general, to protect investors and the public interest. The Exchange believes that amending Rule 6.3B is consistent with these objectives, in that an all-market circuit breaker trading halt requirement at appropriate levels can be

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[17] 15 U.S.C. 78s(b)(2).

[18] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] ''Dow Jones Industrial Average'' is a service mark of Dow Jones & Company, Inc.

[4] See Securities Exchange Act Release No. 26198 (October 18, 1988), 53 FR 41637 (October 24, 1988) (Commission order approving proposed rule changes of the CBOE, the National Association of Securities Dealers, Inc., the NYSE, and the American Stock Exchange, Inc. relating to market circuit breakers).

[5] See *Id.* (citing Report of the Presidential Task Force on Market Mechanisms).

expected to promote stability and investor confidence during a period of significant stress by providing market participants with a reasonable opportunity to become aware of and respond to significant price movements, thereby facilitating, in an orderly manner, the maintenance of an equilibrium between buying and selling interest.

*B. Self-Regulatory Organization's Statement on Burden on Competition*

The CBOE does not believe that the proposed rule change will impose any burden on competition.

*C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others*

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the date of publication of this notice in the Federal Register or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) By order approve the proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Soliciation of Comments

Interest persons are invited to submit written data, views, and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street, N.W., Washington, D.C. 20549. Copies of such filing will also be available for inspection and copying at the principal office of the CBOE. All submissions should refer to File No. SR–CBOE–96–78 and should be submitted by January 21, 1997.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.[6]

Margaret H. McFarland,

*Deputy Secretary.*

[FR Doc. 96–33269 Filed 12–30–96; 8:45 am]

**BILLING CODE 8010–01–M**

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**[Release No. 34–38082; File No. SR–CHX–96–27]**

## Self-Regulatory Organizations; Order Approving Proposed Rule Change by the Chicago Stock Exchange, Incorporated Relating to Permanent Approval of Its Pilot Program for Automatic Execution of Limit Orders

December 24, 1996.

I. Introduction

On October 15, 1996, the Chicago Stock Exchange, Incorporated (''CHX'' or ''Exchange'') submitted to the Securities and Exchange Commission (''SEC'' or ''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change seeking permanent approval of its system enhancement relating to the automatic execution of non-marketable limit orders.

Notice of the proposed rule change, together with the substance of the proposal, was provided by issuance of a release,[3] and by publication in the Federal Register.[4] No comments were received. This order approves the proposed rule change.

II. Description of the Proposal

The rule change approved today provides permanent approval of the Exchange's system enhancement relating to the automatic execution of non-marketable limit orders. On July 12, 1995, the Commission approved this system enhancement on a pilot basis, with an expiration date of July 31, 1996.[5] The pilot program was extended in a subsequent Commission approval order and is currently scheduled to expire on December 31, 1996.[6] In the Pilot Approval Order, as amended by the Pilot Extension Order, the Commission requested that the CHX provide a report to the Commission, by August 31, 1996, describing its experience with the pilot program. This report has been submitted to the Commission.

The proposed system enhancement (''Auto-Ex'') is a feature of the Exchange's automated execution system (''MAX'') that CHX specialists may voluntarily choose to activate to execute automatically non-marketable limit orders[7] on the specialist's book. Auto-Ex operates by comparing the size of the CHX-entered limit order against the amount of stock ahead of that order in the primary market when the issue is trading in the primary market at the limit price. The Auto-Ex System begins comparing CHX-entered limit orders when the order's limit price equals the bid (for a limit order to buy) or offer (for a limit order to sell) quoted in the primary market.[8] Thereafter, the Auto-Ex system keeps track of all prints in the primary market and automatically executes the limit order once the required size prints in the primary market.[9] As additional limit orders at the same price are received by the specialist, comparisons are made and entered based upon the shares ahead of those limit orders at the time of receipt, including shares ahead on the CHX. The Auto-Ex feature does not permit a limit order to be filled out of sequence.

The Auto-Ex feature executes limit orders in accordance with existing CHX

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[6] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] See Securities Exchange Act Release No. 37946, November 13, 1996.

[4] See 61 FR 59263, November 21, 1996.

[5] See Securities Exchange Act Release No. 35962 (July 12, 1995), 60 FR 37115 (July 19, 1995) (File No. SR–CHX–95–11) (''Pilot Approval Order'').

[6] See Securities Exchange Act Release No. 37442 (July 16, 1996), 61 FR 38491 (July 24, 1996) (File No. SR–CHX–96–18) (''Pilot Extension Order'').

[7] A limit order is an order to buy or sell a stated amount of a security at a specified price or at a better price. A limit order is called ''marketable'' when the prevailing best offer (bid) is equal to or less (greater) than the limit buy (sell) order price.

[8] For example, if the primary market quotation is ¼ bid, ½ offered, 4,000 shares bid and 4,000 shares offered, and a CHX specialist receives a limit order to buy 2,000 shares for ⅛, that limit order will not be compared against the amount of stock ahead of the order in the primary market until such time as the ¼ bid is exhausted and the ⅛ bid becomes the best bid. At that time, the size which is disseminated with the ⅛ bid is the size against which the limit order is compared for Auto-Ex purposes.

[9] For example, assume a CHX specialist receives an agency limit order to buy 2,000 shares of ABC at ½. The primary market quotation is ½ bid, ¾ offered, 5,000 shares bid and CHX order. The Auto-Ex will automatically execute the entire CHX limit 5,000 shares offered, meaning there are 5,000 shares ahead of the order after 7,000 shares print at ½ or better in the primary market. However, when more than 5,000 but less than 7,000 shares print at ½ in the primary market, the order will be flagged with a flashing prompt to alert the specialist that the order may be due at least a partial fill. See CHX Article XX, Rule 37(a) governing primary market protection of certain limit orders.

rules.[10] Auto-Ex is available for all dually traded issues; however, specialists are permitted to choose Auto-Ex on an issue by issue basis.[11] Generally, however, Auto-Ex has been used by specialists for issues which, based on experience, have demonstrated reliable and accurate quotes in the primary market. Limit orders not subject to Auto-Ex will be ''flagged'' with a prompt to alert the specialist that a fill may be due. The proposal to establish an Auto-Ex feature applies only to non-marketable limit orders. It is not applicable to marketable limit orders or to market orders.

The Exchange states that the purpose of the proposed rule change is to further automate the CHX's trading floor functions, and to improve the CHX's performance in filling limit orders. By providing for automatic execution of limit orders in accordance with existing Exchange rules, the Exchange states that it is eliminating the need for the manual operation required of specialists in determining when and to what extent limit orders are due fills based on primary market prints. The Exchange notes that the manual effort expended by specialists in filling limit orders that are entitled to primary market protection is often time-consuming and can result in errors, particularly when there is heavy trading volume. The Exchange believes that the present proposal will, therefore, directly benefit customers because it will result in more timely fills while eliminating errors resulting from manual execution.

The Exchange also states that the Auto-Ex feature will not change or amend any CHX trading rules, nor will it cause or allow limit orders to be filled under different parameters than under existing rules. Auto-Ex only automates the manner in which limit orders are filled. The Exchange states that it will continue to monitor specialist execution of limit orders through the Market Regulation/Surveillance Department. In addition CHX specialists will continue to be responsible for their books to the same degree as they are now under the manual execution system for limit orders.

III. Discussion

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange, and, in particular, with the requirements of Section 6(b) of the Act.[12] Specifically, the Commission believes the proposal is consistent with the Section 6(b)(5) requirements that the rules of an exchange be designed to promote just and equitable principles of trade, to prevent fraudulent and manipulative acts, and, in general, to protect investors and the public interest. The Commission believes that the proposed rule change to provide for the automatic execution of non-marketable limit orders should result in prompt execution of such orders on the Exchange and reduce errors caused by manual execution of limit orders that are entitled to primary market protection, especially during periods of heavy trading volume.

In the Pilot Approval Order, the Commission noted several items to be addressed prior to implementation of the pilot on a permanent basis. The Commission sought clarification regarding the basis upon which issues would be added and removed from Auto-Ex. The Commission also requested clarification that manually-executed limit orders and Auto-Ex limit orders receive an identical quality of execution. Finally, the Commission expressed an interest regarding the length of time between a print in the primary market and the resulting fill on CHX for both issues included in Auto-Ex and those issues not included in Auto-Ex.

In order to address the items noted by the Commission, the Exchange submitted a report summarizing data gathered during the pilot period.[13] The Exchange stated that during the reporting period, five of the 348 issues participating in the pilot were removed. Of those issues removed, three had been added to the pilot in error[14] and two were removed at the specialist's request due to a high volume of activity on the primary market. According to the report submitted by the Exchange, specialists seem to be biased against including issues in Auto-Ex which generate large size orders. The Exchange stated that it believes this bias is due to the fact that the maximum quote size that CQS can disseminate is 99,900. For example, if a specialist on the primary market has a limit order on the book for 400,000, only 99,900 appears on the CHX system. Therefore, once the CHX system registered the execution of 99,900 shares on the primary market, executions would occur on Auto-Ex while more than 300,000 in limit orders still remained in the primary market limit order book. Further, these executions would occur when CHX rules did not yet require the order to be filled.[15] Therefore, to avoid automatic executions when an order fill was not yet required, some specialists for issues which generated larger size orders requested that those issues be removed from Auto-Ex.

The Exchange reported that the length of time between a print in the primary market and an Auto-Ex was less than one second. Further, according to the Exchange report, the length of time between a print in the primary market and a manual CHX order fill averaged 11.623 minutes. The Exchange stated in the report that fifty percent of the manually filled orders are executed in 1½ minutes or less. Although the submitted data appears to suggest that the execution of some manually-executed limit orders was delayed for several hours, the Exchange has confirmed that these orders were not executed late; rather, the prompt to execute was actually premature due to the fact that an order of more than 99,900 shares (in the primary market) was ahead of the CHX order.[16]

The Commission believes that the Exchange reports adequately addresses the potential issues identified by the Commission in the Pilot Approval Order. Specifically, the Commission finds that the report indicates that issues participating in Auto-Ex during the pilot period were added and removed in a fair and non-discriminatory manner. Further the Commission finds that it does not appear that the method of selection of issues for participation in Auto-Ex raised concerns regarding manipulation.

[10] Further, the Exchange has stated that the recent adoption of the Order Execution Obligations (Securities Exchange Act Release No. 37619 (August 29, 1996), 61 FR 48290 (September 12, 1996)) will have no impact or effect on the proposed rule change. See Letter from J. Craig Long, Foley & Lardner to Janice Mitnick, Division of Market Regulation, SEC, dated November 8, 1996.

[11] The CHX will limit a specialist's ability to activate and deactivate Auto-Ex by: (1) only permitting a specialist to deactivate Auto-Ex on a certain day each month, which is determined from time to time by the Exchange; and (2) requiring that issues remain on Auto-Ex for a minimum of five trading days.

[12] 15 U.S.C. 78f(b).

[13] The report includes data gathered from April 7, 1996 through July 25, 1996. Phone conversation between David Rusoff, Foley & Lardner and Janice Mitnick, SEC on December 16, 1996.

[14] In one case, a stock ticker symbol was incorrectly entered. The other two errors resulted from outdated information. Generally, firms participating in the pilot requested that the Exchange include all of their specialists in the pilot. One error resulted from the addition of an issue marketed by a specialist who had was no longer with the firm requesting participation in AutoEx. Additionally, if a specialist chose to participate in AutoEx, the specialist usually placed all of his or her stocks in the pilot. One error resulted from the fact that the specialist who chose to participate AutoEx was no longer a market maker in the erroneously added stock. Phone conversation between David Rusoff, Foley & Lardner and Janice Mitnick, SEC on December 16, 1996.

[15] See CHX Article XX, Rule 37(a)(3)(c).

[16] See *Id*.

The only factor noted in the report which created a bias regarding the issues selected for inclusion in Auto-Ex appears to be the result of the size limitations of the CQS. As discussed above in detail, the size limitation of CQS, combined with issues which generate large orders, could result in fills being generated on Auto-Ex before the CHX rules require a fill to occur. Finally, the Commission finds that the report data indicates that executions on Auto-Ex are timely, occurring in 1½ minutes or less, and, in most cases, faster than manual executions for issues not included on Auto-Ex. As discussed above, the Commission believes that the proposed rule change should result in prompt execution of non-marketable limit orders and reduce errors caused by manual execution of limit orders that are entitled to primary market protection, especially during periods of heavy trading volume.

*It is therefore ordered,* pursuant to Section 19(b)(2) of the Act,[17] that the proposed rule change (SR–CHX–96–27) is approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[18]

Margaret H. McFarland,

*Deputy Secretary.*

[FR Doc. 96–33270 Filed 12–30–96; 8:45 am]

**BILLING CODE 8010–01–M**

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**[Release No. 34–38078; File No. SR–NYSE–96–37]**

## Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of a Proposal by the New York Exchange, Inc. Regarding the Limitation of Liability for Use of Facilities

December 23, 1996.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on December 10, 1996, the New York Stock Exchange, Incorporated (''NYSE'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to clarify that transactions in baskets that include American Stock Exchange, Inc. (''Amex'') listed securities effected through NYSE Crossing Session II are deemed to constitute use of Exchange facilities, as described in Article II, Section 6 of the NYSE Constitution. The text of the proposed rule change is available at the Office of the Secretary, the Exchange, and at the Commission.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in Section (A), (B), and (C) below, of the most significant aspects of such statements.

*(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change*

NYSE Crossing Session II permits members and member organizations to cross multi-stock baskets between 4:00 p.m. and 5:15 p.m. New York time. Baskets must include at least 15 NYSE-listed stocks with an aggregate value of $1 million or more.

The Amex has filed with the Commission a proposed rule change to extend its trading hours to permit the execution of ''aggregate-price orders'' for Amex-listed securities which are part of a basket being done in large part through the exchange's Crossing Session II.[3] Once approved, the Amex rule change will allow dual NYSE/Amex members and member organizations contemporaneously to execute on the NYSE, the NYSE-listed portion of a basket and on the Amex, the Amex-listed portion of the basket.

To facilitate contemporaneous execution, the NYSE will accept the entire basket order and forward to the Amex the Amex-listed portion of the basket order, provided that the member or member organizations submitting the order is a member of both the NYSE and the Amex. The Amex will execute the Amex portion, report it to the ''Tape'' and back to the member or member organization, and facilitate any regulatory reports that may be required of the member or member organization with respect to the Amex portion.

The Exchange proposes to clarify that Article II, Section 6 of the NYSE Constitution shall, in addition to all other applications, also apply to any transaction, notice or communication effected through or arising in connection with NYSE Crossing Session II. This includes, but is not limited to, transactions, notices or communications involving a basket consisting of both Exchange-listed securities and securities listed on the Amex. This shall not preclude the applicability of any other provision of the Constitution or Rules that would serve to limit the liability of the Exchange for use by its members and member organizations of Exchange facilities.

The Exchange believes that the proposal is consistent with Section 6(b) of the Act in general and furthers the objectives of Section 6(b)(5) in particular in that it is designed to promote just and equitable principles of change, to remove impediments to, and perfect the mechanism of a free and open market and, in general, to protect investors and the public interest.

*(B) Self-Regulatory Organization's Statement on Burden on Competition*

The Exchange does not believe that the proposed rule change will impose any burden on competition.

*(C) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants or Others*

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing rule change constitutes a stated interpretation with respect to the meaning, administration, or enforcement of an existing rule, it has become effective pursuant to section 19(b)(3)(A), and Rule 19b-4 thereunder. At any time within 60 days of the filing of the proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and

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[17] 15 U.S.C. 78s(b)(2).

[18] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] See Securities Exchange Act Release No. 37965 (November 19, 1996), 61 FR 60135 (November 26, 1996) (File No. SR–Amex–96–43).

arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. § 552, will be available for inspection and coping at the Commission's Public Reference Section, 450 Fifth Street, N.W., Washington, D.C. 20549. Copies of such filing will also be available for inspection and copying at the principal office of the NYSE. All submissions should refer to SR–NYSE–96–37 and should be submitted by January 21, 1997.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[4]

Margaret H. McFarland,

*Deputy Secretary.*

[FR Doc. 96–33273 Filed 12–3–96; 8:45 am]

**BILLING CODE 8010–01–M**

[4] 17 CFR 200.30–3(a)(12).

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**[Release No. 34–38075; File No. SR–NYSE–96–35]**

## Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of Proposed Rule Change by the New York Stock Exchange, Incorporated Relating to a One-Time Fee for Additional Specialist Principal Activity Reporting System (''SPAR'') Feed Lines

December 23, 1996.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''), 15 U.S.C. 78s(b)(1), notice is hereby given that on December 5, 1996, the New York Stock Exchange, Incorporated (''NYSE'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. 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 establishes a one-time fee for additional Specialist Principal Activity Reporting System (''SPAR'') feeds. The proposed implementation date for the fee is December 9, 1996.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

*A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change*

1. Purpose

The purpose of the proposed rule change is to respond to the needs of NYSE's constituents with respect to overall competitive market conditions and customer satisfaction.

The SPAR system provides the specialists with information about their daily trading activity. Due to current design limitations, a specialist can only receive information from one feed which the NYSE provides free of charge to any specialist firm that requests it. Since information is required by various locations, the NYSE has developed a system which can provide the information to up to four different remote member firm addresses. Any specialist firm requesting from one to three additional SPAR feeds would pay a one-time fee of $10,000.00 for the additional feeds. This charge will cover incremental design and development work required to support this effort, as well as any on-site communications work required at the member firm's location. Circuits and line costs, and any telecommunications maintenance are provided by other vendors and are the responsibility of each specialist firm, not the New York Stock Exchange.

2. Statutory Basis

The basis for the proposed rule change is the requirement under Section 6(b)(4) of the Act[1] that an Exchange have rules that provide for the equitable allocation of reasonable dues, fees, and other charges among its members, issuers and other persons using its services.

*B. Self-Regulatory Organization's Statement on Burden on Competition*

The Exchange does not believe the proposed rule change will impose any burden on competition.

*C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others*

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The proposed rule change establishes or changes a due, fee, or other charge imposed by the Exchange and, therefore, has become effective upon filing pursuant to Section 19(b)(3)(A) of the Act and subparagraph (e) of Rule 19b–4 thereunder.[2] At any time within 60 days of the filing of such proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying at the Commission's Public Reference Room. Copies of such filing will also be available for inspection and copying at the principal office of the Exchange. All submissions should refer to File No.

[1] 15 U.S.C. 78f(b)(4).

[2] 15 U.S.C. 78s(b)(3)(A) and 17 CFR 19b–4(e).

SR–NYSE–96–35 and should be submitted by January 21, 1997.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Margaret H. McFarland,

*Deputy Secretary.*

[FR Doc. 96–33271 Filed 12–30–96; 8:45 am]

BILLING CODE 8010–01–M

## DEPARTMENT OF STATE

**[Public Notice No. 2496]**

### Shipping Coordinating Committee; Subcommittee on Safety of Life at Sea and Associated Bodies Working Group on Stability and Load Lines and on Fishing Vessels Safety; Notice of Meeting

The Working Group on Stability and Load Lines and on Fishing Vessels Safety of the Subcommittee on Safety of Life at Sea will conduct an open meeting at 9 a.m. on Thursday, January 16, 1997, in Room 6103, at U.S. Coast Guard Headquarters, 2100 Second Street, SW., Washington, DC 20593–0001. This meeting will discuss the upcoming 41st Session of the Subcommittee on stability and Load Lines and on Fishing Vessels Safety (SLF) and associated bodies of the International Maritime Organization (IMO) which will be held on January 26–30, 1998, at the IMO Headquarters in London, England.

Items of discussion will include the following:

a. Development of Model Stability Booklets and Loading Manuals at the IMO,

b. Harmonization of damage stability provisions in the IMO instruments,

c. Tanker stability follow up from SLF 40 and MSC 67, and

d. Safety aspects of ships engaged in a ballast water exchange.

Members of the public may attend this meeting up to the seating capacity of the room. Interested persons may seek information by writing: Mr. Paul Cojeen, U.S. Coast Guard Headquarters, Commandant (G–MSE–2), Room 1308, 2100 Second Street, SW., Washington, DC 20593–0001 or by calling (202) 267–2988.

Dated: December 26, 1996.

Russell A. LaMantia,

*Chairman, Shipping Coordinating Committee.*

[FR Doc. 96–33257 Filed 12–30–96; 8:45 am]

BILLING CODE 4710–07–M

## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

### Notice of Meeting of the Industry Sector Advisory Committee for Aerospace Equipment (ISAC 1)

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Notice of meeting.

**SUMMARY:** The Industry Sector Advisory Committee for Aerospace Equipment (ISAC 1) will hold a meeting on January 15, 1997 from 9:00 a.m. to 2:00 p.m. The meeting will be open to the public from 11:45 a.m. to 12:05 p.m.

**DATES:** The meeting is scheduled for January 15, 1997, unless otherwise notified.

**ADDRESSES:** The meeting will be held at the Department of Commerce in Room 4830, located at 14th Street and Constitution Avenue, NW., Washington, DC, unless otherwise notified.

**FOR FURTHER INFORMATION CONTACT:** Fred Elliott, Department of Commerce, 14th St. and Constitution Ave., NW., Washington, DC 20230, (202) 482–1233 or Suzanna Kang, Office of the United States Trade Representative, 600 17th St. NW., Washington, DC 20508, (202) 395–6120.

**SUPPLEMENTARY INFORMATION:** The ISAC 1 will hold a meeting on January 15, 1997 from 9:00 a.m. to 2:00 p.m. The meeting will include a review and discussion of current issues which influence U.S. trade policy. Pursuant to Section 2155(f)(2) of Title 19 of the United States Code and Executive Order 11846 of March 27, 1975, the Office of the U.S. Trade Representative has determined that part of this meeting will be concerned with matters the disclosure of which would seriously compromise the development by the United States Government of trade policy, priorities, negotiating objectives or bargaining positions with respect to the operation of any trade agreement and other matters arising in connection with the development, implementation and administration of the trade policy of the United States. During the discussion of such matters, the meeting will be closed to the public from 9:00 a.m. to 11:45 a.m. and 12:05 p.m. to 2:00 p.m. The meeting will be open to the public and press from 11:45 a.m. to 12:05 p.m. when other trade policy issues will be discussed. Attendance during this part of the meeting is for observation only. Individuals who are not members of the committee will not be invited to comment.

Phyllis Shearer Jones,

*Assistant United States Trade Representative, Intergovernmental Affairs and Public Liaison.*

[FR Doc. 96–33291 Filed 12–30–96; 8:45 am]

BILLING CODE 3190–01–M

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

### Reports, Forms and Recordkeeping Requirements Agency Information Collection Activity Under OMB Review

**AGENCY:** Department of Transportation (DOT).

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for reinstatement, without change, of a previously approved collection for which approval has expired. The ICR describes the nature of the information collection and its expected burden. The Federal Register Notice soliciting comments on the following collection of information was published on August 28, 1996 [61 FR 44392].

**DATES:** Comments must be submitted on or before January 30, 1997.

**FOR FURTHER INFORMATION CONTACT:** Edward Kosek, (202) 366–2590, and refer to the OMB Control Number.

**SUPPLEMENTARY INFORMATION:**

National Highway Traffic Safety Administration (NHTSA)

*Title:* 49 CFR Part 575—Consumer Information Regulations.

*Type of Request:* Reinstatement, without change, of a previously approved collection for which approval has expired.

*OMB Control Number:* 2127–0049.

*Form Number:* N/A.

*Affected Public:* Motor vehicle manufacturers.

*Abstract:* NHTSA must ensure that motor vehicle manufacturers comply with 49 CFR Part 575, Consumer Information Regulation Part 575.103—Truck-camper loading and Part 575.105—Utility Vehicles. Part 575.103 (Truck-camper loading) requires that manufacturers of light trucks that are capable of accommodating slide-in campers to provide information on the cargo weight rating and the longitudinal limits within which the center of gravity

for the cargo weight rating should be located. Part 575.105 (Utility vehicles) requires that manufacturers of utility vehicles affix a sticker in a prominent location alerting drivers that the particular handling and maneuvering characteristics of utility vehicles require special driving practices when these vehicles are operated.

*Need and Use of the Information:* In order to ensure that motor vehicle manufacturers are complying with 49 CFR Part 575, and to provide performance and safety information to new vehicle purchases.

*Annual Estimated Burden:* The total estimated annual burden is 225 hours.

**ADDRESSES:** Send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725–17th Street, NW, Washington, DC 20503, Attention DOT Desk Officer.

Comments are Invited on: whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

Issued in Washington, DC, on December 23, 1996.

Phillip A. Leach,

*Clearance Officer, United States Department of Transportation.*

[FR Doc. 96–33297 Filed 12–30–96; 8:45 am]

**BILLING CODE 4910–62–P**

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## Surface Transportation Board

**[STB Docket No. AB–480X]**

## K & E Railway Company—Abandonment Exemption—in Alfalfa, Garfield, and Grant Counties, OK, and Barber County, KS

**AGENCY:** Surface Transportation Board, DOT.

**ACTION:** Notice of exemption.

**SUMMARY:** Under 49 U.S.C. 10502, the Board exempts the abandonment by K & E Railway Company of its entire 57.69-mile rail line, between milepost 0.60, at or near Kiowa, in Barber County, KS, and milepost 56.98, at or near Blanton, in Garfield County, OK, and between milepost 299.88 and milepost 301.19, near Cherokee, in Alfalfa County, OK, from the prior approval requirements of 49 U.S.C. 10903, and the abandonment of 5.69 miles of the right-of-way between milepost 18.82 and milepost 23.20, and between milepost 299.88 and milepost 301.19, from the offer of financial assistance (OFA) requirements of 49 U.S.C. 10904 and the public use requirements of 49 U.S.C. 10905, subject to historic preservation and environmental conditions.

**DATES:** With respect to the two line segments exempted from 49 U.S.C. 10904–05, the exemption will be effective on December 31, 1996, and petitions to reopen must be filed by January 27, 1997. With respect to the remainder of the line, provided no formal expression of intent to file an OFA is received, this exemption will be effective on January 30, 1997, formal expressions of intent to file an OFA [1] under 49 CFR 1152.27(c)(2) and requests for a notice of interim trail use/rail banking under 49 CFR 1152.29 must be filed by January 10, 1997; petitions to stay must be filed by January 10, 1997; requests for public use conditions in conformity with 49 CFR 1152.28(a)(2) must be filed by January 21, 1997; and petitions to reopen must be filed by January 27, 1997.

**ADDRESSES:** Send pleadings referring to STB Docket No. AB-480X to: (1) Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Ave., N.W., Washington, DC 20423, and (2) Petitioner's representative: Karl Morell, Ball Janik LLP, Suite 225, 1455 F St. N.W., Washington, D.C. 20005.

**FOR FURTHER INFORMATION CONTACT:** Beryl Gordon, (202) 927–5660. [TDD for the hearing impaired: (202) 927–5721.]

**SUPPLEMENTARY INFORMATION:** Additional information is contained in the Board's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: DC News & Data, Inc., Room 2229, 1201 Constitution Avenue, N.W., Washington, DC 20423. Telephone: (202) 289 4357–4359. [Assistance for the hearing impaired is available through TDD services (202) 927–5721.]

Decided: December 23, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,

*Secretary.*

[FR Doc. 96–33275 Filed 12–30–96; 8:45 am]

**BILLING CODE 4915–00–P**

[1] See *Exempt. of Rail Abandonment—Offers of Finan. Assist.*, 4 I.C.C.2d 164 (1987).

**[STB Docket Nos. AB–3 (Sub-No. 139X); STB Docket No. AB–423 (Sub-No. 2X)]**

## Missouri Pacific Railroad Company—Abandonment and Discontinuance Of Operations Exemption—in Houston, Harris County, TX; Houston Belt & Terminal Railway Company—Discontinuance of Operations Exemption—in Houston, Harris County TX

**AGENCY:** Surface Transportation Board, DOT.

**ACTION:** Notice of exemption.

**SUMMARY:** Under 49 U.S.C. 10502, the Board exempts Missouri Pacific Railroad Company and Houston Belt & Terminal Railway Company from the prior approval requirements of 49 U.S.C. 10903 to permit them, respectively, to abandon and discontinue operations and discontinue operations over a 0.52-mile rail segment of the Columbia Tap Branch (Columbia Tap) extending from the end of the line at E.S. 261+00 to E.S. 288+60 near Houston, [1] and from the offer of financial assistance requirements of 49 U.S.C. 10904 and the public use requirements of 49 U.S.C. 10905, subject to standard employee protective conditions.

**DATES:** This exemption is effective December 31, 1996. Formal expressions of intent to file an OFA and requests for public use and trail use will not be accepted. Petitions to reopen must be filed by January 21, 1997.

**ADDRESSES:** Send pleadings referring to STB Docket Nos. AB–3 (Sub-No. 139X) and AB–423 (Sub-No. 2X) to: (1) Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Ave., N.W., Washington, DC 20423, and (2) Petitioners' representatives: Joseph D. Anthofer, 1416 Dodge St., Omaha, NE, 68179–0830, and J. B. Mathis, 501 Crawford, Houston, TX 77002–2192.

**FOR FURTHER INFORMATION CONTACT:** Beryl Gordon, (202) 927–7513. [TDD for the hearing impaired: (202) 927–5721.]

**SUPPLEMENTARY INFORMATION:** Additional information is contained in the Board's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: DC News & Data, Inc., Room 2229, 1201 Constitution Ave., N.W., Washington,

[1] MP is operated under common control and management with Union Pacific Railroad Company and Southern Pacific Transportation Company. HB&T is owned by MP and Burlington Northern Santa Fe Railroad Company. HB&T leases and operates property owned by its parent railroads. HB&T operates over and MP owns the line segment proposed for abandonment.

DC 20423. Telephone: (202) 289–4357/4359. [Assistance for the hearing impaired is available through TDD services (202) 927–5721.]

Decided: December 23, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,

*Secretary.*

[FR Doc. 96–33276 Filed 12–30–96; 8:45 am]

BILLING CODE 4915–00–P

## DEPARTMENT OF THE TREASURY

### Customs Service

### Extension of National Customs Automation Test Regarding Electronic Protest Filing

**AGENCY:** U.S. Customs Service, Department of the Treasury.

**ACTION:** General notice.

**SUMMARY:** This notice announces Customs plan to extend the test of its electronic filing of protests and to expand the number of test ports. The test will not be opened to new participants at this time. The notice invites public comments concerning any aspect of the test.

**EFFECTIVE DATE:** The test of electronic filing of protests, which was scheduled to end on October 31, 1996, is now scheduled to extend through April, 1997.

**ADDRESSES:** Written comments regarding this notice or any aspect of the test of the electronic protest system should be addressed to the Chief, Commercial Compliance Branch, U.S. Customs Service, 1301 Constitution Avenue, N.W., Room 1313, Washington, D.C. 20229–0001.

**FOR FURTHER INFORMATION CONTACT:** For operational or policy issues: Neil Shannon (202)927–0300. For protest system or automation issues: Steve Linnemann (202) 927–0436.

**SUPPLEMENTARY INFORMATION:**

Background

On January 30, 1996, a document was published by Customs in the Federal Register (61 FR 3086) announcing, as part of the National Customs Automation Program (NCAP), a test regarding the electronic filing of protests. The test, which began on May 1, 1996 and was to last six months, involved transaction sets for the Automated Broker Interface (ABI) allowing the following to be filed electronically and their status to be tracked electronically:

(1) Protests against decisions of the Customs Service under 19 U.S.C. 1514;

(2) Claims for refunds of Customs duties or corrections of errors requiring reliquidation pursuant to 19 U.S.C. 1520(c) and (d); and

(3) Interventions in an importer's protest by an exporter or producer of merchandise from a country that is a party to the North American Free Trade Agreement under § 181.115 of the Customs Regulations.

A total of seventeen entities, consisting of importers, brokers, legal firms and sureties, volunteered to participate in the test. Six of these volunteers are currently operational. Eight ports were originally selected for the tests: Baltimore, Buffalo, Chicago, Los Angeles, Laredo, Los Angeles Airport, New York and Philadelphia.

Extension of Test

The purpose of this notice is to inform the public that Customs has extended the test of electronic filing and query of protests. The test is now extended through April 1997. While the test will not be opened to new participants at this time, Customs will consider expanding the number of ports at which electronic protests may be filed. Customs is considering expanding the test to one or more of the following ports: Charleston (South Carolina), Dallas, El Paso, Houston, Seattle, Miami and New Orleans.

Dated: December 24, 1996.

Albert W. Tennant,

*Acting Assistant Commissioner, Office of Field Operations.*

[FR Doc. 96–33107 Filed 12–30–96; 8:45 am]

BILLING CODE 4820–02–P

## DEPARTMENT OF VETERANS AFFAIRS

### Agency Information Collection Activities: Proposed Collection; Comment

**AGENCY:** Veterans Benefits Administration, Department of Veterans Affairs.

**ACTION:** Notice.

**SUMMARY:** As part of its continuing effort to reduce paperwork and respondent burden, the Veterans Benefits Administration (VBA) invites the general public and other Federal agencies to comment on this information collection. This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Pub. L. 104–13; 44 U.S.C. 3506(c)(2)(A)). Comments should address the accuracy of the burden estimates and ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology, as well as other relevant aspects of the information collection.

**DATES:** Written comments and recommendations on the proposal for the collection of information should be received on or before March 3, 1997.

**ADDRESSES:** Direct all written comments to Nancy J. Kessinger, Veterans Benefits Administration (20S52), Department of Veterans Affairs, 810 Vermont Avenue, NW, Washington, DC 20420. All comments will become a matter of public record and will be summarized in the VBA request for Office of Management and Budget (OMB) approval. In this document VBA is soliciting comments concerning the following information collection:

*OMB Control Number:* 2900–0132.

*Title and Form Number:* Veteran's Application in Acquiring Specially Adapted Housing or Special Home Adaptation Grant, VA Form 26–4555.

*Type of Review:* Extension of a currently approved collection.

*Need and Uses:* The form is used to gather the necessary information to determine the veteran's eligibility to specially adapted housing or the special home adaptation grant.

*Current Actions:* Title 38, U.S.C., Sections 2101(a) and (b), authorizes VA grants for specially adapted housing and special housing adaptations for disabled veterans. The sections specifically outline those determinations that must be made by the VA before such a grant is approved for a particular veteran. VA Form 26–4555 is used to collect information that is necessary for VBA to meet the requirements.

*Affected Public:* Individuals or households.

*Estimated Annual Burden:* 133 hours.

*Estimated Average Burden Per Respondent:* 10 minutes.

*Frequency of Response:* On occasion.

*Estimated Number of Respondents:* 800.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the form should be directed to Department of Veterans Affairs, Attn: Nancy J. Kessinger, Veterans Benefits Administration (20S52), Department of Veterans Affairs, 810 Vermont Avenue, NW, Washington, DC 20420, Telephone (202) 273–7079 or FAX (202) 275–4884.

Dated: December 16, 1996.

By direction of the Secretary:

Donald L. Neilson,

*Director, Information Management Service.*

[FR Doc. 96–33082 Filed 12–30–96; 8:45 am]

BILLING CODE 8320–01–P

## Proposed Information Collection Activity; Public Comment Request

**AGENCY:** Veterans Benefits Administration, Department of Veterans Affairs.

**ACTION:** Notice.

**SUMMARY:** As part of its continuing effort to reduce paperwork and respondent burden, Veterans Benefits Administration (VBA) invites the general public and other Federal agencies to comment on this information collection. This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Pub. L. 104–13; 44 U.S.C. 3506(c)(2)(A)). Comments should address the accuracy of the burden estimates and ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology, as well as other relevant aspects of the information collection.

**DATES:** Written comments and recommendations on the proposal for the collection of information should be received on or before March 3, 1997.

**ADDRESSES:** Direct all written comments to Nancy J. Kessinger, Veterans Benefits Administration (20S52), Department of Veterans Affairs, 810 Vermont Avenue, NW, Washington, DC 20420. All comments will become a matter of public record and will be summarized in the VBA request for Office of Management and Budget (OMB) approval. In this document VBA is soliciting comments concerning the following information collection:

*OMB Control Number:* 2900–0073.

*Title and Form Number:* Enrollment Certification, VA Form 22–1999. (NOTE: A reference to VA Form 22–1999 also includes VA Forms 22–1999–1, 22–1999–2, and 22–1999–3 unless otherwise specified. VA Forms 22–1999–1, 22–1999–2, and 22–1999–3 contain the same information as VA Form 22–1999.)

*Type of Review:* Extension of a currently approved collection.

*Need and Uses:* The information collected on VA Form 22–1999 is used by the VA to determine the amount of educational benefits payable to the trainee during the period of enrollment or training and to determine whether the trainee has requested an advanced payment of benefits. Without the information, the VA would not have a basis upon which to make payment.

*Current Actions:* The VA is authorized to pay education benefits to veterans and other eligible persons pursuing approved programs of education under Title 38, U.S.C., Chapters 30, 32, and 35, Title 10, U.S.C., Chapter 1606, and Public Law 96–342, Sections 901 and 903. Educational institutions and job establishments are required to report information concerning the enrollment or reenrollment into training of veterans, service persons, reservists, and other eligible persons. In certain cases, the VA is authorized to make payment in advance if the trainee requests an advanced payment. In these cases, VA Form 22–1999 serves as the trainee's request for an advanced payment as well as the educational institution's report of the trainee's enrollment.

*Affected Public:* Business or other for-profit, not-for-profit institutions, and State, Local or Tribal Government.

*Estimated Annual Burden:* 110,344 hours.

*Estimated Average Burden Per Respondent:* 10 minutes.

*Frequency of Response:* On occasion (The number of responses per respondent will vary according to the number of trainees who receive VA benefits at the educational institution or job training establishment during a 12-month period).

*Estimated Annual Responses:* 662,068.

*Estimated Number of Respondents:* 7,481.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the form should be directed to Department of Veterans Affairs, Attn: Nancy J. Kessinger, Veterans Benefits Administration (20S52), Department of Veterans Affairs, 810 Vermont Avenue, NW, Washington, DC 20420, Telephone (202) 273–7079 or FAX (202) 275–4884.

By direction of the Secretary.

Dated: December 16, 1996.

Donald L. Neilson,

*Director, Information Management Service.*

[FR Doc. 96–33085 Filed 12–30–96; 8:45 am]

BILLING CODE 8320–01–P

federal register

Tuesday
December 31, 1996

# Part II

# Department of Health and Human Services

## Health Resources and Services Administration

## Lists of Designated Primary Medical Care, Mental Health, and Dental Health Professional Shortage Areas; Notice

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Health Resources and Services Administration

### Lists of Designated Primary Medical Care, Mental Health, and Dental Health Professional Shortage Areas

**AGENCY:** Health Resources and Services Administration, HHS.

**ACTION:** Notice.

**SUMMARY:** This notice provides lists of all areas, population groups, and facilities designated as primary medical care, mental health, and dental health professional shortage areas (HPSAs) as of September 30, 1996. HPSAs are designated or withdrawn by the Secretary of Health and Human Services (HHS) under the authority of section 332 of the Public Health Service (PHS) Act.

**FOR FURTHER INFORMATION CONTACT:** For further information on the HPSA designations listed below, or to request additional designations or withdrawals or reinstatement of a withdrawn designation, please contact Evan R. Arrindell, D.S.W., Director, Division of Shortage Designation, Bureau of Primary Health Care, Health Resources and Services Administration, 4350 East-West Highway, Bethesda, Maryland 20814 (301–594–0816).

**SUPPLEMENTARY INFORMATION:**

1. Background

Section 332 of the PHS Act provides that the Secretary of HHS shall designate HPSAs based on criteria established by regulation. HPSAs are defined in section 332 to include (1) urban and rural geographic areas, (2) population groups, and (3) facilities with shortages of health professionals. Section 332 further requires that the Secretary annually publish a list of the designated geographic areas, population groups, and facilities. The list of HPSAs is to be reviewed at least annually and revised as necessary. The Health Resources and Services Administration's (HRSA) Bureau of Primary Health Care (BPHC) has the responsibility for designating and updating HPSAs.

Public or private nonprofit entities are eligible to apply for assignment of National Health Service Corps (NHSC) personnel to provide primary health services in or to these HPSAs. NHSC health professionals with a service obligation may serve only in federally designated HPSAs. Programs with clinical training sites located in HPSAs are eligible to receive priority for certain residency training program grants administered by HRSA's Bureau of Health Professions.

Several programs administered by the Health Care Financing Administration also use the HPSA designation. Certain qualified providers in HPSAs are eligible for increased levels of Medicare and Medicaid reimbursement.

2. Development of the Designation and Withdrawal Lists

Criteria for designating HPSAs were published as final regulations (42 CFR Part 5) in 1980. Criteria were then defined for each of seven health professional types (primary medical care, dental, psychiatric, vision care, podiatric, pharmacy, and veterinary care). The criteria for correctional facility HPSAs were revised at 54 FR 8738 in 1989, and the criteria for psychiatric HPSAs were expanded to mental health HPSAs at 57 FR 2477 in 1992. The currently-funded PHS programs which use the HPSA designations involve only the primary medical care, mental health, or dental HPSAs.

Individual requests for designation or withdrawal of a particular area, population group, or a facility as a HPSA are received and reviewed continuously by HRSA's BPHC. The review process includes routine submission of such requests to the appropriate State Health Planning and Development Agency (SHPDA) and/or a unit of the State Health Department, the Governor, and other interested organizations and individuals for their comments and recommendations. Requests regarding primary medical care and mental health HPSAs are also submitted to the appropriate State medical society for comment, and dental HPSA requests are submitted to the appropriate State dental society.

Annually, lists of designated HPSAs are provided to all SHPDAs and/or State health departments, State medical and dental societies and others, together with a request to review and update the data on which the designations are based. Emphasis is placed on updating those designations which are more than 3 years old or where significant changes relevant to the designation criteria have occurred.

Recommendations for possible additions, continuations, revisions or withdrawals from the HPSA list are reviewed by the BPHC, and the review findings are provided by letter to the agency or individual requesting action or providing data, with copies to other interested organizations and individuals. These letters constitute the official notice of designation as a HPSA, rejection of recommendations for HPSA designation, revision of a HPSA designation, and/or advance notice of pending withdrawals from the HPSA list. Designations (or revisions of designations) are effective as of the date of the notification letter from BPHC. Proposed withdrawals become effective only after interested parties in the area affected have been afforded the opportunity to submit additional information to the BPHC in support of its continued or revised designation. If no new data are submitted or if the BPHC review confirms the proposed withdrawal, it becomes effective upon publication in the Federal Register of a list of HPSAs that does not include the proposed withdrawals.

This notice contains three lists of designated HPSAs. Each list (primary medical care, mental health, and dental) includes all those areas, population groups, and facilities which were designated HPSAs as of September 30, 1996. This notice incorporates the most recent annual review of designated HPSAs and supersedes the HPSA list published in the Federal Register on October 2, 1995.

3. Format of Lists

Each list of designated HPSAs (primary medical care, mental health, and dental) is arranged by State. Within each State, the list is first presented by county. If only a portion (or portions) of a county is (are) designated, or if the county is part of a larger designated service area, or if a population group residing in the county or a facility located in the county has been designated, the name of the service area, population group, or facility involved is listed under the county name. Counties which have a geographic HPSA designation in addition to one or more facility designations within the county are indicated by a (g) following the county name.

Following the county listing, a list of any designated service areas is presented, identifying their component parts—counties, towns, townships, census tracts (CTs), minor civil divisions (MCDs), census county divisions (CCDs), block numbering areas (BNAs), or magisterial districts, as defined by the Bureau of the Census. Those counties (or parts of counties included in service areas) which are classified as nonmetropolitan are indicated by an asterisk (*). ''Nonmetropolitan'' refers to those counties not included in the definition of metropolitan areas established by the Office of Management and Budget (OMB Bulletin 94–07 dated July 5, 1994).

Following the service area listing, a list of designated population groups (if any) is presented identifying each group and the geographic area wherein it resides. Following the population group listing, a list by name and location of any separately designated facilities (including prisons, correctional institutions, health centers, or hospitals) is presented.

In addition to the specific listings included in this notice, all Indian tribes which meet the definition of such tribes referenced in Section 4(d) of Public Law 94–437, the Indian Health Care Improvement Act of 1976, are automatically designated as population groups with primary medical care and dental health professional shortages.

4. Future Updates of Lists of Designated HPSAs

The lists of HPSAs below consist of all those which were designated as of September 30, 1996. It should be noted that additional HPSAs may have been designated by letter since September 30. The appropriate agencies and individuals have been or will be notified of these actions by letter.

Any designated HPSA listed below is subject to withdrawal from designation if new information received and confirmed by HRSA indicates that the relevant data for the area involved have significantly changed since its designation or that incorrect or incomplete data were used in making the original designation.

All requests for new designations, updates, or withdrawals should be based on the relevant criteria in regulations published at 42 CFR Part 5 (1995).

Dated: December 13, 1996.

Ciro V. Sumaya,

*Administrator.*

**PRIMARY MEDICAL CARE: Alabama**
*County Listing*

*County Name*

Autauga
  Population Group: Med Ind—Autauga Co
Baldwin
  Service Area: Atmore/Century (AL/FL)
*Barbour
  Service Area: Clayton
*Bibb
Blount
Bullock
  Service Area: Bullock-Macon
*Butler
*Chambers
  Service Area: La Fayette
  Population Group: Med Ind—Valley
*Cherokee
*Chilton
*Choctaw
*Clarke
  Service Area: Coffeeville

**PRIMARY MEDICAL CARE: Alabama**
*County Listing*

*County Name*

  Service Area: Grove Hill/Fulton
*Cleburne
Colbert
  Service Area: Cherokee
*Conecuh
*Coosa
*Covington
  Service Area: South Covington
*Crenshaw
*Cullman
  Population Group: Med Ind—Cullman Co
Dale
  Population Group: Low Inc—Dale Co
*Dallas
  Population Group: Low Inc—Dallas
*De Kalb
Elmore
*Escambia
  Service Area: Atmore/Century (AL/FL)
Etowah
  Population Group: Med Ind—Etowah Co
*Fayette
  Population Group: Med Ind—Fayette Co
*Franklin
  Population Group: Pov Pop—Red Bay/Vina/Belmont (AL/MS)
*Geneva
Greene
  Service Area: Greene-Hale
Hale
  Service Area: Greene-Hale
*Henry
*Jackson
  Population Group: Med Ind—Jackson Co
Jefferson
  Population Group: Pov Pop—Central Birmingham
*Lamar
Lawrence
Limestone
  Population Group: Low Inc—Limestone Co
*Lowndes
Macon
  Service Area: Bullock-Macon
Madison
  Population Group: Low Inc—C Huntsville
*Marion
  Population Group: Low Inc—Marion Co
*Marshall
  Population Group: Med Ind—Marshall Co
Mobile
  Service Area: North Mobile
  Population Group: Pov Pop—E Mobile/Prichard
  Facility: Univ S. Al. Chldrns Md. Ctr.
*Monroe
  Service Area: Atmore/Century (AL/FL)
  Population Group: Med Ind—Monroeville
Montgomery
  Population Group: Med Ind—Montgomery Co
Morgan
  Population Group: Low Inc—Morgan Co
*Perry
*Pickens
*Randolph
Russell
  Service Area: Cottonton/Hurtsboro
Shelby
St Clair
*Sumter
*Tallapoosa

**PRIMARY MEDICAL CARE: Alabama**
*County Listing*

*County Name*

  Service Area: Camp Hill
Tuscaloosa
  Population Group: Low Inc—Tuscaloosa Co
*Walker
  Population Group: Med Ind—Walker Co
*Washington
*Wilcox
*Winston

**PRIMARY MEDICAL CARE: Alabama**
*Service Area Listing*

*Service Area Name*

Atmore/Century (AL/FL)
  County—Baldwin
    Parts:
      C.T. 101
  County—Escambia
    Parts:
      C.T. 9703–9707
  County—Monroe
    Parts:
      C.T. 9862
Bullock-Macon
  County—Bullock
  County—Macon
Camp Hill
  County—Tallapoosa
    Parts:
      Camp Hill CCD
      Dadeville CCD
      Tallassee CCD
Cherokee
  County—Colbert
    Parts:
      Cherokee CCD
Clayton
  County—Barbour
    Parts:
      Clayton CCD
      Clio CCD
      Louisville CCD
Coffeeville
  County—Clarke
    Parts:
      Coffeeville CCD
Cottonton/Hurtsboro
  County—Russell
    Parts:
      Cottonton-Seale CCD
      Hurtsboro CCD
Greene-Hale
  County—Hale
Grove Hill/Fulton
  County—Clarke
    Parts:
      Fulton CCD
      Grove Hill CCD
La Fayette
  County—Chambers
    Parts:
      Five Points CCD
      Lafayette CCD
      Milltown CCD
North Mobile
  County—Mobile
    Parts:
      C.T. 58–60
South Covington
  County—Covington
    Parts:

**PRIMARY MEDICAL CARE: Alabama**
*Service Area Listing*

*Service Area Name*

Falco CCD
Florala CCD

**PRIMARY MEDICAL CARE: Alabama**
*Population Group Listing*

*Population Group*

Low Inc—C Huntsville
County—Madison
Parts:
C.T. 1
C.T. 2.01–2.02
C.T. 3.01–3.02
C.T. 7.01–7.02
C.T. 8
C.T. 10–13
C.T. 15–16
C.T. 20–24
C.T. 25.01–25.02
Low Inc—Dale Co
County—Dale
Parts:
Low Income
Low Inc—Dallas
County—Dallas
Parts:
Low Inc
Low Inc—Limestone Co
County—Limestone
Parts:
Low Income
Low Inc—Marion Co
County—Marion
Parts:
Low Income
Low Inc—Morgan Co
County—Morgan
Parts:
Low Income
Low Inc—Tuscaloosa Co
County—Tuscaloosa
Parts:
Low Income
Med Ind—Autauga Co
County—Autauga
Parts:
Medically Indigent
Med Ind—Cullman Co
County—Cullman
Parts:
Medically Indigent
Med Ind—Etowah Co
County—Etowah
Parts:
Medically Indigent
Med Ind—Fayette Co
County—Fayette
Parts:
Medically Indigent
Med Ind—Jackson Co
County—Jackson
Parts:
Medically Indigent
Med Ind—Marshall Co
County—Marshall
Parts:
Medically Indigent
Med Ind—Monroeville
County—Monroe
Parts:
Beatrice CCD
Frisco City CCD

**PRIMARY MEDICAL CARE: Alabama**
*Population Group Listing*

*Population Group*

Monroeville CCD
Peterman CCD
Vredenburgh CCD
Med Ind—Montgomery Co
County—Montgomery
Parts:
Medically Indigent
Med Ind—Valley
County—Chambers
Parts:
Lanett CCD
Langdale CCD
Med Ind—Walker Co
County—Walker
Parts:
Medically Indigent
Pov Pop—Central Birmingham
County—Jefferson
Parts:
C.T. 3–5
C.T. 7–8
C.T. 11–12
C.T. 14–16
C.T. 19.02
C.T. 22
C.T. 23.03–23.04
C.T. 24
C.T. 27
C.T. 29
C.T. 30.01–30.02
C.T. 31–34
C.T. 39–40
C.T. 42
C.T. 45
C.T. 51.01
C.T. 55
Pov Pop—E Mobile/Prichard
County—Mobile
Parts:
C.T. 1–3
C.T. 4.01–4.02
C.T. 5–6
C.T. 7.01–7.02
C.T. 8
C.T. 10.01–10.02
C.T. 11
C.T. 12.01
C.T. 13.01–13.02
C.T. 14
C.T. 15.01–15.02
C.T. 16
C.T. 23.01–23.02
C.T. 24
C.T. 26
C.T. 38.01
C.T. 39.01–39.02
C.T. 40–50
Pov Pop—Red Bay/Vina/Belmont (AL/MS)
County—Franklin
Parts:
Red Bay CCD
Vina CCD

**PRIMARY MEDICAL CARE: Alabama**
*Facility Listing*

*Facility Name*

FCI Talladega
Univ S. Al. Chldrns Md. Ctr.
County—Mobile

**PRIMARY MEDICAL CARE: Alaska**
*Census Area Listing*

*Census Area Name*

*Aleutians East Borough
*Aleutians West Borough
Anchorage Borough
Population Group: Low Inc—N. Anchorage City
Facility: Cook Inlet Pre-Trial Fac.
Facility: Highland Mtn/Meadow Crk Corr. C.
*Bethel Area
*Bristol Bay Borough
*Denali Borough
*Fairbanks North Star Boro
Population Group: Med Ind—Fairbanks North Star Boro
*Haines Borough
*Kenai Peninsula Borough
Facility: Spring Creek Corr. C.
Facility: Wildwood Corr. C.
*Lake And Peninsula Borough
*Matanuska-Susitna Borough
Service Area: Talkeetna/Trapper Creek
Facility: Palmer Corr. C.
*Nome Area
Service Area: St. Lawrence Is.
Service Area: Unalakleet
*North Slope Borough
*Northwest Arctic Borough
*Prince Of Wales-Outer Ket
*Skagway-Hoonah-Angoon Borough
*Southeast Fairbanks
*Valdez-Cordova Area
Service Area: Valdez/Whittier
*Wade Hampton Borough
*Wrangell-Petersburg Area
*Yakutat Borough
*Yukon-Koyukuk

**PRIMARY MEDICAL CARE: Alaska**
*Service Area Listing*

*Service Area Name*

St. Lawrence Is.
Census Area—Nome Area
Parts:
Gambell Vil.
Savoonga Vil.
Talkeetna/Trapper Creek
Census Area—Matanuska-Susitna Borough
Parts:
Block Group 1
Block Group 3
Chase CDP
Skwentna CDP
Talkeetna CDP
Trapper Creek CDP
Unalakleet
Census Area—Nome Area
Parts:
Koyuk Vil.
Shaktoolik Vil.
St. Michaels Vil.
Stebbins Vil.
Unalakleet City
Valdez/Whittier
Census Area—Valdez-Cordova Area
Parts:
Prince William Sound Sub

**PRIMARY MEDICAL CARE: Alaska**
*Population Group Listing*

*Population Group*

Low Inc—N. Anchorage City
  Census Area—Anchorage Borough
    Parts:
      C.T. 5–6
      C.T. 7.01–7.03
      C.T. 8.01–8.02
      C.T. 9.01–9.02
      C.T. 10–11
      C.T. 14–16
      C.T. 19–21
      C.T. 22.02
Med Ind—Fairbanks North Star Boro
  Census Area—Fairbanks North Star Boro
    Parts:
      Med Ind

**PRIMARY MEDICAL CARE: Alaska**
*Facility Listing*

*Facility Name*

Cook Inlet Pre-Trial Fac.
  Census Area—Anchorage Borough
Highland Mtn/Meadow Crk Corr. C.
  Census Area—Anchorage Borough
Palmer Corr. C.
  Census Area—Matanuska-Susitna Borough
Spring Creek Corr. C.
  Census Area—Kenai Peninsula Borough
Wildwood Corr. C.
  Census Area—Kenai Peninsula Borough

**PRIMARY MEDICAL CARE: Arizona**
*County Listing*

*County Name*

*Apache
  Service Area: Ganado/Rough Rock
  Service Area: Kayenta
  Population Group: Low Inc—St Johns/Springerville
*Cochise
  Service Area: Bowie
  Service Area: Elfrida
  Service Area: Tombstone
  Population Group: Low Inc—Douglas
  Population Group: Med Ind—Bisbee
*Coconino
  Service Area: Hopi
  Service Area: Kanab/Fredonia (UT/AZ)
  Service Area: Page/Tuba City
*Gila
  Service Area: Young
*Graham
  Service Area: Bonita-Klondyke
  Service Area: Pima
  Service Area: San Carlos
*La Paz
  Service Area: Parker
Maricopa
  Service Area: Gila Bend
  Population Group: Med Ind—Guadalupe
  Population Group: Med Ind—Central/S Phoenix
  Population Group: Med Ind/MFW—Chandler/Queen Creek
  Population Group: Med Ind/MFW—El Mirage
  Population Group: Pov Pop/MFW—Buckeye
  Facility: FCI Phoenix
  Facility: Maricopa Co. Jails

**PRIMARY MEDICAL CARE: Arizona**
*County Listing*

*County Name*

Mohave
  Service Area: Dolan Springs
  Service Area: Hurricane/Mohave North (UT/AZ)
  Service Area: Needles/Topock (CA/AZ)
*Navajo
  Service Area: Ganado/Rough Rock
  Service Area: Heber/Overgaard
  Service Area: Hopi
  Service Area: Kayenta
Pima
  Service Area: Ajo
  Service Area: Arivaca
  Service Area: Continental
  Population Group: Med Ind—Catalina
  Population Group: Med Ind—South Tucson
  Population Group: Pov Pop—Marana
  Facility: FCI Tucson
  Facility: Pima Co Adult Detention Ctr
Pinal
  Service Area: San Pedro Valley
  Service Area: Superior
  Population Group: Med Ind/MFW—Central/West Pinal
  Facility: INS Med Fac—Florence
*Santa Cruz
*Yavapai
  Service Area: Mayer/Humboldt
  Service Area: Seligman
Yuma
  Service Area: Somerton
  Service Area: Wellton/Mohawk

**PRIMARY MEDICAL CARE: Arizona**
*Service Area Listing*

*Service Area Name*

Ajo
  County—Pima
    Parts:
      Ajo CCD
Arivaca
  County—Pima
    Parts:
      C.T. 43.05
Bonita-Klondyke
  County—Graham
    Parts:
      Bonita-Klondyke CCD
Bowie
  County—Cochise
    Parts:
      Bowie CCD
Continental
  County—Pima
    Parts:
      C.T. 41.02
Dolan Springs
  County—Mohave
    Parts:
      C.T. 9502
      C.T. 9504–9505
Elfrida
  County—Cochise
    Parts:
      Elfrida Division
Ganado/Rough Rock
  County—Apache
    Parts:
      C.T. 9701
      C.T. 9775
      C.T. 9778

**PRIMARY MEDICAL CARE: Arizona**
*Service Area Listing*

*Service Area Name*

  County—Navajo
    Parts:
      C.T. 9653
      C.T. 9675
Gila Bend
  County—Maricopa
    Parts:
      C.T. 7233
Heber/Overgaard
  County—Navajo
    Parts:
      C.T. 9607
Hopi
  County—Coconino
    Parts:
      Hopi CCD
  County—Navajo
    Parts:
      Hopi CCD
Hurricane/Mohave North (UT/AZ)
  County—Mohave
    Parts:
      Mohave North CCD
Kanab/Fredonia (UT/AZ)
  County—Coconino
    Parts:
      Kaibab CCD
Kayenta
  County—Apache
    Parts:
      Dennehotso CCD
  County—Navajo
    Parts:
      Western CCD
Mayer/Humboldt
  County—Yavapai
    Parts:
      Humboldt CCD
Needles/Topock (CA/AZ)
  County—Mohave
    Parts:
      C.T. 9521
Page/Tuba City
  County—Coconino
    Parts:
      Tuba City CCD
Parker
  County—La Paz
    Parts:
      C.T. 202–204
Pima
  County—Graham
    Parts:
      Pima CCD
San Carlos
  County—Graham
    Parts:
      San Carlos CCD
San Pedro Valley
  County—Pinal
    Parts:
      San Manuel CCD
Seligman
  County—Yavapai
    Parts:
      Ashfork CCD
Somerton
  County—Yuma
    Parts:
      C.T. 114–116
Superior
  County—Pinal

**PRIMARY MEDICAL CARE: Arizona**
*Service Area Listing*

*Service Area Name*

Parts:
C.T. 2
C.T. 4
Tombstone
County—Cochise
Parts:
C.T. 4
Wellton/Mohawk
County—Yuma
Parts:
Wellton Division
Young
County—Gila
Parts:
C.T. 9806–9807

**PRIMARY MEDICAL CARE: Arizona**
*Population Group Listing*

*Population Group*

Low Inc—Douglas 4
County—Cochise
Parts:
Douglas Div
Low Inc—St Johns/Springerville
County—Apache
Parts:
C.T. 9702–9705
Med Ind—Bisbee
County—Cochise
Parts:
Bisbee CCD
Med Ind—Catalina
County—Pima
Parts:
C.T. 47.07
Med Ind—Central/S Phoenix
County—Maricopa
Parts:
C.T. 1115–1124
C.T. 1126–1133
C.T. 1135–1161
C.T. 1162.02–1162.04
C.T. 1163–1165
C.T. 1166.02
C.T. 1167.02–1167.04
Med Ind—Guadalupe
County—Maricopa
Parts:
C.T. 3200.02
Med Ind—South Tucson
County—Pima
Parts:
C.T. 1–12
C.T. 13.01–13.02
C.T. 14
C.T. 20–24
C.T. 25.01–25.02
C.T. 37.01–37.03
C.T. 38–39
C.T. 41.03–41.04
C.T. 43.01
C.T. 43.08–43.09
Med Ind/MFW—Central/West Pinal
County—Pinal
Parts:
Casa Grande CCD
Coolidge CCD
Eloy CCD
Florence CCD
Maricopa-Stanfield CCD
Med Ind/MFW—Chandler/Queen Creek

**PRIMARY MEDICAL CARE: Arizona**
*Population Group Listing*

*Population Group*

County—Maricopa
Parts:
C.T. 5227.03
C.T. 5227.19
C.T. 5229.02
C.T. 5231.02
Med Ind/MFW—El Mirage
County—Maricopa
Parts:
C.T. 405.02
C.T. 405.09
C.T. 608–609
C.T. 610.03–610.08
C.T. 612–614
C.T. 821
C.T. 822.01–822.02
C.T. 1125.05–1125.06
Pov Pop—Marana
County—Pima
Parts:
C.T. 44.08–44.09
Pov Pop/MFW—Buckeye
County—Maricopa
Parts:
C.T. 506–507

**PRIMARY MEDICAL CARE: Arizona**
*Facility Listing*

*Facility Name*

FCI Phoenix 1
County—Maricopa
FCI Tucson
County—Pima
INS Med Fac—Florence
County—Pinal
Maricopa Co. Jails
County—Maricopa
Pima Co Adult Detention Ctr
County—Pima

**PRIMARY MEDICAL CARE: Arkansas**
*County Listing*

*County Name*

*Arkansas
Service Area: Dewitt
*Boone
Service Area: Lead Hill
*Bradley
Service Area: Hermitage
*Chicot
Service Area: Dermott/Mcgehee
Population Group: Low Inc—Eudora/Lake Village
*Clark
Service Area: Glenwood/Amity
*Clay
*Cleburne
*Cleveland
Crawford
Service Area: West Fork/Mountainburg
Crittenden
*Dallas
Service Area: Bearden
Service Area: Carthage
Service Area: Sparkman
*Desha
Service Area: Dermott/Mcgehee
Service Area: Snow Lake
*Drew
Service Area: Dermott/Mcgehee

**PRIMARY MEDICAL CARE: Arkansas**
*County Listing*

*County Name*

Faulkner
Service Area: Greenbrier
Service Area: Vilonia
*Franklin
Population Group: Low Inc—Franklin Co
*Grant
*Howard
Service Area: Umpire
*Izard
Service Area: Horseshoe Bend
Jefferson
Service Area: Altheimer
Service Area: North Pine Bluff
Service Area: Redfield
Service Area: Richland
*Johnson
Service Area: Oark
*Lafayette
*Lawrence
*Lincoln
*Logan
Lonoke
Population Group: Pov Pop—Cabot
*Marion
Service Area: Lead Hill
*Monroe
Service Area: Clarendon/Holly Grove
*Montgomery
*Nevada
*Newton
*Ouachita
Service Area: Bearden
Service Area: Reader
Service Area: Stephens
*Perry
*Phillips
*Pike
Service Area: Glenwood/Amity
*Poinsett
*Polk
Service Area: Grannis/Wickes
*Pope
Service Area: Hector
*Prairie
Pulaski
Service Area: College Station
*Randolph
*Searcy
Sebastian
Service Area: Diamond
*Sharp
*St Francis
*Union
Service Area: Strong
*Van Buren
Washington
Service Area: West Fork/Mountainburg
Service Area: West Washington
*Woodruff
*Yell
Service Area: Havana

**PRIMARY MEDICAL CARE: Arkansas**
*Service Area Listing*

*Service Area Name*

Altheimer
County—Jefferson
Parts:
C.T. 1.02
C.T. 1.85
C.T. 7

**PRIMARY MEDICAL CARE: Arkansas**
*Service Area Listing*

*Service Area Name*

Bearden
County—Dallas
Parts:
Holly Springs Twp
County—Ouachita
Parts:
Carroll Twp
Cleveland Twp
Freeo Twp
Union Twp
Valley Twp
Carthage
County—Dallas
Parts:
Chester Twp.
Smith Twp.
Willow Twp.
Clarendon/Holly Grove
County—Monroe
Parts:
Cache Twp.
Cleburne Twp
Cypress Ridge Twp.
Duncan Twp.
Hindman Twp.
Jackson Twp.
Keevil Twp.
Montgomery Twp.
Pine Ridge Twp.
Raymond Twp.
Roc Roe Twp.
Smalley Twp.
College Station
County—Pulaski
Parts:
C.T. 2
C.T. 4–5
C.T. 40.01
C.T. 40.03
C.T. 40.05
Dermott/Mcgehee
County—Chicot
Parts:
Bowie Twp
County—Desha
Parts:
Bowie Twp
Clayton Twp
Franklin Twp
Halley Twp
Richland Twp
County—Drew
Parts:
Bartholomew Twp
Collins Twp
Franklin Twp
Dewitt
County—Arkansas
Parts:
Arkansas Twp
Barton Twp
Bayou Meto Twp
Brewer Twp
Chester Twp
Crockett Twp
Garland Twp
Keaton Twp
La Grue Twp
Point De Luce Twp
Prairie Twp
Stanley Twp
Diamond

**PRIMARY MEDICAL CARE: Arkansas**
*Service Area Listing*

*Service Area Name*

County—Sebastian
Parts:
Diamond Twp.
Hartford Twp.
Jim Fork Twp.
Mississippi Twp.
Sugarloaf Twp.
Glenwood/Amity
County—Clark
Parts:
Amity Twp.
County—Pike
Parts:
Antoine Twp.
Clark Twp.
Eagle Twp.
Mountain Twp.
Self Creek Twp.
Grannis/Wickes
County—Polk
Parts:
Ozark Twp.
White Twp.
Greenbrier
County—Faulkner
Parts:
Benton Twp
California Twp
Enola Twp.
Hardin Twp
Matthews Twp.
Mount Vernon Twp.
Mountain Twp.
Union Twp.
Walker Twp.
Havana
County—Yell
Parts:
Bluffton Twp.
Briggsville Twp.
Crawford Twp.
Dutch Creek Twp.
Gravelly Hill Twp.
Herring Twp.
Ions Creek Twp.
Richland Twp.
Riley Twp.
Waveland Twp.
Hector
County—Pope
Parts:
Center Twp.
Freeman Twp.
Griffin Twp.
Jackson Twp.
Liberty Twp.
Martin Twp.
Phoenix Twp.
Smyrna Twp.
Hermitage
County—Bradley
Parts:
Eagle Twp.
Marion Twp.
Ouachita Twp.
Palestine Twp.
River Twp.
Sumpter Twp.
Washington Twp.
Horseshoe Bend
County—Izard
Parts:

**PRIMARY MEDICAL CARE: Arkansas**
*Service Area Listing*

*Service Area Name*

Baker Twp.
Franklin Twp.
Jefferson Twp.
New Hope Twp.
Violet Hill Twp.
Lead Hill
County—Boone
Parts:
Sugar Loaf Twp
County—Marion
Parts:
Crockett Twp.
Franklin Twp.
Keesee Twp.
Sugarloaf Twp.
North Pine Bluff
County—Jefferson
Parts:
C.T. 5.02
C.T. 6
C.T. 6.99
C.T. 10–13
C.T. 14.02
C.T. 21.01
Oark
County—Johnson
Parts:
Batson Twp.
Dickerson Twp.
Hill Twp.
Low Gap Twp.
Mulberry Twp.
Reader
County—Ouachita
Parts:
Behestian Twp.
Red Hill Twp.
Redfield
County—Jefferson
Parts:
Barraque Twp
Jefferson Twp
Richland
County—Jefferson
Parts:
C.T. 8
Snow Lake
County—Desha
Parts:
Mississippi Twp
Sparkman
County—Dallas
Parts:
Manchester Twp.
Nix Twp.
Owen Twp.
Stephens
County—Ouachita
Parts:
Jefferson Twp.
Liberty Twp.
Smackover Twp.
Strong
County—Union
Parts:
Harrison Township
Lapile Township
Umpire
County—Howard
Parts:
Burg Twp.
Clay Twp.

**PRIMARY MEDICAL CARE: Arkansas**
*Service Area Listing*

*Service Area Name*

Duckett Twp.
Mountain Twp.
Umpire Twp.
Vilonia
County—Faulkner
Parts:
Bristol Twp.
Cypress Twp.
Eagle Twp.
Harve Twp.
Newton Twp.
Palarm Twp.
Wilson Twp.
West Fork/Mountainburg
County—Crawford
Parts:
Chester Twp
Mountainburg Twp
Porter Twp.
Sand Point Twp.
Shepherd Twp.
Upper Twp.
Whitley Twp.
Winfrey Twp.
County—Washington
Parts:
Crawford Twp.
Durham Twp.
Lees Creek Twp.
Reed Twp.
Valley Twp.
West Fork Twp.
White River Twp.
Winslow Twp.
West Washington
County—Washington
Parts:
Boston Twp.
Cane Hill Twp.
Cove Creek Twp.
Dutch Mills Twp.
Illinois Twp.
Morrow Twp.
Prairie Grove Twp.
Price Twp.
Rheas Hill Twp.
Starr Hill Twp.
Vineyard Twp
Wedington Twp.

**PRIMARY MEDICAL CARE: Arkansas**
*Population Group Listing*

*Population Group*

Low Inc—Eudora/Lake Village
County—Chicot
Parts:
Carlton Twp
Planters Twp
Low Inc—Franklin Co
County—Franklin
Parts:
Low Inc
Pov Pop—Cabot
County—Lonoke
Parts:
Caroline Twp
Goodrum Twp
Magness Twp
Oak Grove Twp
Ward Twp
York Twp

**PRIMARY MEDICAL CARE: California**
*County Listing*

*County Name*

Alameda
Service Area: Central Oakland
Service Area: East Oakland
Service Area: West Berkeley
Population Group: Inmates—FCI Dublin
*Alpine
Service Area: Markleeville
Butte
Service Area: Biggs/Gridley/Live Oak
Service Area: Feather Falls
Service Area: Oroville/Palermo
Population Group: Low Inc—Paradise
*Calaveras
Service Area: San Andreas
Service Area: West Point/Wilseyville
Population Group: Low Inc—Angels
*Colusa
Contra Costa
Service Area: East Contra Costa
*Del Norte
Population Group: Low Inc—Del Norte Co
El Dorado
Service Area: Georgetown Divide
Fresno
Service Area: Coalinga
Service Area: Firebaugh/Mendota
Service Area: Huron
Service Area: Kerman
Service Area: Laton/Riverdale
Service Area: San Joaquin-Tranquility
Population Group: Low Inc—Edison/Easton
Population Group: Pov Pop/MFW—Reedley/Parlier/Orange
Facility: Valley Medical Center
*Glenn
Service Area: Orland
Service Area: Willows
*Humboldt
Service Area: Willow Creek
Population Group: Low Inc—Rio Dell/Scotia
Population Group: Low Inc—Fortuna
Population Group: Low Inc—Ferndale
Population Group: Low Inc—Blue Lake
Population Group: Low Inc—North Coastal
Population Group: Low Inc—Eureka/Arcata
*Imperial
Service Area: Brawley/Calipatria-Westmorland
Service Area: Calexico
Service Area: East Imperial
Service Area: El Centro
Service Area: West Imperial
Population Group: Medicaid—Winterhaven-Bard
Facility: INS Med Fac—El Centro
*Inyo
Service Area: Death Valley
Kern
Service Area: Arvin/Lamont
Service Area: Frazier Park
Service Area: Se Kern, Boron, California City
Service Area: Taft
Service Area: Tehachapi
Population Group: Inmates—FPC Boron
Population Group: Low Inc—Lake Isabella
Population Group: Low Inc—E Bakersfield/Lakeview
Population Group: Medicaid—Ridgecrest
Population Group: MFW/Low Inc—Delano/Mcfarland

**PRIMARY MEDICAL CARE: California**
*County Listing*

*County Name*

Population Group: Pov/MFW—Buttonwillow/Wasco/Shafter
*Kings
Service Area: Avenal
Service Area: Corcoran
*Lassen
Service Area: Adin-Lookout
Population Group: Low Inc—Susanville
Los Angeles
Service Area: Avalon/Goodyear/Main
Service Area: E San Pedro/Wilmington/Long Beach Port
Service Area: East Compton
Service Area: East L.A./City Terrace
Service Area: Figueroa/Firestone/Gr Meadows/Watts
Service Area: N. El Monte/S. El Monte
Service Area: Pico Rivera South
Service Area: Santa Catalina Island
Population Group: Inmates—MDC Los Angeles
Population Group: Low Inc—Venice/South Santa Monica
Population Group: Low Inc—Pacoima/Sun Valley North
Population Group: Low Inc—Mission Hills/San Fernando
Population Group: Low Inc—El Sereno/Highland Park
Facility: FCI Terminal Island
Facility: Harbor-Ucla Med Ctr Ambulatory Clinics
Facility: INS Med Fac—San Pedro
Facility: Long Beach Comprehensive Hlth Ctr
Facility: Martin Luther King Jr. Gen Hosp
Madera
Service Area: Chowchilla
Service Area: Madera West/Southwest
Marin
Service Area: Bolinas/Stinson Beach
*Mariposa
Service Area: Mariposa/Coulterville
*Mendocino
Service Area: Boonville/Navarro/Philo/Yorkville
Service Area: Covelo
Service Area: Laytonville/Leggett
Service Area: Redwood/Potter Valley
Merced
Population Group: Low Inc/MFW—Gustine
*Modoc
Service Area: Adin-Lookout
Service Area: Surprise Valley
Service Area: Tule Lake
*Mono
Service Area: Mono North/Topaz Walker
Service Area: Mono South/Mammoth Lakes
Monterey
Service Area: Coastal/Big Sur/Lucial
Service Area: E Salinas/N Central Salinas
Service Area: Pajaro
Napa
Population Group: Low Inc—Southern Napa Co
Population Group: Low Inc/MFW—Northern Napa Co
Orange
Population Group: Low Inc—Central Santa Ana

**PRIMARY MEDICAL CARE: California**
*County Listing*

*County Name*

Population Group: Low Inc/MFW—San Juan Capistrano
Placer
Service Area: Colfax-Summit
Service Area: Foresthill/Back Country
Population Group: Low Inc—Lake Tahoe/Tahoe City
Riverside
Service Area: Chuckwalla/Desert Center/Eagle Mt
Service Area: Idyllwild/Pine Cove
Service Area: Palo Verde/Blythe
Service Area: S Coachella Valley/Mecca
Sacramento
Service Area: Galt
Population Group: Pov Pop—South Sacramento
*San Benito
Service Area: Hollister/San Juan Bautista
Service Area: San Benito/Bitterwater
San Bernardino
Service Area: Helendale/Silver Lakes
Service Area: Needles/Topock (CA/AZ)
Service Area: Red Mountain/Trona
Service Area: S Barstow-Victorville/Adelanto/Apple Val
Service Area: 29 Palms/Yucca Valley
Population Group: Low Inc—Lake Arrowhead
Population Group: Pov. Pop.—Big Bear Lake
San Diego
Service Area: Borrego Springs
Service Area: Encanto/Lincoln Acres/National City
Service Area: Golden Hills/Logan Heights
Service Area: Mountain Empire
Service Area: Ramona
Service Area: San Ysidro
Population Group: Inmates—MCC San Diego
Population Group: Low Inc—El Cajon
Population Group: Low Inc—City Heights/Downtown
Population Group: Medicaid—Vista/Oceanside/Carlsbad
San Francisco
Population Group: Low Inc—South Of Market
San Joaquin
Service Area: South And East Stockton
Population Group: Low Inc—Escalon/Manteca/Ripon
San Mateo
Service Area: E Menlo Park/E Palo Alto
Santa Barbara
Service Area: Cuyama
Service Area: Guadalupe
Facility: USP Lompoc
Santa Cruz
Service Area: Watsonville
Shasta
Service Area: Central Shasta/Shingletown/Whitmore
Service Area: E Shasta—Burney/Cassel/Fall River Mill
Service Area: Sacramento Canyon/Castella/Lakehead/O'Br
Service Area: Southwest Shasta
Population Group: Medicaid—Central-North Redding

**PRIMARY MEDICAL CARE: California**
*County Listing*

*County Name*

Population Group: Medicaid—South Redding-Anderson
Facility: Shasta Primary Care Clinic
*Sierra
Service Area: Downieville
*Siskiyou
Service Area: Butte Valley/Dorris
Service Area: Etna/Ft. Jones
Service Area: Happy Camp
Service Area: McCloud-Medicine Lake
Service Area: Tule Lake
Population Group: Low Inc—Dunsmuir
Population Group: Low Inc—Mt Shasta/Weed
Solano
Service Area: Dixon
Sonoma
Service Area: Cloverdale
Service Area: Guerneville
Service Area: Sonoma Valley
Population Group: Low Inc—Petaluma
Population Group: Low Inc—Healdsburg/Geyserville
Stanislaus
Service Area: West Modesto
Population Group: Low Inc—Hughson
Population Group: Low Inc—Turlock
Population Group: Low Inc—Newman
Population Group: Medicaid—Oakdale/Riverbank
Sutter
Service Area: Biggs/Gridley/Live Oak
Service Area: Meridian/Robbins
Population Group: Low Inc—Sutter/Yuba City
*Tehama
Service Area: Corning/Sw East Tehama/Las Molinas
Service Area: Red Bluff
*Trinity
Service Area: Hayfork/Forest Glen/Peanut
Service Area: Mad River/Ruth/Zenia
Service Area: Willow Creek
Tulare
Service Area: Porterville
Service Area: Springville
Service Area: Woodlake/Three Rivers
Population Group: Low Inc/MFW—Exeter/Ivanhoe/Lindsay
Population Group: Pov/MFW—Visalia
*Tuolumne
Population Group: Medicaid—Tuolumne Co
Ventura
Population Group: Low Inc/MFW—Ventura
Yolo
Service Area: East Yolo
Service Area: Esparto
Service Area: Knights Landing
Yuba
Population Group: Low Inc—Sutter/Yuba City
Population Group: Low Inc—Yuba Foothills

**PRIMARY MEDICAL CARE: California**
*Service Area Listing*

*Service Area Name*

Adin-Lookout
County—Lassen
Parts:
Big Valley CCD

**PRIMARY MEDICAL CARE: California**
*Service Area Listing*

*Service Area Name*

County—Modoc
Parts:
Adin-Lookout CCD
Arvin/Lamont
County—Kern
Parts:
C.T. 62–64
Avalon/Goodyear/Main
County—Los Angeles
Parts:
C.T. 2281–2289
C.T. 2291–2294
C.T. 2311
C.T. 2318–2319
C.T. 2328
C.T. 2392–2393
C.T. 2395–2396
C.T. 5328–5329
Avenal
County—Kings
Parts:
C.T. 17
Biggs/Gridley/Live Oak
County—Butte
Parts:
C.T. 34–36
County—Sutter
Parts:
C.T. 507
Bolinas/Stinson Beach
County—Marin
Parts:
C.T. 1321
Boonville/Navarro/Philo/Yorkville
County—Mendocino
Parts:
C.T. 112
Borrego Springs
County—San Diego
Parts:
C.T. 210
Brawley/Calipatria-Westmorland
County—Imperial
Parts:
C.T. 101–107
C.T. 123.02
Butte Valley/Dorris
County—Siskiyou
Parts:
C.T. 2
Calexico
County—Imperial
Parts:
C.T. 119–122
Central Oakland
County—Alameda
Parts:
C.T. 4053–4063
C.T. 4065
C.T. 4070–4072
Central Shasta/Shingletown/Whitmore
County—Shasta
Parts:
C.T. 126
Chowchilla
County—Madera
Parts:
C.T. 2–3
Chuckwalla/Desert Center/Eagle Mt
County—Riverside
Parts:
C.T. 458

**PRIMARY MEDICAL CARE: California**
*Service Area Listing*

*Service Area Name*

Cloverdale
County—Sonoma
Parts:
C.T. 1541–1542
Coalinga
County—Fresno
Parts:
C.T. 79.98
C.T. 80–81
Coastal/Big Sur/Lucial
County—Monterey
Parts:
C.T. 115
Colfax-Summit
County—Placer
Parts:
C.T. 219.01–219.02
C.T. 220.01–220.02
Corcoran
County—Kings
Parts:
C.T. 13–16
Corning/Sw East Tehama/Las Molinas
County—Tehama
Parts:
C.T. 9–11
C.T. 12.98
Covelo
County—Mendocino
Parts:
C.T. 101
Cuyama
County—Santa Barbara
Parts:
C.T. 18
Death Valley
County—Inyo
Parts:
C.T. 7
Dixon
County—Solano
Parts:
C.T. 2533.98
C.T. 2534
Downieville
County—Sierra
Parts:
West Sierra CCD
E Menlo Park/E Palo Alto
County—San Mateo
Parts:
C.T. 6117–6120
C.T. 6121.98
E Salinas/N Central Salinas
County—Monterey
Parts:
C.T. 5–9
C.T. 13
C.T. 17–18
E San Pedro/Wilmington/Long Beach Port
County—Los Angeles
Parts:
C.T. 2941–2943
C.T. 2945–2949
C.T. 2949.99
C.T. 2961
C.T. 2961.99–2962.00
C.T. 2962.99
C.T. 2971
C.T. 2971.99
C.T. 5727–5729
C.T. 5755–5756
C.T. 5756.99–5757.00
C.T. 5757.99
E Shasta—Burney/Cassel/Fall River Mill
County—Shasta
Parts:
C.T. 127
East Compton
County—Los Angeles
Parts:
C.T. 5416.01–5416.02
C.T. 5420
C.T. 5421.01–5421.02
C.T. 5422
C.T. 5424.01–5424.02
C.T. 5704
East Contra Costa
County—Contra Costa
Parts:
C.T. 3010
C.T. 3020.01–3020.02
C.T. 3031–3032
C.T. 3040
East Imperial
County—Imperial
Parts:
C.T. 124
East L.A./City Terrace
County—Los Angeles
Parts:
C.T. 5303–5306
C.T. 5308–5311
C.T. 5312.01–5312.02
C.T. 5313.01–5313.02
C.T. 5315.01–5315.02
C.T. 5316.01–5316.02
C.T. 5317.01–5317.02
East Oakland
County—Alameda
Parts:
C.T. 4073–4075
C.T. 4084–4097
C.T. 4102–4104
East Yolo
County—Yolo
Parts:
C.T. 101.01–101.02
C.T. 102.01
C.T. 102.03–102.04
C.T. 103
C.T. 105.06
El Centro
County—Imperial
Parts:
C.T. 108–111
C.T. 112.01–112.02
C.T. 113–117
C.T. 118.01–118.03
Encanto/Lincoln Acres/National City
County—San Diego
Parts:
C.T. 30.01–30.02
C.T. 31.01–31.02
C.T. 32.02
C.T. 33
C.T. 114
C.T. 114.99–115.00
C.T. 116–122
Esparto
County—Yolo
Parts:
C.T. 115 (Esparto)
Etna/Ft. Jones
County—Siskiyou
Parts:
C.T. 6 (Fort Jones CCD)
C.T. 8 (Etna CCD)
Feather Falls
County—Butte
Parts:
C.T. 24 (Esparto)
Figueroa/Firestone/Gr Meadows/Watts
County—Los Angeles
Parts:
C.T. 2397–2398
C.T. 2400
C.T. 2402–2414
C.T. 2420–2423
C.T. 2426–2427
C.T. 2430–2431
C.T. 5349–5350
C.T. 5351.01–5351.02
C.T. 5352–5354
C.T. 5404
Firebaugh/Mendota
County—Fresno
Parts:
C.T. 83
C.T. 84.01–84.02
Foresthill/Back Country
County—Placer
Parts:
C.T. 202
Frazier Park
County—Kern
Parts:
C.T. 33.02
Galt
County—Sacramento
Parts:
C.T. 94.01–94.02
C.T. 95
Georgetown Divide
County—El Dorado
Parts:
C.T. 306.01–306.03
Golden Hills/Logan Heights
County—San Diego
Parts:
C.T. 34.02
C.T. 35–36
C.T. 38
C.T. 38.99–39.00
C.T. 40–41
C.T. 45–50
C.T. 50.99–51.00
C.T. 51.99–52.00
Guadalupe
County—Santa Barbara
Parts:
C.T. 25
Guerneville
County—Sonoma
Parts:
C.T. 1537.01–1537.02
C.T. 1543
C.T. 1543.99
Happy Camp
County—Siskiyou
Parts:
C.T. 5
Hayfork/Forest Glen/Peanut
County—Trinity
Parts:
C.T. 3.98

**PRIMARY MEDICAL CARE: California**
*Service Area Listing*

*Service Area Name*

Helendale/Silver Lakes
County—San Bernardino
Parts:
C.T. 116–117
Hollister/San Juan Bautista
County—San Benito
Parts:
C.T. 1.98
C.T. 2–7
C.T. 9
Huron
County—Fresno
Parts:
C.T. 78
Idyllwild/Pine Cove
County—Riverside
Parts:
C.T. 444.01–444.03
Kerman
County—Fresno
Parts:
C.T. 39–41
Knights Landing
County—Yolo
Parts:
C.T. 114
Laton/Riverdale
County—Fresno
Parts:
C.T. 74
C.T. 77
Laytonville/Leggett
County—Mendocino
Parts:
C.T. 102
Mad River/Ruth/Zenia
County—Trinity
Parts:
C.T. 4
Madera West/Southwest
County—Madera
Parts:
C.T. 4
C.T. 5.02–5.05
C.T. 6.01–6.02
C.T. 7–10
Mariposa/Coulterville
County—Mariposa
Parts:
Coulterville CCD
Mariposa CCD
Markleeville
County—Alpine
Parts:
Markleeville CCD
McCloud-Medicine Lake
County—Siskiyou
Parts:
C.T. 12
Meridian/Robbins
County—Sutter
Parts:
C.T. 509
Mono North/Topaz Walker
County—Mono
Parts:
C.T. 1
Mono South/Mammoth Lakes
County—Mono
Parts:
C.T. 2
Mountain Empire
County—San Diego
Parts:
C.T. 211
N. El Monte/S. El Monte
County—Los Angeles
Parts:
C.T. 4315
C.T. 4323–4328
C.T. 4331–4335
C.T. 4337–4340
Needles/Topock (CA/AZ)
County—San Bernardino
Parts:
C.T. 105–107
Orland
County—Glenn
Parts:
C.T. 101–102
Oroville/Palermo
County—Butte
Parts:
C.T. 25–33
Pajaro
County—Monterey
Parts:
C.T. 101.98
C.T. 102.01–102.02
Palo Verde/Blythe
County—Riverside
Parts:
C.T. 459–462
Pico Rivera South
County—Los Angeles
Parts:
C.T. 5007–5009
C.T. 5023–5025
C.T. 5026.01–5026.02
C.T. 5027
C.T. 5029.02
C.T. 5320–5322
Porterville
County—Tulare
Parts:
C.T. 33–41
C.T. 45
Ramona
County—San Diego
Parts:
C.T. 208.01
C.T. 208.04
C.T. 208.97–208.98
Red Bluff
County—Tehama
Parts:
C.T. 2
C.T. 4–8
Red Mountain/Trona
County—San Bernardino
Parts:
C.T. 89.01
Redwood/Potter Valley
County—Mendocino
Parts:
C.T. 108
S Barstow-Victorville/Adelanto/Apple Val
County—San Bernardino
Parts:
C.T. 91.02–91.04
C.T. 97.04–97.06
C.T. 98
C.T. 99.01–99.03
C.T. 100.03–100.08
S Coachella Valley/Mecca
County—Riverside
Parts:
C.T. 456.01–456.02
Sacramento Canyon/Castella/Lakehead/O'Br
County—Shasta
Parts:
C.T. 125
San Andreas
County—Calaveras
Parts:
C.T. 2–3
San Benito/Bitterwater
County—San Benito
Parts:
C.T. 8
San Joaquin-Tranquility
County—Fresno
Parts:
C.T. 82
San Ysidro
County—San Diego
Parts:
C.T. 100.01–100.05
C.T. 100.07–100.09
C.T. 101.03–101.04
C.T. 101.06–101.09
C.T. 102–105
Santa Catalina Island
County—Los Angeles
Parts:
C.T. 5990–5991
Se Kern, Boron, California City
County—Kern
Parts:
C.T. 55.03–55.06
C.T. 56–59
Sonoma Valley
County—Sonoma
Parts:
C.T. 1501–1502
C.T. 1503.01–1503.02
C.T. 1504–1505
South And East Stockton
County—San Joaquin
Parts:
C.T. 1–3
C.T. 5–8
C.T. 8.99
C.T. 16–26
C.T. 27.01–27.02
C.T. 28–29
C.T. 36.01–36.02
C.T. 37–39
Southwest Shasta
County—Shasta
Parts:
C.T. 124
Springville
County—Tulare
Parts:
C.T. 27
Surprise Valley
County—Modoc
Parts:
Surprise Valley Division
Taft
County—Kern
Parts:
C.T. 33.03–33.04
C.T. 34–36
Tehachapi

**PRIMARY MEDICAL CARE: California**
*Service Area Listing*

*Service Area Name*

County—Kern
Parts:
C.T. 60.01–60.02
C.T. 61
Tule Lake
County—Modoc
Parts:
Tule Lake CCD
County—Siskiyou
Parts:
C.T. 1 (Tule Lake CCD)
Watsonville
County—Santa Cruz
Parts:
C.T. 1101–1103
C.T. 1104.98
C.T. 1105–1107
C.T. 1223
C.T. 1224.97–1224.98
C.T. 1225.98
West Berkeley
County—Alameda
Parts:
C.T. 4220–4223
C.T. 4230–4234
C.T. 4240
West Imperial
County—Imperial
Parts:
C.T. 123.01
West Modesto
County—Stanislaus
Parts:
C.T. 15
C.T. 16.01–16.02
C.T. 17
C.T. 22–24
C.T. 31
West Point/Wilseyville
County—Calaveras
Parts:
C.T. 4–5
Willow Creek
County—Humboldt
Parts:
C.T. 101 (Trinity-Klamath
County—Trinity
Parts:
C.T. 2 (lower Trinity)
Willows
County—Glenn
Parts:
C.T. 103–105
Parts:
C.T. 5990–5991
Woodlake/Three Rivers
County—Tulare
Parts:
C.T. 1
C.T. 7
29 Palms/Yucca Valley
County—San Bernardino
Parts:
C.T. 104.02–104.03
C.T. 104.05–104.09

**PRIMARY MEDICAL CARE: California**
*Population Group Listing*

*Population Group*

Inmates—FCI Dublin
County—Alameda
Parts:
FCI Dublin
Inmates—FPC Boron
County—Kern
Parts:
FPC Boron
Inmates—MCC San Diego
County—San Diego
Parts:
MCC San Diego
Inmates—MDC Los Angeles
County—Los Angeles
Parts:
MDC Los Angeles
Low Inc—Angels
County—Calaveras
Parts:
C.T. 1
Low Inc—Blue Lake
County—Humboldt
Parts:
C.T. 9
C.T. 12
Low Inc—Central Santa Ana
County—Orange
Parts:
C.T. 744.05
C.T. 745.01
C.T. 746.01–746.02
C.T. 747.01–747.02
C.T. 748.01–748.02
C.T. 748.05–748.06
C.T. 749.01–749.02
C.T. 750.01–750.02
C.T. 751
C.T. 752.01–752.02
Low Inc—City Heights/Downtown
County—San Diego
Parts:
C.T. 14–15
C.T. 22–24
C.T. 25.01–25.02
C.T. 26
C.T. 27.01
C.T. 27.04–27.06
C.T. 34.01
C.T. 42–44
C.T. 53–58
C.T. 58.99
C.T. 60–61
Low Inc—Del Norte Co
County—Del Norte
Parts:
Low Income
Low Inc—Dunsmuir
County—Siskiyou
Parts:
C.T. 11
Low Inc—E Bakersfield/Lakeview
County—Kern
Parts:
C.T. 10
C.T. 11.01–11.03
C.T. 12–15
C.T. 20–22
C.T. 23.01–23.02
C.T. 24–26
C.T. 30
Low Inc—Edison/Easton
County—Fresno
Parts:
C.T. 2–4
C.T. 7–13
C.T. 15
C.T. 18–20
C.T. 38.01–38.03
C.T. 42.01
Low Inc—El Cajon
County—San Diego
Parts:
C.T. 153.01–153.02
C.T. 156.01–156.02
C.T. 157.01–157.02
C.T. 158–161
C.T. 162.01–162.02
C.T. 163
C.T. 164.01–164.02
C.T. 165.01–165.02
Low Inc—El Sereno/Highland Park
County—Los Angeles
Parts:
C.T. 1831.01–1831.02
C.T. 1832–1833
C.T. 1835–1838
C.T. 1991
C.T. 1992.01–1992.02
C.T. 1993
C.T. 1998
C.T. 2011–2012
C.T. 2013.01–2013.02
C.T. 2014.01–2014.02
C.T. 2015.01–2015.02
C.T. 2016–2017
C.T. 5307
Low Inc—Escalon/Manteca/Ripon
County—San Joaquin
Parts:
C.T. 49.01
C.T. 49.98
C.T. 50.01–50.02
C.T. 51.01
C.T. 51.06
C.T. 51.08–51.20
Low Inc—Eureka/Arcata
County—Humboldt
Parts:
C.T. 1
C.T. 1.99–2.00
C.T. 3–8
C.T. 10–11
C.T. 103–107
Low Inc—Ferndale
County—Humboldt
Parts:
C.T. 112
Low Inc—Fortuna
County—Humboldt
Parts:
C.T. 108–110
Low Inc—Healdsburg/Geyserville
County—Sonoma
Parts:
C.T. 1538–1540
Low Inc—Hughson
County—Stanislaus
Parts:
C.T. 28
C.T. 29.01–29.02
Low Inc—Lake Arrowhead
County—San Bernardino
Parts:
C.T. 108–110
Low Inc—Lake Isabella
County—Kern

**PRIMARY MEDICAL CARE: California**
*Population Group Listing*

*Population Group*

Parts:
C.T. 52.01–52.02
Low Inc—Lake Tahoe/Tahoe City
County—Placer
Parts:
C.T. 201.01–201.07
Low Inc—Mission Hills/San Fernando
County—Los Angeles
Parts:
C.T. 1042.01–1042.02
C.T. 1044.01
C.T. 1061.02
C.T. 1064.01
C.T. 1066.01–1066.02
C.T. 1070
C.T. 1091
C.T. 1094–1095
C.T. 3201–3203
Low Inc—Mt Shasta/Weed
County—Siskiyou
Parts:
C.T. 9–10
Low Inc—Newman
County—Stanislaus
Parts:
C.T. 32
C.T. 33.98
C.T. 34.98
C.T. 35
Low Inc—North Coastal
County—Humboldt
Parts:
C.T. 102
Low Inc—Pacoima/Sun Valley North
County—Los Angeles
Parts:
C.T. 1041.01–1041.02
C.T. 1043
C.T. 1044.02
C.T. 1045–1046
C.T. 1047.01–1047.02
C.T. 1048
C.T. 1210–1212
C.T. 1218–1219
C.T. 1221–1222
Low Inc—Paradise
County—Butte
Parts:
C.T. 17–23
Low Inc—Petaluma
County—Sonoma
Parts:
C.T. 1506.01–1506.04
C.T. 1507–1511
C.T. 1512.01–1512.02
C.T. 1513.01–1513.04
Low Inc—Rio Dell/Scotia
County—Humboldt
Parts:
C.T. 111
Low Inc—South Of Market
County—San Francisco
Parts:
C.T. 122–125
C.T. 176.02
C.T. 176.98
C.T. 177–178
C.T. 179.01–179.02
C.T. 179.99–180.00
C.T. 201.98
C.T. 226–229
C.T. 607

**PRIMARY MEDICAL CARE: California**
*Population Group Listing*

*Population Group*

Low Inc—Southern Napa Co
County—Napa
Parts:
C.T. 2001–2014
Low Inc—Susanville
County—Lassen
Parts:
Honey Lake CCD
Madeline Plains CCD
Susanville CCD
Westwood CCD
Low Inc—Sutter/Yuba City
County—Sutter
Parts:
C.T. 501–504
C.T. 505.01–505.02
C.T. 506.01–506.02
C.T. 508
C.T. 510
County—Yuba
Parts:
C.T. 401–407
C.T. 409.00–409.02
C.T. 410
Low Inc—Turlock
County—Stanislaus
Parts:
C.T. 36.02–36.05
C.T. 37
C.T. 38.01–38.03
C.T. 39.03–39.07
Low Inc—Venice/South Santa Monica
County—Los Angeles
Parts:
C.T. 2722
C.T. 2723.02
C.T. 2731–2739
C.T. 2751–2752
C.T. 2755
C.T. 7018.01–7018.02
C.T. 7019–7021
C.T. 7022.01–7022.02
C.T. 7026
C.T. 7028.03
Low Inc—Yuba Foothills
County—Yuba
Parts:
C.T. 411
Low Inc/MFW—Exeter/Ivanhoe/Lindsay
County—Tulare
Parts:
C.T. 8
C.T. 14–16
C.T. 25–26
C.T. 28
Low Inc/MFW—Gustine
County—Merced
Parts:
C.T. 20
Low Inc/MFW—Northern Napa Co
County—Napa
Parts:
C.T. 2015–2020
Low Inc/MFW—San Juan Capistrano
County—Orange
Parts:
C.T. 421.03
C.T. 421.05–421.10
C.T. 422.01
C.T. 422.03–422.04
C.T. 423.10–423.13
C.T. 423.22–423.23

**PRIMARY MEDICAL CARE: California**
*Population Group Listing*

*Population Group*

Low Inc/MFW—Ventura
County—Ventura
Parts:
Camarillo CCD
Fillmore-Piru CCD
Las Posas CCD
Los Padres CCD
Meiners Oaks-Ojai CCD
Oxnard CCD
Santa Paula CCD
Ventura CCD
Medicaid—Central-North Redding
County—Shasta
Parts:
C.T. 101–119
Medicaid—Oakdale/Riverbank
County—Stanislaus
Parts:
C.T. 1
C.T. 2.01–2.03
C.T. 3
C.T. 4.01–4.02
Medicaid—Ridgecrest
County—Kern
Parts:
C.T. 53
C.T. 54.01–54.04
C.T. 55.01
Medicaid—South Redding-Anderson
County—Shasta
Parts:
C.T. 120–123
Medicaid—Tuolumne Co
County—Tuolumne
Parts:
Medicaid Eligible
Medicaid—Vista/Oceanside/Carlsbad
County—San Diego
Parts:
C.T. 178.01
C.T. 178.03
C.T. 178.05–178.08
C.T. 179–184
C.T. 185.01
C.T. 185.04
C.T. 185.07–185.08
C.T. 185.97–185.98
C.T. 186.01
C.T. 186.03
C.T. 186.05–186.07
C.T. 192.02–192.04
C.T. 193
C.T. 194.01–194.02
C.T. 195
C.T. 196.01–196.02
C.T. 197.01–197.02
C.T. 198.01–198.02
C.T. 199.01–199.03
C.T. 200.05–200.12
C.T. 203.01
Medicaid—Winterhaven-Bard
County—Imperial
Parts:
C.T. 125
MFW/Low Inc—Delano/Mcfarland
County—Kern
Parts:
C.T. 46–48
C.T. 49.01–49.02
C.T. 50
Pov Pop—South Sacramento
County—Sacramento

**PRIMARY MEDICAL CARE: California**
*Population Group Listing*

*Population Group*

Parts:
C.T. 27–28
C.T. 30
C.T. 31.01–31.02
C.T. 32.01–32.02
C.T. 35.01–35.02
C.T. 36–37
C.T. 44.01–44.02
C.T. 45
C.T. 46.01–46.02
Pov Pop/MFW—Reedley/Parlier/Orange
County—Fresno
Parts:
C.T. 63
C.T. 65
C.T. 66.01–66.02
C.T. 67
C.T. 68.01–68.02
C.T. 69
Pov. Pop.—Big Bear Lake
County—San Bernardino
Parts:
C.T. 112–115
Pov/MFW—Buttonwillow/Wasco/Shafter
County—Kern
Parts:
C.T. 37
C.T. 39–45
Pov/MFW—Visalia
County—Tulare
Parts:
C.T. 9
C.T. 10.01–10.02
C.T. 11–13
C.T. 17.01–17.02
C.T. 18–19
C.T. 20.01–20.05

**PRIMARY MEDICAL CARE: California**
*Facility Listing*

*Facility Name*

FCI Terminal Island
County—Los Angeles
Harbor-Ucla Med Ctr Ambulatory Clinics
County—Los Angeles
INS Med Fac—El Centro
County—Imperial
INS Med Fac—San Pedro
County—Los Angeles
Long Beach Comprehensive Hlth Ctr
County—Los Angeles
Martin Luther King Jr. Gen Hosp
County—Los Angeles
Shasta Primary Care Clinic
County—Shasta
USP Lompoc
County—Santa Barbara
Valley Medical Center
County—Fresno

**PRIMARY MEDICAL CARE: Colorado**
*County Listing*

*County Name*

Adams
Service Area: Bennett/Strasburg
Service Area: Commerce City
Population Group: Low Inc—Thornton
Population Group: MSFW—Ft Lupton/Brighton
*Alamosa

**PRIMARY MEDICAL CARE: Colorado**
*County Listing*

*County Name*

Population Group: Low Inc—Alamosa Co
Arapahoe
Service Area: Bennett/Strasburg
*Archuleta
*Baca
*Bent
Boulder
Population Group: Low Inc—Boulder City
Population Group: MSFW—Ft Lupton/Brighton
Population Group: Pov Pop—Lafayette/Louisville
*Chaffee
Service Area: Northern Chaffee
*Cheyenne
*Clear Creek
*Conejos
Population Group: Med Ind—Conejos Co
*Costilla
*Crowley
*Custer
*Delta
Population Group: Low Inc—Delta Co
Denver
Service Area: Globeville
Service Area: Montbello
Population Group: Homeless—Downtown Denver
*Dolores
Douglas
Facility: FCI Englewood
*Eagle
Service Area: Eagle-Gypsum
El Paso
Service Area: Calhan-Yoder
Population Group: Low Income—Colorado Springs
*Elbert
Service Area: Limon
*Fremont
Facility: FCI Florence
Facility: USP Florence
*Garfield
Service Area: Rifle
*Gilpin
*Hinsdale
*Huerfano
Service Area: Gardner
Population Group: Low Inc—E Huerfano
*Jackson
*Kiowa
*Kit Carson
*Lake
*Las Animas
Population Group: Low Inc—Las Animas Co
Lincoln
Service Area: Limon
*Logan
Service Area: Crook/Fleming
*Mesa
Service Area: Collbran
*Mineral
*Moffat
Service Area: Rangely
*Montrose
Service Area: Nucla/Norwood
Population Group: Low Inc—East Montrose/Ouray
*Morgan
Population Group: Low Inc—Morgan Co
*Otero

**PRIMARY MEDICAL CARE: Colorado**
*County Listing*

*County Name*

Population Group: Med Ind Pop—Otero Co
*Ouray
Population Group: Low Inc—East Montrose/Ouray
*Park
Service Area: Fairplay
Service Area: Lake George
*Phillips
Population Group: Low Inc—Phillips Co
*Prowers
Pueblo
Population Group: Med Ind—Pueblo Co
*Rio Blanco
Service Area: Meeker
Service Area: Rangely
*Rio Grande
*Routt
Service Area: Oak Creek/Yampa
*Saguache
*San Juan
*San Miguel
Service Area: Nucla/Norwood
Sedgwick
Service Area: Julesburg (CO/NB)
*Teller
Service Area: Cripple Creek
*Washington
Weld
Population Group: MSFW—Ft Lupton/Brighton

**PRIMARY MEDICAL CARE: Colorado**
*Service Area Listing*

*Service Area Name*

Bennett/Strasburg
County—Adams
Parts:
East Adams Division
County—Arapahoe
Parts:
East Arapahoe Division
Calhan-Yoder
County—El Paso
Parts:
C.T. 39.01
C.T. 46
Collbran
County—Mesa
Parts:
Collbran CCD
Commerce City
County—Adams
Parts:
C.T. 87.03
C.T. 87.05–87.06
C.T. 88.01–88.02
C.T. 89.01
C.T. 89.52
Cripple Creek
County—Teller
Parts:
Cripple Creek CCD
Crook/Fleming
County—Logan
Parts:
Crook CCD
Fleming CCD
Eagle-Gypsum
County—Eagle
Parts:
Eagle-Gypsum CCD

**PRIMARY MEDICAL CARE: Colorado**
*Service Area Listing*

*Service Area Name*

Fairplay
County—Park
Parts:
Fairplay CCD
Gardner
County—Huerfano
Parts:
Gardner CCD
Globeville
County—Denver
Parts:
C.T. 15
C.T. 35
Julesburg (CO/NB)
County—Sedgwick
Lake George
County—Park
Parts:
Lake George CCD
Limon
County—Elbert
Parts:
Agate CCD
Simla CCD
County—Lincoln
Meeker
County—Rio Blanco
Parts:
Meeker CCD
Montbello
County—Denver
Parts:
C.T. 83.04–83.06
C.T. 83.11–83.12
Northern Chaffee
County—Chaffee
Parts:
Buena Vista CCD
Nucla/Norwood
County—Montrose
Parts:
Nucla CCD
County—San Miguel
Parts:
Norwood CCD
Oak Creek/Yampa
County—Routt
Parts:
Oak Creek Division
Yampa Division
Rangely
County—Moffat
Parts:
Artesia CCD
County—Rio Blanco
Parts:
Rangely CCD
Rifle
County—Garfield
Parts:
Grand Valley CCD
New Castle CCD
Rifle CCD

**PRIMARY MEDICAL CARE: Colorado**
*Population Group Listing*

*Population Group*

Homeless—Downtown Denver
County—Denver
Parts:
C.T. 16
C.T. 20
C.T. 24.01–24.02
C.T. 25
C.T. 26.01–26.02
C.T. 27.01–27.03
Low Inc—Alamosa Co
County—Alamosa
Parts:
Low Income
Low Inc—Boulder City
County—Boulder
Parts:
C.T. 121.01–121.02
C.T. 122.02–122.05
C.T. 123
C.T. 124.01
C.T. 126.02
C.T. 126.04
Low Inc—Delta Co
County—Delta
Parts:
Low Inc
MFW
Low Inc—E Huerfano
County—Huerfano
Parts:
La Veta CCD
Walsenburg CCD
Low Inc—East Montrose/Ouray
County—Montrose
Parts:
Montrose CCD
Olathe CCD
County—Ouray
Parts:
Low Income
Low Inc—Las Animas Co
County—Las Animas
Parts:
Low Income
Low Inc—Morgan Co
County—Morgan
Parts:
Low Income
Low Inc—Phillips Co
County—Phillips
Parts:
Low Income
Low Inc—Thornton
County—Adams
Parts:
C.T. 85.05–85.08
C.T. 85.15–85.18
C.T. 90.01–90.03
C.T. 91.02
C.T. 92.01–92.03
C.T. 93.04
C.T. 93.06–93.10
C.T. 93.13–93.18
C.T. 94.01
C.T. 94.03
C.T. 94.05–94.07
C.T. 95.01–95.02
C.T. 95.53
C.T. 96.03–96.06
C.T. 97.50
Low Income—Colorado Springs
County—El Paso
Parts:
13.01
14.00
15.00
16.00
17.00
21.01
21.02
22.00
23.00
26.00
27.00
28.00
29.00
33.02
45.01
52.00
53.00
54.00
Med Ind—Conejos Co
County—Conejos
Parts:
Medically Indigent
Med Ind—Pueblo Co
County—Pueblo
Parts:
Medically Indigent
Med Ind Pop—Otero Co
County—Otero
Parts:
Medically Indigent
MSFW—Ft Lupton/Brighton
County—Adams
Parts:
C.T. 85.13–85.14
C.T. 86.01–86.02
County—Boulder
Parts:
C.T. 128
C.T. 132.01
C.T. 132.04
C.T. 133.02
C.T. 133.05–133.08
C.T. 134.01–134.02
C.T. 135.01
C.T. 135.03–135.04
County—Weld
Parts:
MSFW
Pov Pop—Lafayette/Louisville
County—Boulder
Parts:
C.T. 127.98
C.T. 129.01–129.02
C.T. 130.02
C.T. 130.98
C.T. 131.02–131.05

**PRIMARY MEDICAL CARE: Colorado**
*Facility Listing*

*Facility Name*

FCI Englewood
County—Douglas
FCI Florence
County—Fremont
USP Florence
County—Fremont

**PRIMARY MEDICAL CARE: Connecticut**
*County Listing*

*County Name*

Fairfield
Service Area: Central/East Bridgeport
Service Area: South End Stamford

**PRIMARY MEDICAL CARE: Connecticut**
*County Listing*

*County Name*

Service Area: Southwest Bridgeport
Population Group: Inmates—FCI Danbury
Population Group: Low Inc—Stratford
Population Group: Low Inc—Danbury
Population Group: Low Inc—S Norwalk
Hartford
Service Area: Charter Oak/Frog Hollow/Parkville/Barry
Service Area: North-Central Hartford
Population Group: Low Inc—Central New Britain
Middlesex
Population Group: Med Ind/Homeless—C Middletown
New Haven
Service Area: Central Waterbury
Service Area: Fair Haven
Population Group: Low Inc—Central New Haven
Population Group: Low Inc—West Haven
Population Group: Low Inc—Meriden
Population Group: Med Ind—Ansonia
New London
Service Area: Central Groton
Population Group: Low Inc—Norwich
Population Group: Low Inc—Central New London
Tolland
Population Group: Low Inc—Rockville
Windham
Population Group: Low Inc—Town Of Windham

**PRIMARY MEDICAL CARE: Connecticut**
*Service Area Listing*

*Service Area Name*

Central Groton
County—New London
Parts:
C.T. 7022–7023
C.T. 7025
C.T. 7027–7028
Central Waterbury
County—New Haven
Parts:
C.T. 3501–3505
C.T. 3508
C.T. 3512
C.T. 3514
Central/East Bridgeport
County—Fairfield
Parts:
C.T. 713–717
C.T. 735–736
C.T. 738–744
Charter Oak/Frog Hollow/Parkville/Barry
County—Hartford
Parts:
C.T. 5001–5002
C.T. 5019
C.T. 5027–5030
C.T. 5043
C.T. 5045–5046
C.T. 5049
Fair Haven
County—New Haven
Parts:
C.T. 1421
C.T. 1423–1425
C.T. 1426.01–1426.02
North-Central Hartford

**PRIMARY MEDICAL CARE: Connecticut**
*Service Area Listing*

*Service Area Name*

County—Hartford
Parts:
C.T. 5005
C.T. 5008–5018
C.T. 5020
C.T. 5022
C.T. 5034–5035
C.T. 5037
South End Stamford
County—Fairfield
Parts:
C.T. 222–223
Southwest Bridgeport
County—Fairfield
Parts:
C.T. 702–712

**PRIMARY MEDICAL CARE: Connecticut**
*Population Group Listing*

*Population Group*

Inmates—FCI Danbury
County—Fairfield
Parts:
FCI Danbury
Low Inc—Central New Britain
County—Hartford
Parts:
C.T. 4159–4162
C.T. 4166
C.T. 4168
C.T. 4171
Low Inc—Central New Haven
County—New Haven
Parts:
C.T. 1402–1409
C.T. 1413
C.T. 1415–1416
Low Inc—Central New London
County—New London
Parts:
C.T. 6901
C.T. 6903–6906
C.T. 6906.99–6907.00
C.T. 6907.99
Low Inc—Danbury
County—Fairfield
Parts:
C.T. 2101–2114
Low Inc—Meriden
County—New Haven
Parts:
C.T. 1701.01–1701.02
C.T. 1702.01–1702.02
C.T. 1703–1717
Low Inc—Norwich
County—New London
Parts:
Bozrah Town
Franklin Town
Griswold Town
Lisbon Town
Montville Town
Norwich Town
Preston Town
Sprague Town
Voluntown Town
Low Inc—Rockville
County—Tolland
Parts:
C.T. 5301–5302
Low Inc—S Norwalk

**PRIMARY MEDICAL CARE: Connecticut**
*Population Group Listing*

*Population Group*

County—Fairfield
Parts:
C.T. 440–442
C.T. 444–445
Low Inc—Stratford
County—Fairfield
Parts:
Stratford Town
Low Inc—Town Of Windham
County—Windham
Parts:
Windham Town
Low Inc—West Haven
County—New Haven
Parts:
West Haven Town
Med Ind—Ansonia
County—New Haven
Parts:
Ansonia Town
Derby Town
Seymour Town
Med Ind/Homeless—C Middletown
County—Middlesex
Parts:
C.T. 5411
C.T. 5415–5418
C.T. 5421

**PRIMARY MEDICAL CARE: DELAWARE**
*County Listing*

*County Name*

New Castle
Service Area: Middletown-Odessa
Service Area: Wilmington—Southbridge

**PRIMARY MEDICAL CARE: DELAWARE**
*Service Area Listing*

*Service Area Name*

Middletown-Odessa
County—New Castle
Parts:
C.T. 166–169
Wilmington—Southbridge
County—New Castle
Parts:
C.T. 1
C.T. 6.01–6.02
C.T. 7–9
C.T. 15–17
C.T. 19–23
C.T. 154–155

**PRIMARY MEDICAL CARE: District Of Columbia**
*County Listing*

*County Name*

Dist Of Columbia
Service Area: Anacostia
Service Area: Brentwood
Service Area: East Capitol St. (Far S.E.)
Service Area: Mt. Pleasant/Upper Cardozo
Service Area: South Capitol
Service Area: Suitland
Population Group: Homeless—Downtown Washington
Facility: Lorton Max Corr Fac

**PRIMARY MEDICAL CARE: District Of Columbia**
*Service Area Listing*

*Service Area Name*

Anacostia
County—Dist Of Columbia
Parts:
C.T. 74.01
C.T. 74.03–74.04
C.T. 74.06–74.09
C.T. 75.02–75.04
C.T. 76.01
C.T. 76.05
Brentwood
County—Dist Of Columbia
Parts:
C.T. 47
C.T. 79.01
C.T. 79.03
C.T. 80.01
C.T. 84.02
C.T. 84.10
C.T. 85.10
C.T. 86
C.T. 88.02–88.04
C.T. 89.03–89.04
C.T. 91.02
East Capitol St. (Far S.E.)
County—Dist Of Columbia
Parts:
C.T. 77.03
C.T. 77.07–77.09
C.T. 78.03–78.04
C.T. 78.06–78.09
C.T. 96.02–96.03
C.T. 99.03–99.07
Mt. Pleasant/Upper Cardozo
County—Dist Of Columbia
Parts:
C.T. 25.02
C.T. 27.01–27.02
C.T. 28.01–28.02
C.T. 29–30
C.T. 36–39
C.T. 43
South Capitol
County—Dist Of Columbia
Parts:
C.T. 60.20
C.T. 64.10
C.T. 71–72
Suitland
County—Dist Of Columbia
Parts:
C.T. 73.02
C.T. 98.01–98.08

**PRIMARY MEDICAL CARE: District Of Columbia**
*Population Group Listing*

*Population Group*

Homeless—Downtown Washington
County—Dist Of Columbia
Parts:
C.T. 40.01–40.02
C.T. 41
C.T. 42.02
C.T. 46
C.T. 48.01–48.02
C.T. 49.01–49.02
C.T. 50–51
C.T. 52.10
C.T. 52.20
C.T. 53.01–53.02
C.T. 54.01–54.02

**PRIMARY MEDICAL CARE: District Of Columbia**
*Population Group Listing*

*Population Group*

C.T. 55.01–55.02
C.T. 56
C.T. 57.01–57.02
C.T. 58–59

**PRIMARY MEDICAL CARE: District Of Columbia**
*Facility Listing*

*Facility Name*

Lorton Max Corr Fac
County—Dist Of Columbia

**PRIMARY MEDICAL CARE: Florida**
*County Listing*

*County Name*

Alachua
Population Group: Medicaid—Alachua Co
*Baker
Population Group: Medicaid/MFW—Baker Co
Facility: Baker Corr Inst
Bay
Population Group: Medicaid—Bay Co
Bradford (g)
Facility: Florida State Prs
Brevard
Population Group: Medicaid/MFW—Brevard Co
Facility: Brevard Corr Inst
Broward
Population Group: Pov/MFW—Pompano
*Calhoun (g)
Facility: Calhoun Corr Inst
Charlotte
Population Group: Low Inc—Charlotte Co
*Citrus
Population Group: Medicaid—Citrus Co
Clay
Service Area: Keystone Heights
Collier
Service Area: Everglades
Service Area: Imokalee
*Columbia
Population Group: Pov Pop—Columbia Co
Dade
Service Area: Model Cities
Service Area: Southern Dade (Homestead)
Service Area: Wynwood
Population Group: Inmates—MCC Miami
Population Group: Low Inc—North Beach
Population Group: Low Inc—Little Havana
Population Group: Low Inc—South Beach
Facility: Coconut Grove Comm Hth Ctr
Facility: Doris Ison Comm Hlth Ctr
Facility: Jackson Mem. Hosp. Outpt. Clinics
Facility: S Florida Recept Ctr
*De Soto
Population Group: Pov/MFW—Desoto Co
*Dixie (g)
Facility: Cross City Corr Inst
Duval
Population Group: Low Inc—N Jacksonville
Escambia
Service Area: Atmore/Century (AL/FL)
Facility: Century Corr Inst
*Franklin
Population Group: Med Ind—Franklin Co
Gadsden

**PRIMARY MEDICAL CARE: Florida**
*County Listing*

*County Name*

*Gilchrist
Glades
Service Area: Glades/Hendry
*Gulf
Population Group: Medicaid—Gulf Co
*Hamilton
*Hardee
*Hendry
Service Area: Glades/Hendry
Facility: Hendry Corr Inst
Hernando
Population Group: Medicaid/MFW—Hernando Co
*Highlands
Population Group: Low Inc/MFW—Highlands Co
Facility: Avon Park Corr Inst
Hillsborough
Service Area: East Tampa/Ybor City
Population Group: Pov/MFW—E Hillsborough
*Holmes (g)
Facility: Holmes Corr Inst
*Indian River
Population Group: Medicaid/MFW—Indian River Co
*Jackson
Population Group: Medicaid—Jackson Co
Facility: Apalachee Correctional Inst
Facility: FCI Marianna
*Jefferson
*Lafayette (g)
Facility: Mayo Corr Inst
Lake
Population Group: MSFW—Lake/Orange
Lee
Population Group: Medicaid/MSFW—Lee Co
Leon
Population Group: Low Inc—Bond Community
Facility: FCI—Tallahassee
*Levy
*Liberty
Facility: Liberty Corr Inst
*Madison
Manatee
Population Group: Medicaid/MFW—Manatee Co
Marion
Population Group: Medicaid/MFW—Marion Co
Martin
Service Area: Indiantown
*Monroe
Population Group: Medicaid—Monroe Co
Okaloosa
Population Group: Inmates—FPC Elgin
Population Group: Low Inc—Crestview
Facility: Okaloosa Corr Inst
*Okeechobee
Population Group: Medicaid/MFW—Okeechobee Co
Orange
Population Group: MSFW—Lake/Orange
Osceola
Population Group: Low Inc—Osceola
Palm Beach
Service Area: West Palm Beach
Population Group: MFW—Belle Glade/Pahokee
Pasco

**PRIMARY MEDICAL CARE: Florida**
*County Listing*

*County Name*

Population Group: Pov/MFW—Eastern Pasco
Facility: Zephryhills Corr Inst
Pinellas
Population Group: Pov Pop—Inner St. Petersburg
Polk
Service Area: Frostproof/Lake Wales
Service Area: Polk City/Eva
*Putnam
Seminole
Population Group: Medicaid/MFW—Seminole Co
St Johns
Population Group: Medicaid/MFW—St. Johns Co
St Lucie
Population Group: Pov/MFW—St. Lucie Co
*Sumter (g)
Facility: Sumter Corr Inst
*Suwannee
*Taylor
*Union (g)
Facility: North Florida Reception Ctr.
Volusia
Population Group: Medicaid/MFW—Volusia Co
*Wakulla
*Walton (g)
Facility: Walton Corr Inst
*Washington
Population Group: Medicaid—Washington Co

**PRIMARY MEDICAL CARE: Florida**
*Service Area Listing*

*Service Area Name*

Atmore/Century (AL/FL)
County—Escambia
Parts:
C.T. 38–40
East Tampa/Ybor City
County—Hillsborough
Parts:
C.T. 10
C.T. 17–19
C.T. 30–44
C.T. 49–51
Everglades
County—Collier
Parts:
C.T. 111.01–111.02
Frostproof/Lake Wales
County—Polk
Parts:
C.T. 142–144
C.T. 154–158
C.T. 160
C.T. 161.98
Glades/Hendry
County—Glades
County—Hendry
Imokalee
County—Collier
Parts:
C.T. 112.01–112.03
C.T. 113–114
Indiantown
County—Martin
Parts:
Indiantown CCD

**PRIMARY MEDICAL CARE: Florida**
*Service Area Listing*

*Service Area Name*

Keystone Heights
County—Clay
Parts:
Keystone Heights CCD
Model Cities
County—Dade
Parts:
C.T. 4.08
C.T. 8.01–8.02
C.T. 9.01–9.03
C.T. 10.01–10.04
C.T. 11.03
C.T. 15.01–15.02
C.T. 16.01–16.02
C.T. 17.01–17.02
C.T. 18.01–18.03
C.T. 19.01
C.T. 19.03–19.04
C.T. 23
Polk City/Eva
County—Polk
Parts:
C.T. 116
C.T. 123–124
Southern Dade (Homestead)
County—Dade
Parts:
C.T. 103–105
C.T. 106.02
C.T. 107.01
C.T. 108–109
C.T. 110.01–110.02
C.T. 111
C.T. 112.01–112.02
C.T. 113
C.T. 114.98
West Palm Beach
County—Palm Beach
Parts:
C.T. 20–26
Wynwood
County—Dade
Parts:
C.T. 14.01–14.02
C.T. 20.01
C.T. 20.03–20.04
C.T. 21
C.T. 22.01–22.02
C.T. 25–26
C.T. 27.01–27.02
C.T. 28–29

**PRIMARY MEDICAL CARE: Florida**
*Population Group Listing*

*Population Group*

Inmates—FPC Elgin
County—Okaloosa
Parts:
FPC Elgin
Inmates—MCC Miami
County—Dade
Parts:
MCC Miami
Low Inc—Bond Community
County—Leon
Parts:
C.T. 1
C.T. 4–6
C.T. 10.01
C.T. 11.01–11.02
C.T. 12–14

**PRIMARY MEDICAL CARE: Florida**
*Population Group Listing*

*Population Group*

Low Inc—Charlotte Co
County—Charlotte
Parts:
Low Income
Low Inc—Crestview
County—Okaloosa
Parts:
C.T. 203–207
Low Inc—Little Havana
County—Dade
Parts:
C.T. 30.02
C.T. 36.02
C.T. 49.01–49.02
C.T. 50.01–50.02
C.T. 51
C.T. 52.01
C.T. 53.01–53.02
C.T. 54.01–54.02
C.T. 55.01–55.02
C.T. 56
C.T. 57.03–57.04
C.T. 58.01
C.T. 61.01–61.02
C.T. 62
C.T. 63.01–63.02
C.T. 64.01–64.03
C.T. 65
Low Inc—N Jacksonville
County—Duval
Parts:
C.T. 1
C.T. 1.99–2.00
C.T. 2.99–3.00
C.T. 3.99–4.00
C.T. 5
C.T. 9–19
C.T. 26–29
C.T. 107–109
C.T. 112–116
C.T. 118
C.T. 121
Low Inc—North Beach
County—Dade
Parts:
C.T. 39.01–39.02
C.T. 39.04–39.06
Low Inc—Osceola
County—Osceola
Parts:
Low Inc
Low Inc—South Beach
County—Dade
Parts:
C.T. 42–45
Low Inc/MFW—Highlands Co
County—Highlands
Parts:
Low Income
MFW
Med Ind—Franklin Co
County—Franklin
Parts:
Medically Indigent
Medicaid—Alachua Co
County—Alachua
Parts:
Medicaid Eligible
Medicaid—Bay Co
County—Bay
Parts:
Medicaid Eligible

**PRIMARY MEDICAL CARE: Florida**
*Population Group Listing*

*Population Group*

Medicaid—Citrus Co
County—Citrus
Parts:
Medicaid Eligible
Medicaid—Gulf Co
County—Gulf
Parts:
Medicaid Eligible
Medicaid—Jackson Co
County—Jackson
Parts:
Medicaid Eligible
Medicaid—Monroe Co
County—Monroe
Parts:
Medicaid Eligible
Medicaid—Washington Co
County—Washington
Parts:
Medicaid Eligible
Medicaid/MFW—Baker Co
County—Baker
Parts:
Medicaid Eligible/MFW
Medicaid/MFW—Brevard Co
County—Brevard
Parts:
Medicaid Eligible/MFW
Medicaid/MFW—Hernando Co
County—Hernando
Parts:
Medicaid Eligible/MFW
Medicaid/MFW—Indian River Co
County—Indian River
Parts:
Medicaid/Mig Fmwkrs
Medicaid/MFW—Manatee Co
County—Manatee
Parts:
Medicaid Eligible/MFW
Medicaid/MFW—Marion Co
County—Marion
Parts:
Medicaid Eligible/MFW
Medicaid/MFW—Okeechobee Co
County—Okeechobee
Parts:
Medicaid Eligible/MFW
Medicaid/MFW—Seminole Co
County—Seminole
Parts:
Medicaid Eligible/MFW
Medicaid/MFW—St. Johns Co
County—St Johns
Parts:
Medicaid Eligible/MFW
Medicaid/MFW—Volusia Co
County—Volusia
Parts:
Medicaid Eligible/MFW
Medicaid/MSFW—Lee Co
County—Lee
Parts:
Medicaid Eligible/MSFW
MFW—Belle Glade/Pahokee
County—Palm Beach
Parts:
C.T. 80.01–80.02
C.T. 81.01–81.02
C.T. 82.01–82.03
C.T. 83.01–83.02
MSFW—Lake/Orange

**PRIMARY MEDICAL CARE: Florida**
*Population Group Listing*

*Population Group*

County—Lake
Parts:
MSFW .
County—Orange
Parts:
MSFW
Pov Pop—Columbia Co
County—Columbia
Parts:
Pov Pop
Pov Pop—Inner St. Petersburg
County—Pinellas
Parts:
C.T. 201.01
C.T. 203.01
C.T. 204–208
C.T. 209.95
C.T. 210.95
C.T. 212–213
C.T. 213.99–214.00
C.T. 215
C.T. 216.95
C.T. 218.95
C.T. 219.95
C.T. 220
C.T. 234–235
Pov/MFW—Desoto Co
County—De Soto
Parts:
Pov Pop/MFW
Pov/MFW—E Hillsborough
County—Hillsborough
Parts:
C.T. 121.03–121.06
C.T. 122.01
C.T. 122.03–122.04
C.T. 123.01–123.02
C.T. 124–131
C.T. 132.01–132.02
C.T. 133.01–133.02
C.T. 133.04–133.05
C.T. 134.01–134.03
C.T. 135.01–135.02
C.T. 136–138
C.T. 139.02–139.05
C.T. 140.01–140.03
C.T. 141.01
C.T. 141.03–141.04
Pov/MFW—Eastern Pasco
County—Pasco
Parts:
C.T. 319
C.T. 320.01–320.02
C.T. 321.01–321.02
C.T. 322–329
C.T. 330.01–330.04
C.T. 331
Pov/MFW—Pompano
County—Broward
Parts:
C.T. 103.01–103.02
C.T. 107
C.T. 303–306
C.T. 308.01
Pov/MFW—St. Lucie Co
County—St Lucie
Parts:
Pov Pop/MFW

**PRIMARY MEDICAL CARE: Florida**
*Facility Listing*

*Facility Name*

Apalachee Correctional Inst
County—Jackson
Avon Park Corr Inst
County—Highlands
Baker Corr Inst
County—Baker
Brevard Corr Inst
County—Brevard
Calhoun Corr Inst
County—Calhoun
Century Corr Inst
County—Escambia
Coconut Grove Comm Hth Ctr
County—Dade
Cross City Corr Inst
County—Dixie
Doris Ison Comm Hlth Ctr
County—Dade
Florida State Prs
County—Bradford
FCI—Tallahassee
County—Leon
FCI Marianna
County—Jackson
Hendry Corr Inst
County—Hendry
Holmes Corr Inst
County—Holmes
Jackson Mem. Hosp. Outpt. Clinics
County—Dade
Liberty Corr Inst
County—Liberty
Mayo Corr Inst
County—Lafayette
North Florida Reception Ctr.
County—Union
Okaloosa Corr Inst
County—Okaloosa
S Florida Recept Ctr
County—Dade
Sumter Corr Inst
County—Sumter
Walton Corr Inst
County—Walton
Zephryhills Corr Inst
County—Pasco

**PRIMARY MEDICAL CARE: Georgia**
*County Listing*

*County Name*

*Atkinson
*Bacon
Population Group: Pov Pop—Bacon Co
*Baker
*Banks
Bartow
Population Group: Low Inc—Bartow Co
*Ben Hill
Population Group: Pov Pop—Ben Hill Co
*Berrien
*Brantley
*Brooks
Bryan
Service Area: Pembroke
*Burke
Population Group: Low Inc—Burke Co
*Butts
*Calhoun
Population Group: Pov Pop—Calhoun Co
*Camden
Service Area: Woodbine

**PRIMARY MEDICAL CARE: Georgia**
*County Listing*

*County Name*

*Candler
Population Group: Low Inc—Candler Co
*Charlton
Population Group: Low Inc—Charlton Co
Chatham
Population Group: Pov Pop—N W Savannah
Chattahoochee
*Chattooga
Cherokee
Clarke
Population Group: Low Inc—Central City Athens
*Clay
*Clinch
Cobb
Population Group: Low Inc—Central Marietta
*Colquitt
*Cook
*Crawford
*Crisp
Population Group: Low Inc—Crisp Co
Dade
Population Group: Pov Pop—Dade Co
*Dawson
De Kalb
Service Area: South Decatur/Candler/Mcafee
*Decatur
Population Group: Low Inc—Decatur Co
*Dodge
Population Group: Low Inc—Dodge Co
*Dooly
Population Group: Low Inc—Dooly Co
Dougherty
Service Area: East Albany
Service Area: South Albany
Douglas
Population Group: Low Inc—Douglasville
Effingham
*Elbert
Population Group: Pov Pop—Elbert Co
*Emanuel
*Evans
Population Group: Low Inc—Olgethorpe Co
Population Group: Low Inc—Evans Co
Fannin
Population Group: Low Inc—Fannin Co
Forsyth
Population Group: Pov Pop—Forsyth Co
*Franklin
Population Group: Low Inc—Franklin Co
Fulton
Service Area: Atlanta/Southside
Service Area: West Atlanta
Population Group: Med Ind—Palmetto
Facility: USP—Atlanta
*Gilmer
Population Group: Low Inc—Gilmer Co
*Glascock
*Gordon
Population Group: Low Inc—Gordon
*Grady
Population Group: Pov Pop—Grady Co
*Greene
*Habersham
Population Group: Low Inc—Habersham Co
*Hall
Population Group: Low Inc—Hall Co

**PRIMARY MEDICAL CARE: Georgia**
*County Listing*

*County Name*

*Hancock
*Haralson
Population Group: Low Inc—Haralson Co
*Hart
Population Group: Low Inc—Hart Co
*Heard
Henry
Population Group: Low Inc—Henry Co
Houston
Population Group: Low Inc—Houston Co
*Irwin
Jackson
Population Group: Low Inc—Jackson Co
*Jasper
*Jeff Davis
Population Group: Low Inc—Jeff Davis Co
*Jefferson
*Jenkins
Population Group: Low Inc—Jenkins Co
*Johnson
Jones
Population Group: Pov Pop—Jones Co
*Lamar
Population Group: Low Inc—Lamar Co
*Lanier
*Laurens
Population Group: Low Inc—Laurens Co
Lee
*Liberty
*Lincoln
*Long
*Lumpkin
Population Group: Low Inc—Lumpkin Co
Madison
Population Group: Low Inc—Madison Co
*Marion
Population Group: Low Inc—Marion Co
*McIntosh
*Meriwether
*Mitchell
Montgomery
Service Area: Montgomery/Wheeler
*Morgan
Population Group: Low Inc—Morgan Co
*Murray
Muscogee/Columbus
Population Group: Pov Pop—Central Muscogee
Paulding
Peach
Service Area: Fort Valley
Pickens
Population Group: Low Inc—Pickens Co
*Pierce
Population Group: Low Inc—Pierce Co
*Pike
Population Group: Low Income—Pike Co
*Polk
*Putnam
*Rabun
*Randolph
Population Group: Pov Pop—Randolph Co
*Schley
Population Group: Low Inc—Schley Co
*Screven
*Seminole
Spaulding
Population Group: Low Inc—Spalding Co
Stewart
Population Group: Low Inc—Stewart/Webster
*Talbot

**PRIMARY MEDICAL CARE: Georgia**
*County Listing*

*County Name*

*Tattnall
*Taylor
Population Group: Low Inc—Taylor Co
*Telfair
*Terrell
*Toombs
Population Group: Med Ind—Toombs Co
*Towns
Population Group: Low Inc—Towns Co
*Treutlen
*Turner
Twiggs
*Union
Population Group: Low Inc—Union Co
Walker
Walton
Population Group: Low Inc—Walton Co
*Ware
Population Group: Low Inc—Ware Co
*Warren
*Washington
Population Group: Pov Pop—Washington Co
*Wayne
Facility: FCI Jesup
Webster
Population Group: Low Inc—Stewart/Webster
Wheeler
Service Area: Montgomery/Wheeler
*White
*Whitfield
Population Group: Low Inc—Whitfield Co
*Wilcox
Population Group: Low Inc—Wilcox Co
*Wilkes
*Wilkinson
*Worth

**PRIMARY MEDICAL CARE: Georgia**
*Service Area Listing*

*Service Area Name*

Atlanta/Southside
County—Fulton
Parts:
C.T. 44
C.T. 46.95
C.T. 48
C.T. 49.95
C.T. 50
C.T. 52–53
C.T. 55.01–55.02
C.T. 56–58
C.T. 63–64
C.T. 67
C.T. 68.01–68.02
C.T. 69–73
East Albany
County—Dougherty
Parts:
C.T. 1–2
C.T. 101–102
C.T. 103.01–103.02
C.T. 107–108
Fort Valley
County—Peach
Parts:
Fort Valley CCD
Montgomery/Wheeler
County—Montgomery
County—Wheeler

**PRIMARY MEDICAL CARE: Georgia**
*Service Area Listing*

*Service Area Name*

Pembroke
County—Bryan
Parts:
C.T. 201 (Pembroke CCD)
South Albany
County—Dougherty
Parts:
C.T. 12 (Pembroke CCD)
C.T. 14.01–14.02
C.T. 15
C.T. 106.01–106.02
South Decatur/Candler/McAfee
County—De Kalb
Parts:
C.T. 205–209
C.T. 227
C.T. 231.01
C.T. 235.01–235.02
C.T. 236–237
West Atlanta
County—Fulton
Parts:
C.T. 8
C.T. 22–26
C.T. 36–41
C.T. 42.95
C.T. 43
C.T. 60–62
C.T. 66.02
C.T. 78.04
C.T. 80
C.T. 81.01–81.02
C.T. 82.01–82.02
C.T. 83.01–83.02
C.T. 84–85
C.T. 86.01–86.02
C.T. 87.01–87.02
Woodbine
County—Camden
Parts:
Woodbine CCD

**PRIMARY MEDICAL CARE: Georgia**
*Population Group Listing*

*Population Group*

Low Inc—Bartow Co
County—Bartow
Parts:
Low Income
Low Inc—Burke Co
County—Burke
Parts:
Low Income
Low Inc—Candler Co
County—Candler
Parts:
Low Income Pop
Low Inc—Central City Athens
County—Clarke
Parts:
C.T. 1–7
C.T. 9–10
Low Inc—Central Marietta
County—Cobb
Parts:
C.T. 307–308
C.T. 309.02
Low Inc—Charlton Co
County—Charlton
Parts:
Low Income

**PRIMARY MEDICAL CARE: Georgia**
*Population Group Listing*

*Population Group*

Low Inc—Crisp Co
County—Crisp
Parts:
Low Income
Low Inc—Decatur Co
County—Decatur
Parts:
Low Income
Low Inc—Dodge Co
County—Dodge
Parts:
Low Income
Low Inc—Dooly Co
County—Dooly
Parts:
Low Income
Low Inc—Douglasville
County—Douglas
Parts:
C.T. 803
Low Inc—Evans Co
County—Evans
Parts:
Low Income
Low Inc—Fannin Co
County—Fannin
Parts:
Low Income
Low Inc—Franklin Co
County—Franklin
Parts:
Low Income
Low Inc—Gilmer Co
County—Gilmer
Parts:
Low Income
Low Inc—Gordon
County—Gordon
Parts:
Low Income
Low Inc—Habersham Co
County—Habersham
Parts:
Low Inc
Low Inc—Hall Co
County—Hall
Parts:
Low Income
Low Inc—Haralson Co
County—Haralson
Parts:
Low Income
Low Inc—Hart Co
County—Hart
Parts:
Low Income
Low Inc—Henry Co
County—Henry
Parts:
Low Income
Low Inc—Houston Co
County—Houston
Parts:
Low Income
Low Inc—Jackson Co
County—Jackson
Parts:
Low Income
Low Inc—Jeff Davis Co
County—Jeff Davis
Parts:
Low Income

**PRIMARY MEDICAL CARE: Georgia**
*Population Group Listing*

*Population Group*

Low Inc—Jenkins Co
County—Jenkins
Parts:
Low Income
Low Inc—Lamar Co
County—Lamar
Parts:
Low Income
Low Inc—Laurens Co
County—Laurens
Parts:
Low Income
Low Inc—Lumpkin Co
County—Lumpkin
Parts:
Low Income
Low Inc—Madison Co
County—Madison
Parts:
Low Income
Low Inc—Marion Co
County—Marion
Parts:
Low Income
Low Inc—Morgan Co
County—Morgan
Parts:
Low Income
Low Inc—Olgethorpe Co
County—Evans
Parts:
Low Income
Low Inc—Pickens Co
County—Pickens
Parts:
Low Income
Low Inc—Pierce Co
County—Pierce
Parts:
Low Income
Low Inc—Schley Co
County—Schley
Parts:
Low Income
Low Inc—Spalding Co
County—Spaulding
Parts:
Low Income
Low Inc—Stewart/Webster
County—Stewart
Parts:
Stewart County
County—Webster
Parts:
Webster County
Low Inc—Taylor Co
County—Taylor
Parts:
Low Income
Low Inc—Towns Co
County—Towns
Parts:
Low Income
Low Inc—Union Co
County—Union
Parts:
Low Income
Low Inc—Walton Co
County—Walton
Parts:
Low Income
Low Inc—Ware Co

**PRIMARY MEDICAL CARE: Georgia**
*Population Group Listing*

*Population Group*

County—Ware
Parts:
Low Income
Low Inc—Whitfield Co
County—Whitfield
Parts:
Low Income
Low Inc—Wilcox Co
County—Wilcox
Parts:
Low Income
Low Income—Pike Co
County—Pike
Parts:
Low Income
Med Ind—Palmetto
County—Fulton
Parts:
C.T. 104
C.T. 105.04–105.06
Med Ind—Toombs Co
County—Toombs
Parts:
Medically Indigent
Pov Pop—Bacon Co
County—Bacon
Parts:
Pov Pop
Pov Pop—Ben Hill Co
County—Ben Hill
Parts:
Pov Pop
Pov Pop—Calhoun Co
County—Calhoun
Parts:
Pov Pop
Pov Pop—Central Muscogee
County—Muscogee/Columbus
Parts:
C.T. 1
C.T. 13
C.T. 15
C.T. 18–20
C.T. 22–25
C.T. 27–28
C.T. 29.01–29.02
C.T. 30–34
Pov Pop—Dade Co
County—Dade
Parts:
Pov Pop
Pov Pop—Elbert Co
County—Elbert
Parts:
Pov Pop
Pov Pop—Forsyth Co
County—Forsyth
Parts:
Pov Pop
Pov Pop—Grady Co
County—Grady
Parts:
Pov Pop
Pov Pop—Jones Co
County—Jones
Parts:
Pov Pop
Pov Pop—N W Savannah
County—Chatham
Parts:
C.T. 1
C.T. 3

**PRIMARY MEDICAL CARE: Georgia**
*Population Group Listing*

*Population Group*

C.T. 6.01
C.T. 8–13
C.T. 15
C.T. 17–28
C.T. 32
C.T. 33.01–33.02
C.T. 36.01–36.02
C.T. 37
C.T. 44–45
C.T. 101.01
C.T. 106.04
Pov Pop—Randolph Co
County—Randolph
Parts:
Pov Pop
Pov Pop—Washington Co
County—Washington
Parts:
Pov Pop

**PRIMARY MEDICAL CARE: Georgia**
*Facility Listing*

*Facility Name*

FCI Jesup
County—Wayne
USP—Atlanta
County—Fulton

**PRIMARY MEDICAL CARE: Hawaii**
*County Listing*

*County Name*

*Hawaii
Service Area: Hamakua
Service Area: Kau District
Service Area: Pahoa
Honolulu
Population Group: Low Inc—Kokua/Kalihi-Palama
*Maui/Kalawao
Service Area: Hana/Haiku
Service Area: Island Of Lanai
Service Area: Island Of Molokai

**PRIMARY MEDICAL CARE: Hawaii**
*Service Area Listing*

*Service Area Name*

Hamakua
County—Hawaii
Parts:
C.T. 219–221
Hana/Haiku
County—Maui/Kalawao
Parts:
C.T. 301–302
Island Of Lanai
County—Maui/Kalawao
Parts:
C.T. 316
Island Of Molokai
County—Maui/Kalawao
Parts:
C.T. 317–319
Kau District
County—Hawaii
Parts:
C.T. 212
Pahoa
County—Hawaii
Parts:
C.T. 211

**PRIMARY MEDICAL CARE: Hawaii**
*Population Group Listing*

*Population Group*

Low Inc—Kokua/Kalihi-Palama
County—Honolulu
Parts:
C.T. 51–57
C.T. 57.99–58.00
C.T. 59–61
C.T. 62.01–62.02
C.T. 63.01–63.02
C.T. 64.01–64.02
C.T. 65–66

**PRIMARY MEDICAL CARE: Idaho**
*County Listing*

*County Name*

Ada
Facility: Idaho State Pen.
*Adams
*Bannock
Service Area: Malad City/Downey
Benewah
Service Area: St. Maries
*Bingham
Service Area: American Falls
Population Group: MSFW—E Snake River Valley
*Blaine
Service Area: Carey
*Boise
*Bonner
Service Area: Clark Fork
Service Area: Priest River
*Bonneville
Population Group: MSFW—Bonneville Co
Butte
Service Area: Arco/Mackay
*Camas
Canyon
Service Area: Nyssa (OR/ID)
Population Group: MSFW—S. Treasure Valley
*Caribou
*Cassia
Service Area: Albion/Malta
Service Area: Oakley
Population Group: MSFW—E. Magic Valley
*Clark
*Clearwater
Service Area: Pierce/Weippe
*Custer
Service Area: Arco/Mackay
Service Area: Challis
Service Area: Stanley
*Franklin
*Fremont
*Gem
Population Group: MSFW—N. Treasure Valley (ID/OR)
*Gooding
Population Group: MSFW—W. Magic Valley
*Idaho
Service Area: Elk City
Service Area: Riggins
*Jefferson
Service Area: Mud Lake
Population Group: MSFW—E Snake River Valley
*Jerome
Population Group: MSFW—W. Magic Valley

**PRIMARY MEDICAL CARE: Idaho**
*County Listing*

*County Name*

*Kootenai
Service Area: St. Maries
*Lemhi
*Lewis
Service Area: Winchester
*Madison
Population Group: MSFW—Madison Co
*Minidoka
Service Area: Minidoka
Population Group: MSFW—E. Magic Valley
Oneida
Service Area: Malad City/Downey
*Owyhee
Service Area: Grand View/Bruneau
Service Area: N.W. Owyhee
Population Group: MSFW—S. Treasure Valley
*Payette
Service Area: New Plymouth
Population Group: MSFW—N. Treasure Valley (ID/OR)
*Power
Service Area: American Falls
Population Group: MSFW—E. Magic Valley
*Teton
*Twin Falls
Service Area: Buhl
Population Group: MSFW—W. Magic Valley
*Valley
Service Area: Cascade (C.T. 9701)
*Washington
Population Group: MSFW—N. Treasure Valley (ID/OR)

**PRIMARY MEDICAL CARE: Idaho**
*Service Area Listing*

*Service Area Name*

Albion/Malta
County—Cassia
Parts:
Albion CCD
American Falls
County—Bingham
Parts:
Aberdeen CCD
County—Power
Parts:
American Falls CCD
Rockland CCD
Arco/Mackay
County—Custer
Parts:
Mackay Division
Buhl
County—Twin Falls
Parts:
Buhl CCD
W. Salmon Falls CCD
Carey
County—Blaine
Parts:
Carey CCD
Cascade(C.T. 9701)
County—Valley
Parts:
C.T. 9701
Challis
County—Custer

**PRIMARY MEDICAL CARE: Idaho**
*Service Area Listing*

*Service Area Name*

Parts:
Challis CCD
Clark Fork
County—Bonner
Parts:
Clark Fork Division
Elk City
County—Idaho
Parts:
Elk City Division
Grand View/Bruneau
County—Owyhee
Parts:
Bruneau CCD
Grand View CCD
Malad City/Downey
County—Bannock
Parts:
C.T. 19 (S Bannock CCD)
County—Oneida
Minidoka
County—Minidoka
Parts:
Minidoka Division
Mud Lake
County—Jefferson
Parts:
Hamer CCD
Roberts CCD
N.W. Owyhee
County—Owyhee
Parts:
Homedale CCD
Marsing CCD
Murphy CCD
New Plymouth
County—Payette
Parts:
New Plymouth CCD
Nyssa (OR/ID)
County—Canyon
Parts:
Parma CCD
Wilder CCD
Oakley
County—Cassia
Parts:
Oakley CCD
Pierce/Weippe
County—Clearwater
Parts:
Pierce-Headquarters Division
Weippe Division
Priest River
County—Bonner
Parts:
Blanchard-Glengary CCD
Priest River CCD
Riggins
County—Idaho
Parts:
Riggins Division
St. Maries
County—Kootenai
Parts:
Harrison CCD
Worley CCD
Stanley
County—Custer
Parts:
Stanley CCD
Winchester

**PRIMARY MEDICAL CARE: Idaho**
*Service Area Listing*

*Service Area Name*

County—Lewis
Parts:
Winchester Division

**PRIMARY MEDICAL CARE: Idaho**
*Population Group Listing*

*Population Group*

MSFW—Bonneville Co
County—Bonneville
Parts:
MSFW
MSFW—E Snake River Valley
County—Bingham
Parts:
MSFW
County—Jefferson
Parts:
MSFW
MSFW—E. Magic Valley
County—Cassia
Parts:
MSFW
County—Minidoka
Parts:
MSFW
County—Power
Parts:
MSFW
MSFW—Madison Co
County—Madison
Parts:
MSFW
MSFW—N. Treasure Valley (ID/OR)
County—Gem
Parts:
MSFW
County—Payette
Parts:
MSFW
County—Washington
Parts:
MSFW
MSFW—S. Treasure Valley
County—Canyon
Parts:
MSFW
County—Owyhee
Parts:
MSFW
MSFW—W. Magic Valley
County—Gooding
Parts:
MSFW
County—Jerome
Parts:
MSFW
County—Twin Falls
Parts:
MSFW

**PRIMARY MEDICAL CARE: Idaho**
*Facility Listing*

*Facility Name*

Idaho State Pen.
County—Ada

**PRIMARY MEDICAL CARE: Illinois**
*County Listing*

*County Name*

Alexander

**PRIMARY MEDICAL CARE: Illinois**
*County Listing*

*County Name*

Service Area: Cairo
*Brown
*Carroll
*Cass
*Clay
Clinton
Cook
Service Area: Auburn Gresham
Service Area: Austin
Service Area: Douglas/Armour Sq/Near South Side
Service Area: Humboldt Park
Service Area: Logan Square
Service Area: New City
Service Area: North Lawndale
Service Area: Oakland/Grand Blvd./Kenwood/Wash. Pk.
Service Area: Riverdale/West Pullman
Service Area: Roseland/Pullman/Burnside
Service Area: S Lawndale
Service Area: South Chicago
Service Area: South Deering
Service Area: West Englewood/Englewood
Service Area: West/East Garfield Park
Population Group: Hmlss—Uptown/Near North Side/Loop
Population Group: Inmates—MCC Chicago
Population Group: Low Inc—Chatham/Avalon Pk/Gr Grand Cro
Population Group: Low Inc—South Shore
Population Group: Low Inc—Near West Side (Pt)
Facility: Alivio Med Ctr
Facility: Erie Family Hc (Teens)
Facility: Erie Family Hc (West Town)
Facility: Erie Family Hc (Seniors)
Facility: Erie Family Hc (Humboldt Park)
Facility: Family Wellness Ctr (C.T. 4808)
Facility: Fantus Outpt Clinic—Cook Co Hosp
Facility: Il Masonic Med Ctr Outpt Clinic
Facility: Infant Welfare Society
Facility: Pcc Community Wellness Ctr
*Cumberland
*De Witt
*Edgar
*Edwards
*Fulton
Service Area: Lewistown/Astoria
*Gallatin
Hardin
*Hardin
Service Area: Hardin/Pope
Service Area: Hardin/Pope
*Henderson
*Iroquois
Service Area: Hoopeston
*Jackson
Population Group: Med Ind—Jackson Co
*Jasper
Jersey
*Jo Daviess
Service Area: Stockton/Warren
*Johnson
Kankakee
Service Area: Pembroke
*Lawrence
Population Group: Low Inc—Lawrence Co
Macon
Population Group: Low Inc—Decatur City
*Macoupin
Madison

**PRIMARY MEDICAL CARE: Illinois**
*County Listing*

*County Name*

Service Area: East St. Louis
Population Group: Med Ind—Alton/Wood River
*Massac
Population Group: Med Ind—Massac Co
Mercer
Service Area: Aledo/Alexis
Ogle
Service Area: Polo
Pope
*Pope
Service Area: Hardin/Pope
Service Area: Hardin/Pope
Pulaski
Service Area: Cairo
Rock Island
Population Group: Medicaid—Quad-Cities (IA/IL)
*Scott
St Clair
Service Area: East St. Louis
*Stark
*Union
*Vermilion
Service Area: Hoopeston
*Warren
Service Area: Aledo/Alexis
*Washington
Service Area: Nashville
*Wayne
*White
Population Group: Low Inc—White Co
Will
Service Area: Eastside Joliet
Facility: Joliet Corr Inst
*Williamson
Facility: USP Marion
Winnebago
Service Area: Rockford Westside

**PRIMARY MEDICAL CARE: Illinois**
*Service Area Listing*

*Service Area Name*

Aledo/Alexis
County—Warren
Parts:
Spring Grove Twp
Auburn Gresham
County—Cook
Parts:
C.T. 7101–7115
Austin
County—Cook
Parts:
C.T. 2501–2524
Cairo
County—Pulaski
Douglas/Armour Sq/Near South Side
County—Cook
Parts:
C.T. 3301–3305
C.T. 3401–3406
C.T. 3501–3515
East St. Louis
County—Madison
Parts:
C.T. 4007
County—St Clair
Parts:
C.T. 5004–5006
C.T. 5009–5014

**PRIMARY MEDICAL CARE: Illinois**
*Service Area Listing*

*Service Area Name*

C.T. 5021–5022
C.T. 5024.01
C.T. 5024.03–5024.04
C.T. 5025
C.T. 5027–5030
C.T. 5041
C.T. 5042.01
C.T. 5044
Eastside Joliet
County—Will
Parts:
C.T. 8812–8813
C.T. 8820–8822
C.T. 8824–8825
C.T. 8830
Hardin/Pope
County—Pope
County—Pope
Hoopeston
County—Iroquois
Parts:
Fountain Creek Twp
Lovejoy Twp
Prairie Green Twp
County—Vermilion
Parts:
Butler Twp
Grant Twp
Middlefork Twp
Ross Twp
South Ross Twp
Humboldt Park
County—Cook
Parts:
C.T. 2301–2318
Lewistown/Astoria
County—Fulton
Parts:
Astoria Twp
Bernadotte Twp
Cass Twp
Farmers Twp
Isabel Twp
Kerton Twp
Lewistown Twp
Liverpool Twp
Pleasant Twp
Putman Twp
Vermont Twp
Waterford Twp
Woodland Twp
Logan Square
County—Cook
Parts:
C.T. 2201–2229
Nashville
County—Washington
Parts:
Beaucoup Township
Bolo Township
Covington Township
Du Bois Township
Johannisburg Township
Lively Grove Township
Nashville Township
Oakdale Township
Okawville Township
Pilot Knob Township
Plum Hill Township
Venedy Township
New City
County—Cook

**PRIMARY MEDICAL CARE: Illinois**
*Service Area Listing*

*Service Area Name*

Parts:
C.T. 6101–6122
North Lawndale
County—Cook
Parts:
C.T. 2901–2927
Oakland/Grand Blvd./Kenwood/Wash. Pk.
County—Cook
Parts:
C.T. 3601–3605
C.T. 3701–3704
C.T. 3801–3820
C.T. 3901–3907
C.T. 4001–4008
Pembroke
County—Kankakee
Parts:
Pembroke Twp.
Polo
County—Ogle
Parts:
Brookville Twp
Buffalo Twp
Eagle Point Twp
Forreston Twp
Leaf River Twp
Lincoln Twp
Maryland Twp
Mount Morris Twp
Pine Creek Twp
Woosung Twp
Riverdale/West Pullman
County—Cook
Parts:
C.T. 5301–5306
C.T. 5401
Rockford Westside
County—Winnebago
Parts:
C.T. 10–11
C.T. 21
C.T. 24–29
C.T. 31–32
Roseland/Pullman/Burnside
County—Cook
Parts:
C.T. 4701
C.T. 4901–4914
C.T. 5001–5003
S Lawndale
County—Cook
Parts:
C.T. 3001–3020
South Chicago
County—Cook
Parts:
C.T. 4601–4610
South Deering
County—Cook
Parts:
C.T. 5101–5105
Stockton/Warren
County—Jo Daviess
Parts:
Apple River Twp.
Berreman Twp.
Derinda Twp.
Nora Twp.
Pleasant Valley Twp.
Rush Twp.
Stockton Twp.
Thompson Twp.

**PRIMARY MEDICAL CARE: Illinois**
*Service Area Listing*

*Service Area Name*

Wards Grove Twp.
Warren Twp.
Woodbine Twp.
West Englewood/Englewood
County—Cook
Parts:
C.T. 6701–6720
C.T. 6801–6814
West/East Garfield Park
County—Cook
Parts:
C.T. 2601–2610
C.T. 2701–2719

**PRIMARY MEDICAL CARE: Illinois**
*Population Group Listing*

*Population Group*

Hmlss—Uptown/Near North Side/Loop
County—Cook
Parts:
Edgewater (C.T. 301–309)
Lakeview(C.T. 601–634)
Lincoln Park(C.T.701–720
Loop (C.T. 3201–3206)
Near N Side(C.T.801–819
Uptown(C.T. 310–321)
Inmates—MCC Chicago
County—Cook
Parts:
MCC Chicago
Low Inc—Chatham/Avalon Pk/Gr Grand Cro
County—Cook
Parts:
C.T. 4401–4409
C.T. 4501–4503
C.T. 6901–6915
Low Inc—Decatur City
County—Macon
Parts:
C.T. 1–3
C.T. 4.97–4.98
C.T. 5.98
C.T. 6–9
C.T. 16
C.T. 20
Low Inc—Lawrence Co
County—Lawrence
Parts:
Low Income
Low Inc—Near West Side (Pt)
County—Cook
Parts:
C.T. 2801–2828
C.T. 2838–2843
Low Inc—South Shore
County—Cook
Parts:
C.T. 4301–4314
Low Inc—White Co
County—White
Parts:
Low Income
Med Ind—Alton/Wood River
County—Madison
Parts:
Alton Twp
Wood River Twp
Med Ind—Jackson Co
County—Jackson
Parts:
Medically Indigent

**PRIMARY MEDICAL CARE: Illinois**
*Population Group Listing*

*Population Group*

Med Ind—Massac Co
County—Massac
Parts:
Medically Indigent
Medicaid—Quad-Cities (IA/IL)
County—Rock Island
Parts:
Medicaid Eligibles

**PRIMARY MEDICAL CARE: Illinois**
*Facility Listing*

*Facility Name*

Alivio Med Ctr
County—Cook
Erie Family Hc (Humboldt Park)
County—Cook
Erie Family Hc (Seniors)
County—Cook
Erie Family Hc (Teens)
County—Cook
Erie Family Hc (West Town)
County—Cook
Family Wellness Ctr (C.T. 4808)
County—Cook
Fantus Outpt Clinic—Cook Co Hosp
County—Cook
Il Masonic Med Ctr Outpt Clinic
County—Cook
Infant Welfare Society
County—Cook
Joliet Corr Inst
County—Will
Pcc Community Wellness Ctr
County—Cook
USP Marion
County—Williamson

**PRIMARY MEDICAL CARE: Indiana**
*County Listing*

*County Name*

Adams
*Benton
*Brown
*Carroll
*Crawford
*Franklin
*Grant
Population Group: Low Inc—Grant Co
*Greene
Harrison
Service Area: Elizabeth
Service Area: Fredricksburg
Howard
Population Group: Med Ind—Kokomo
*Jasper
Population Group: Low Inc—Jasper Co
*Jennings
*Knox
Service Area: Bicknell
*La Porte
Population Group: Low Inc—La Porte Co
*Lagrange
Lake
Service Area: East Chicago
Service Area: Gary
Marion
Service Area: Blackburn (Indianapolis)
Service Area: Forest Manor (Indianapolis)
Service Area: Highland-Brookside (Indianapolis)

**PRIMARY MEDICAL CARE: Indiana**
*County Listing*

*County Name*

Service Area: Near North Side (Indianapolis)
Service Area: South Central Indianapolis
Service Area: Southwest Indianapolis
*Newton
*Noble
*Ohio
*Owen
*Perry
Facility: Branchville Training Ctr
*Pike
Porter
Population Group: Low Inc—Porter Co
*Putnam
Facility: Indiana State Farm
*Randolph
*Ripley
Service Area: Osgood/Versailles
*Rush
Population Group: Low Inc—Rush Co
Scott
*Spencer
St Joseph
Service Area: Southwest South Bend
*Starke
*Sullivan
*Switzerland
Tippecanoe
Population Group: Low Inc—Tippecanoe Co
Vermillion
Service Area: Northern Vermillion
Vigo
Population Group: Inmates—USP Terre Haute
*Warren
*Washington
Service Area: Fredricksburg
*White

**PRIMARY MEDICAL CARE: Indiana**
*Service Area Listing*

*Service Area Name*

Bicknell
County—Knox
Parts:
Vigo Twp
Washington Twp
Widner Twp
Blackburn (Indianapolis)
County—Marion
Parts:
C.T. 3501–3502
C.T. 3511–3512
C.T. 3515
East Chicago
County—Lake
Parts:
C.T. 301–310
Elizabeth
County—Harrison
Parts:
Boone Township
Posey Township
Taylor Township
Forest Manor (Indianapolis)
County—Marion
Parts:
C.T. 3225–3227
C.T. 3505–3508
C.T. 3523

**PRIMARY MEDICAL CARE: Indiana**
*Service Area Listing*

*Service Area Name*

Fredricksburg
County—Harrison
Parts:
Blue River Twp
Morgan Twp
County—Washington
Parts:
Posey Twp
Gary
County—Lake
Parts:
C.T. 101
C.T. 102.98
C.T. 103–134
C.T. 411–412
C.T. 413.01
Highland-Brookside (Indianapolis)
County—Marion
Parts:
C.T. 3526–3527
C.T. 3544–3545
C.T. 3547–3551
Near North Side (Indianapolis)
County—Marion
Parts:
C.T. 3517
C.T. 3519
C.T. 3521
C.T. 3528
C.T. 3531–3532
Northern Vermillion
County—Vermillion
Parts:
Eugene Twp
Highland Twp
Vermillion Twp
Osgood/Versailles
County—Ripley
Parts:
Brown Twp.
Center Twp.
Johnson Twp.
Otter Creek Twp.
Shelby Twp.
Washington Twp.
South Central Indianapolis
County—Marion
Parts:
C.T. 3556–3557
C.T. 3559
C.T. 3562
C.T. 3569–3572
C.T. 3578–3580
Southwest Indianapolis
County—Marion
Parts:
C.T. 3414–3415
C.T. 3417
C.T. 3424–3426
C.T. 3563–3564
C.T. 3581
Southwest South Bend
County—St Joseph
Parts:
C.T. 6
C.T. 17–24
C.T. 27
C.T. 29–30

**PRIMARY MEDICAL CARE: Indiana**
*Population Group Listing*

*Population Group*

Inmates—USP Terre Haute
County—Vigo
Parts:
USP Terre Haute
Low Inc—Grant Co
County—Grant
Parts:
Low Income
Low Inc—Jasper Co
County—Jasper
Parts:
Low Income
Low Inc—La Porte Co
County—La Porte
Parts:
Low Income
Low Inc—Porter Co
County—Porter
Parts:
Low Income
Low Inc—Rush Co
County—Rush
Parts:
Low Income
Low Inc—Tippecanoe Co
County—Tippecanoe
Parts:
Low Income
Med Ind—Kokomo
County—Howard
Parts:
Kokomo City

**PRIMARY MEDICAL CARE: Indiana**
*Facility Listing*

*Facility Name*

Branchville Training Ctr
County—Perry
Indiana State Farm
County—Putnam

**PRIMARY MEDICAL CARE: Iowa**
*County Listing*

*County Name*

*Adair
Service Area: Redfield
*Benton
Black Hawk
Population Group: Medicaid—Blackhawk Co
*Boone
Service Area: Dayton/Gowrie
Bremer
Service Area: Sumner/Tripoli
*Buchanan
*Butler
*Calhoun
Service Area: Dayton/Gowrie
*Cedar
Service Area: Lowden/Lost Nation
*Cherokee
Service Area: Kingsley/Anthon/Mapleton
*Clayton
Service Area: Elkader/Strawberry Point
*Clinton
Service Area: Lowden/Lost Nation
Dallas
Service Area: Redfield
*Davis
*Delaware

**PRIMARY MEDICAL CARE: Iowa**
*County Listing*

*County Name*

Service Area: Elkader/Strawberry Point
*Fremont
Service Area: Glenwood/Tabor
*Greene
Service Area: Dayton/Gowrie
*Grundy
Service Area: Grundy
*Guthrie
Service Area: Guthrie Center
Service Area: Redfield
*Hamilton
Service Area: Dayton/Gowrie
*Hancock
*Harrison
Service Area: Onawa (IA/NE)
*Jackson
Service Area: Lowden/Lost Nation
*Jones
*Kossuth
*Louisa
*Lyon
Service Area: Rock Rapids
*Madison
Service Area: Redfield
Mills
Service Area: Glenwood/Tabor
*Monona
Service Area: Kingsley/Anthon/Mapleton
Service Area: Onawa (IA/NE)
*O Brien
*Plymouth
Service Area: Kingsley/Anthon/Mapleton
Service Area: Le Mars/Akron
Pottawattamie
Service Area: Oakland
Scott
Service Area: Lowden/Lost Nation
Population Group: Medicaid—Quad-Cities (IA/IL)
*Tama
*Taylor
*Webster
Service Area: Dayton/Gowrie
Woodbury
Service Area: Kingsley/Anthon/Mapleton
Service Area: Onawa (IA/NE)
Population Group: Medicaid—Sioux City

**PRIMARY MEDICAL CARE: Iowa**
*Service Area Listing*

*Service Area Name*

Dayton/Gowrie
County—Boone
Parts:
Dodge Twp
Grant Twp
Pilot Mound Twp
County—Calhoun
Parts:
Reading Twp
County—Greene
Parts:
Dawson Twp
Paton Twp
County—Hamilton
Parts:
Marion Twp
Webster Twp
County—Webster
Parts:
Burnside Twp

**PRIMARY MEDICAL CARE: Iowa**
*Service Area Listing*

*Service Area Name*

Clay Twp
Dayton Twp
Gowrie Twp
Hardin Twp
Lost Grove Twp
Roland Twp
Sumner Twp
Webster Twp
Yell Twp
Elkader/Strawberry Point
County—Clayton
Parts:
Boardman Twp
Cass Twp
Cox Creek Twp
Grand Meadow Twp
Highland Twp
Lodomillo Twp
Marion Twp
Monona Twp
Sperry Twp
Wagner Twp
County—Delaware
Parts:
Honey Creek Twp
Richland Twp
Glenwood/Tabor
County—Fremont
Parts:
Green Twp
Monroe Twp
Riverside Twp
Scott Twp
County—Mills
Grundy
County—Grundy
Parts:
Black Hawk Twp
Colfax Twp
Lincoln Twp
Melrose Twp
Palermo Twp
Pleasant Valley Twp
Shiloh Twp
Washington Twp
Guthrie Center
County—Guthrie
Parts:
Baker Twp
Bear Grove Twp
Beaver Twp
Cass Twp
Dodge Twp
Grant Twp
Highland Twp
Jackson Twp
Orange Twp
Richland Twp
Seely Twp
Thompson Twp
Union Twp
Valley Twp
Victory Twp
Kingsley/Anthon/Mapleton
County—Cherokee
Parts:
Grand Meadow Twp
County—Monona
Parts:
Cooper Twp
Grant Twp
Maple Twp

**PRIMARY MEDICAL CARE: Iowa**
*Service Area Listing*

*Service Area Name*

County—Plymouth
Parts:
Elkhorn Twp
Garfield Twp
County—Woodbury
Parts:
Arlington Twp
Banner Twp
Floyd Twp
Grange Twp
Grant Twp
Kedron Twp
Liston Twp
Little Sioux Twp
Miller Twp
Morgan Twp
Moville Twp
Oto Twp
Rock Twp
Rutland Twp
Union Twp
West Fork Twp
Willow Twp
Wolf Creek Twp
Le Mars/Akron
County—Plymouth
Parts:
America Twp
Elgin Twp
Fredonia Twp
Grant Twp
Henry Twp
Johnson Twp
Liberty Twp
Marion Twp
Meadow Twp
Plymouth Twp
Portland Twp
Preston Twp
Remsen Twp
Sioux Twp
Stanton Twp
Union Twp
Washington Twp
Westfield Twp
Lowden/Lost Nation
County—Cedar
Parts:
Inland Twp
Massillon Twp
Springfield Twp
County—Clinton
Parts:
Liberty Twp
Sharon Twp
Spring Rock Twp
County—Jackson
Parts:
Monmouth Twp
County—Scott
Parts:
Liberty Twp
Oakland
County—Pottawattamie
Parts:
Belknap Twp
Carson Twp
Center Twp
Grove Twp
James Twp
Knox Twp
Layton Twp

**PRIMARY MEDICAL CARE: Iowa**
*Service Area Listing*

*Service Area Name*

Lincoln Twp
Macedonia Twp
Pleasant Twp
Silver Creek Twp
Valley Twp
Washington Twp
Waveland Twp.
Wright Twp.
Onawa (IA/NE)
County—Harrison
Parts:
Jackson Twp
Little Sioux Twp
County—Monona
Parts:
Ashton Twp
Belvidere Twp
Center Twp
Fairview Twp
Franklin Twp
Jordan Twp
Kennebec Twp
Lake Twp
Lincoln Twp
Onawa City
Sherman Twp
Sioux Twp
Soldier Twp
Spring Valley Twp
St Clair Twp
West Fork Twp
Willow Twp
County—Woodbury
Parts:
Lakeport Twp
Sloan Twp
Willow Twp
Redfield
County—Adair
Parts:
Lincoln Twp
County—Dallas
Parts:
Linn Twp
Union Twp
County—Guthrie
Parts:
Penn Twp
Stuart Twp
County—Madison
Parts:
Madison Twp
Penn Twp
Rock Rapids
County—Lyon
Parts:
Allison Twp
Cleveland Twp
Dale Twp
Doon Twp
Elgin Twp
Garfield Twp
Grant Twp
Larchwood Twp
Liberal Twp
Midland Twp
Riverside Twp
Rock Twp
Sioux Twp
Wheeler Twp
Sumner/Tripoli
County—Bremer

**PRIMARY MEDICAL CARE: Iowa**
*Service Area Listing*

*Service Area Name*

Parts:
Dayton Twp
Frederika Twp
Fremont Twp
Le Roy Twp
Sumner City
Sumner #2 Twp

**PRIMARY MEDICAL CARE: Iowa**
*Population Group Listing*

*Population Group*

Medicaid—Blackhawk Co
County—Black Hawk
Parts:
Medicaid Eligible
Medicaid—Quad-Cities (IA/IL)
County—Scott
Parts:
Medicaid Eligible
Medicaid—Sioux City
County—Woodbury
Parts:
C.T. 7–8
C.T. 10
C.T. 12–16

**PRIMARY MEDICAL CARE: Kansas**
*County Listing*

*County Name*

*Brown
Population Group: Medicaid—Brown Co
*Chase
Chautauqua
Service Area: Elk/Chautauqua
*Cherokee
*Cheyenne
*Clark
Service Area: Ashland
*Cloud
*Doniphan
Douglas
Population Group: Low Inc—Douglas Co
*Edwards
Elk
Service Area: Elk/Chautauqua
*Ellsworth
*Gray
*Jackson
*Jefferson (g)
Facility: USP Leavenworth
*Jewell
*Kearny
*Kingman
*Kiowa
*Lincoln
*Linn
*Lyon
Population Group: Low Inc—Lyon Co
*Marion
*Norton
*Osage
*Osborne
*Pawnee
*Phillips
*Pratt
*Rawlins
*Reno
Population Group: Low Inc—Reno Co
*Republic
*Rooks

**PRIMARY MEDICAL CARE: Kansas**
*County Listing*

*County Name*

*Russell
*Smith
*Stevens
*Wabaunsee
*Wallace
*Wichita
Wyandotte
Population Group: Low Inc—Wyandotte Co

**PRIMARY MEDICAL CARE: Kansas**
*Service Area Listing*

*Service Area Name*

Ashland
County—Clark
Parts:
Center Twp
Englewood Twp
Sitka Twp
Elk/Chautauqua
County—Chautauqua
County—Elk

**PRIMARY MEDICAL CARE: Kansas**
*Population Group Listing*

*Population Group*

Low Inc—Douglas Co
County—Douglas
Parts:
Low Income
Low Inc—Geary Co
Parts:
Low Income
Low Inc—Lyon Co
County—Lyon
Parts:
Low Income
Low Inc—Reno Co
County—Reno
Parts:
Low Income
Low Inc—Wyandotte Co
County—Wyandotte
Parts:
Low Income
Medicaid—Brown Co
County—Brown
Parts:
Medicaid

**PRIMARY MEDICAL CARE: Kansas**
*Facility Listing*

*Facility Name*

USP Leavenworth
County—Jefferson

**PRIMARY MEDICAL CARE: Kentucky**
*County Listing*

*County Name*

*Adair
*Allen
*Anderson
*Ballard
*Bath
Population Group: Med Ind—Bath Co
*Bell
Service Area: Western Harlan
Service Area: Williamsburg/Saxton
Boyd

**PRIMARY MEDICAL CARE: Kentucky**
*County Listing*

*County Name*

Facility: FCI Ashland
*Bracken
*Breathitt
*Breckinridge
Population Group: Low Inc—Breckinridge Co
Bullitt
Service Area: Lebanon Junction
*Butler
Campbell
Population Group: Pov Pop—Inner City Newport
*Carroll
Carter
*Casey
*Clay (g)
Facility: FCI Manchester
*Clinton
*Crittenden
*Cumberland
Population Group: Low Inc—Cumberland Co
*Edmonson
*Elliott
*Estill
Fayette
Population Group: Low Inc—N Central Lexington
*Fleming
*Floyd
Population Group: Low Inc—Mud Creek
*Gallatin
*Garrard
Population Group: Med Ind—Garrard Co
*Grant
*Grayson
Population Group: Med Ind—Grayson Co
*Green
Population Group: Low Inc—Green Co
*Hancock
*Harlan
Service Area: Cumberland
Service Area: Upper Clover
Service Area: Western Harlan
Population Group: Med Ind—Harlan/Evarts/Grays Knob
Facility: Clover Fork Clinic
*Hart
*Henry
*Hickman
*Jackson
*Knott
*Knox
*Laurel
*Lawrence
Population Group: Low Inc—Lawrence Co
*Lee
*Leslie
*Letcher
Population Group: Low Inc—Letcher Co
*Lewis
*Livingston
*Logan
Population Group: Med Ind—Logan Co
*Lyon
Madison
Population Group: Low Inc—Madison Co
*Magoffin
*Martin
Population Group: Low Inc—Martin Co
*McLean
*Meade

**PRIMARY MEDICAL CARE: Kentucky**
*County Listing*

*County Name*

*Menifee
*Morgan (g)
Facility: Eastern Ky. Corr. Complex
*Muhlenberg
*Nicholas
*Ohio
Oldham
Facility: Ky. State Ref.
*Owen
*Owsley
*Pendleton
*Perry
Service Area: Ary
Service Area: Buckhorn
Population Group: Med Ind—Hazard
*Pike
Population Group: Low Inc—Pike
*Powell
*Robertson
*Rockcastle
*Spencer
Population Group: Med Ind—Spencer Co
*Todd
*Trigg
*Trimble
*Washington
Population Group: Med Ind—Washington Co
*Wayne
Population Group: Med Ind—Wayne Co
*Whitley
Service Area: Williamsburg/Saxton
*Wolfe
Population Group: Med Ind—Wolfe Co

**PRIMARY MEDICAL CARE: Kentucky**
*Service Area Listing*

*Service Area Name*

Ary
County—Perry
Parts:
Dice Division
Buckhorn
County—Perry
Parts:
Buckhorn CCD
Cumberland
County—Harlan
Parts:
Cumberland CCD
Lebanon Junction
County—Bullitt
Parts:
Lebanon Junction CCD
Upper Clover
County—Harlan
Parts:
Upper Clover Division
Western Harlan
County—Bell
Parts:
Tejay Division
County—Harlan
Parts:
Alva Division
Williamsburg/Saxton
County—Bell
Parts:
Pruden-Fonde CCD
County—Whitley
Parts:

**PRIMARY MEDICAL CARE: Kentucky**
*Service Area Listing*

*Service Area Name*

Pearl CCD
Saxton CCD
Siler CCD
Williamsburg CCD

**PRIMARY MEDICAL CARE: Kentucky**
*Population Group Listing*

*Population Group*

Low Inc—Breckinridge Co
County—Breckinridge
Parts:
Low Income
Low Inc—Cumberland Co
County—Cumberland
Parts:
Low Income
Low Inc—Green Co
County—Green
Parts:
Low Income
Low Inc—Lawrence Co
County—Lawrence
Parts:
Low Income
Low Inc—Letcher Co
County—Letcher
Parts:
Low Income
Low Inc—Madison Co
County—Madison
Parts:
Low Income
Low Inc—Martin Co
County—Martin
Parts:
Low Income
Low Inc—Mud Creek
County—Floyd
Parts:
McDowell CCD
Mud Creek CCD
Wheelwr-Weeksbury CCD
Low Inc—N Central Lexington
County—Fayette
Parts:
C.T. 1–5
C.T. 8–14
C.T. 18–19
C.T. 38.01
Low Inc—Pike
County—Pike
Parts:
Low Inc
Med Ind—Bath Co
County—Bath
Parts:
Medically Indigent
Med Ind—Garrard Co
County—Garrard
Parts:
Medically Indigent
Med Ind—Grayson Co
County—Grayson
Parts:
Medically Indigent
Med Ind—Harlan/Evarts/Grays Knob
County—Harlan
Parts:
Cawood Div
Harlan Div
Poor Fork Div

**PRIMARY MEDICAL CARE: Kentucky**
*Population Group Listing*

*Population Group*

Wallins Creek Div
Med Ind—Hazard
County—Perry
Parts:
Defiance-Vigor CCD
Hazard CCD
Krypton CCD
Viper CCD
Med Ind—Logan Co
County—Logan
Parts:
Medically Indigent
Med Ind—Spencer Co
County—Spencer
Parts:
Medically Indigent
Med Ind—Washington Co
County—Washington
Parts:
Medically Indigent
Med Ind—Wayne Co
County—Wayne
Parts:
Medically Indigent
Med Ind—Wolfe Co
County—Wolfe
Parts:
Medically Indigent
Pov Pop—Inner City Newport
County—Campbell
Parts:
C.T. 501–506

**PRIMARY MEDICAL CARE: Kentucky**
*Facility Listing*

*Facility Name*

Clover Fork Clinic
County—Harlan
Eastern Ky. Corr. Complex
County—Morgan
FCI Ashland
County—Boyd
FCI Manchester
County—Clay
Ky. State Ref.
County—Oldham

**PRIMARY MEDICAL CARE: Louisiana**
*Parish Listing*

*Parish Name*

Acadia
Population Group: Low Inc—Acadia Co
*Allen
Population Group: Inmates—Fdc Oakdale II
Facility: FCI Oakdale I
Ascension
Service Area: Ascension/Northeast Iberville
*Assumption
*Avoyelles
*Beauregard
Population Group: Med Ind—Beauregard Par
*Bienville
Caddo
Service Area: North Caddo
Facility: David Raines Chc (C.T. 246)
Facility: LSU Med Ctr (Opd)
Calcasieu
Service Area: North Lake Charles

**PRIMARY MEDICAL CARE: Louisiana**
*Parish Listing*

*Parish Name*

Service Area: Vinton
Facility: Moss Reg Med Ctr Outpt Clinic
*Caldwell
*Cameron
*Catahoula
*Claiborne
Population Group: Med Ind—Claiborne Par
*Concordia
*De Soto
East Baton Rouge
Service Area: Eden Park
Service Area: Nw Baton Rouge
Facility: Ambul. Clinic—Long Hosp.
*East Carroll
*East Feliciana
*Franklin
*Grant
*Iberia
Population Group: Medicaid—Iberia Par
*Iberville
Service Area: Ascension/Northeast Iberville
Population Group: Low Inc—Iberville Par
*Jackson
Jefferson
Service Area: Lafitte
Service Area: Old Kenner/River Town
Lafourche
Service Area: S E Lafourche
*Lasalle
*Lincoln
Livingston
*Madison
*Morehouse
Population Group: Low Inc—Morehouse Par
*Natchitoches
Population Group: Medicaid—Natchitoches Co
Orleans
Service Area: Algiers/Fischer
Service Area: Desire/Florida
Service Area: Lower 9th Ward
Service Area: Midtown-Seventh Ward
Service Area: New Orleans East
Service Area: St. Bernard
Population Group: Low Inc—Irish Channel
Facility: Med Ctr Of La At New Orleans
Ouachita
Population Group: Med Ind—Ouachita Par
Plaquemines
*Pointe Coupee
Rapides
Population Group: Low Inc—Rapides Par
Facility: Long Reg Med Ctr Outpt Clinic
*Richland
Population Group: Low Inc—Richland Par
*Sabine
St Charles
*St Helena
St James
Service Area: Vacherie
St John The Baptist
Service Area: Vacherie
St Landry
Population Group: Med Ind—St. Landry Par
St Martin
*St Mary
*Tangipahoa
*Tensas
Terrebonne
Service Area: Dulac

**PRIMARY MEDICAL CARE: Louisiana**
*Parish Listing*

*Parish Name*

Facility: So. Louisiana Med. Ctr.
*Union
*Vermilion
*Vernon
*Washington
Population Group: Med Ind—Washington Par
Webster
*West Carroll
*West Feliciana
Population Group: Low Inc—W Feliciana Parish
*Winn

**PRIMARY MEDICAL CARE: Louisiana**
*Service Area Listing*

*Service Area Name*

Algiers/Fischer
Parish—Orleans
Parts:
C.T. 1–4
C.T. 6.01–6.05
C.T. 6.13
Ascension/Northeast Iberville
Parish—Iberville
Parts:
Ward 4–5
Desire/Florida
Parish—Orleans
Parts:
C.T. 11
C.T. 11.99
C.T. 13.01–13.04
C.T. 14.01–14.02
C.T. 15–16
C.T. 17.03
C.T. 17.06
C.T. 17.98
Dulac
Parish—Terrebonne
Parts:
District G
District H
District I
Eden Park
Parish—East Baton Rouge
Parts:
C.T. 8–10
C.T. 12–16
C.T. 21–22
C.T. 24–25
Lafitte
Parish—Jefferson
Parts:
C.T. 277.02
C.T. 278.09
C.T. 279
C.T. 279.99
Lower 9Th Ward
Parish—Orleans
Parts:
C.T. 7.01–7.02
C.T. 8
C.T. 9.01–9.04
Midtown-Seventh Ward
Parish—Orleans
Parts:
C.T. 18–23
C.T. 26–31
C.T. 34–36
C.T. 39–40

**PRIMARY MEDICAL CARE: Louisiana**
*Service Area Listing*

*Service Area Name*

C.T. 44.01–44.02
New Orleans East
Parish—Orleans
Parts:
C.T. 17.20–17.29
C.T. 17.32–17.33
North Caddo
Parish—Caddo
Parts:
C.T. 248–250
C.T. 251.98
North Lake Charles
Parish—Calcasieu
Parts:
C.T. 2–4
C.T. 14–15
Nw Baton Rouge
Parish—East Baton Rouge
Parts:
C.T. 1–5
C.T. 6.01–6.02
C.T. 7.01–7.02
C.T. 11.02–11.04
C.T. 30.01–30.02
C.T. 31.01–31.02
C.T. 33–34
Old Kenner/River Town
Parish—Jefferson
Parts:
C.T. 205.05
C.T. 206–210
C.T. 236–237
S E Lafourche
Parish—Lafourche
Parts:
District 8
District 9
District 10
District 12
District 13
District 14
District 15
District 11
St. Bernard
Parish—Orleans
Parts:
C.T. 33.05–33.07
Vacherie
Parish—St James
Parts:
District 5
District 6
District 7
Parish—St John The Baptist
Parts:
District 1
Vinton
Parish—Calcasieu
Parts:
C.T. 35–36

**PRIMARY MEDICAL CARE: Louisiana**
*Population Group Listing*

*Population Group*

Inmates—Fdc Oakdale II
Parish—Allen
Parts:
Fdc Oakdale II
Low Inc—Acadia Co
Parish—Acadia
Parts:
Low Income
Low Inc—Iberville Par
Parish—Iberville
Parts:
Dist. 1
Dist. 8
Dist. 9
Dist. 10
Dist. 11
Dist. 12
Dist. 2
Dist. 6
Dist. 7
Low Inc—Irish Channel
Parish—Orleans
Parts:
C.T. 77–80
C.T. 81.01–81.02
C.T. 82–89
Low Inc—Morehouse Par
Parish—Morehouse
Parts:
Low Income
Low Inc—Rapides Par
Parish—Rapides
Parts:
Low Income
Low Inc—Richland Par
Parish—Richland
Parts:
Low Income
Low Inc—W Feliciana Parish
Parish—West Feliciana
Parts:
Low Income
Med Ind—Beauregard Par
Parish—Beauregard
Parts:
Medically Indigent
Med Ind—Claiborne Par
Parish—Claiborne
Parts:
Medically Indigent
Med Ind—Ouachita Par
Parish—Ouachita
Parts:
Medically Indigent
Med Ind—St. Landry Par
Parish—St Landry
Parts:
Medically Indigent
Med Ind—Washington Par
Parish—Washington
Parts:
Medically Indigent
Medicaid—Iberia Par
Parish—Iberia
Parts:
Medicaid Eligible
Medicaid—Natchitoches Co
Parish—Natchitoches
Parts:
Medicaid Eligible

**PRIMARY MEDICAL CARE: Louisiana**
*Facility Listing*

*Facility Name*

Ambul. Clinic—Long Hosp.
Parish—East Baton Rouge
David Raines Chc (C.T. 246)
Parish—Caddo

**PRIMARY MEDICAL CARE: Louisiana**
*Facility Listing*

*Facility Name*

FCI Oakdale I
Parish—Allen
Long Reg Med Ctr Outpt Clinic
Parish—Rapides
Lsu Med Ctr (Opd)
Parish—Caddo
Med Ctr Of La At New Orleans
Parish—Orleans
Moss Reg Med Ctr Outpt Clinic
Parish—Calcasieu
So. Louisiana Med. Ctr.
Parish—Terrebonne

**PRIMARY MEDICAL CARE: Maine**
*County Listing*

*County Name*

Androscoggin
Service Area: Jay/Livermore Falls
*Aroostook
Service Area: Ashland
Service Area: Danforth
Service Area: Fort Kent
Service Area: Island Falls
Service Area: St. Francis
Service Area: Van Buren
Population Group: Low Inc—Fort Fairfield
Population Group: Low Inc—Lincoln
Cumberland
Service Area: Casco Bay Islands
Service Area: Parsonfield (ME/NH)
Population Group: Med Ind—Portland
*Franklin
Service Area: Jay/Livermore Falls
Service Area: Rangeley
Service Area: Rumford
Population Group: Low Inc—Kingfield Pcaa
*Hancock
Population Group: Med Ind—Bar Harbor
Population Group: Med Ind—Blue Hill Pcaa #40
*Kennebec
Service Area: Jay/Livermore Falls
Service Area: Richmond
*Knox
Population Group: Med Ind—Blue Hill Pcaa #40
*Lincoln
Service Area: Richmond
*Oxford
Service Area: Bethel
Service Area: Jay/Livermore Falls
Service Area: Parsonfield (ME/NH)
Service Area: Rangeley
Service Area: Rumford
Population Group: Med Ind—Norway
Penobscot
Service Area: Danforth
Service Area: Dexter
Service Area: Howland
Service Area: Island Falls
Population Group: Low Inc—Lincoln
*Piscataquis
Service Area: Bingham
Service Area: Milo
Population Group: Low Inc—Skowhegan
*Sagadahoc
Service Area: Richmond
*Somerset
Service Area: Bingham
Service Area: Dexter
Service Area: Jackman

**PRIMARY MEDICAL CARE: Maine**
*County Listing*

*County Name*

Population Group: Low Inc—Skowhegan
Waldo
Population Group: Med Ind—Belfast
*Washington
Service Area: Danforth
Service Area: Eastport
Service Area: Jonesport
Service Area: Topsfield
Population Group: Med Ind—Calais
Population Group: Med Ind—Milbridge
York
Service Area: Parsonfield (ME/NH)

**PRIMARY MEDICAL CARE: Maine**
*Service Area Listing*

*Service Area Name*

Ashland
County—Aroostook
Parts:
Ashland Town
Garfield Plt
Masardis Town
Nashville Plt
Oxbow Plt
Portage Lake Town
Bethel
County—Oxford
Parts:
Bethel Town
Gilead Town
Greenwood Town
Newry Town
North Oxford Unorg.
Upton Town
Woodstock Town
Bingham
County—Piscataquis
Parts:
Kingsbury Plantation
County—Somerset
Parts:
Bingham Town
Brighton Plantation
Caratunk Town
Moscow Town
Northeast Somerset Unorg.
Pleasant Ridge Plantation
Solon Town
The Forks Plantation
West Forks Plantation
Casco Bay Islands
County—Cumberland
Parts:
Cliff Is.
Cushing Is.
Great Chebeague Is.
Great Diamond Is.
Little Chebeague Is.
Little Diamond Is.
Long Is.
Peak'S Is.
Danforth
County—Aroostook
Parts:
Bancroft Town
Orient Town
Weston Town
County—Penobscot
Parts:
Drew Plantation
Kingman Unorg.

**PRIMARY MEDICAL CARE: Maine**
*Service Area Listing*

*Service Area Name*

Prentiss Plantation
County—Washington
Parts:
Danforth Town
Dexter
County—Penobscot
Parts:
Corinna Twn.
Dexter Twn.
Garland Twn.
County—Somerset
Parts:
Cambridge Twn.
Ripley Twn.
Eastport
County—Washington
Parts:
Eastport City
Passamaquoddy Pleasant Point Res
Pembroke Town
Perry Town
Fort Kent
County—Aroostook
Parts:
Eagle Lake Twn.
Fort Kent Twn.
Frenchville Twn.
Madawaska Twn.
New Canada Twn.
St. Agatha Twn.
Wallagrass Plt.
Winterville Plt.
Howland
County—Penobscot
Parts:
Burlington Twn.
E. Central Penobscot Unorg
Edinburg Twn.
Enfield Twn.
Howland Twn.
Lagrange Twn.
Lowell Twn.
Maxfield Twn.
Passadumkeag Twn.
Seboeis Plt.
Island Falls
County—Aroostook
Parts:
Crystal Town
Dyer Brook Town
Hersey Town
Island Falls Town
Moro Plt
S Aroostook Unorg
Sherman Town
County—Penobscot
Parts:
Mt Chase Town
N Penobscot Unorg
Patten Town
Stacyville Town
Jackman
County—Somerset
Parts:
Dennistown Plantation
Jackman Town
Moose River Town
Jay/Livermore Falls
County—Androscoggin
Parts:
Livermore Falls Town
Livermore Town

**PRIMARY MEDICAL CARE: Maine**
*Service Area Listing*

*Service Area Name*

County—Franklin
Parts:
Jay Town
County—Kennebec
Parts:
Fayette Town
County—Oxford
Parts:
Canton Town
Hartford Town
Sumner Town
Jonesport
County—Washington
Parts:
Addison Town
Beals Town
Centerville Town
Columbia Falls Town
Jonesboro Town
Jonesport Town
Milo
County—Piscataquis
Parts:
Atkinson Twn.
Brownville Twn.
Lake View Plnt
Medford Twn.
Milo Twn.
N.E. Piscataquis Unorg.
S.E. Piscataquis Unorg.
Sebec Twn.
Parsonfield (ME/NH)
County—Cumberland
Parts:
Baldwin Town
County—Oxford
Parts:
Hiram Town
Porter Town
County—York
Parts:
Cornish Town
Limerick Town
Parsonsfield Town
Rangeley
County—Franklin
Parts:
Coplin Plantation
Dallas Plantation
Eustis Town
Madrid Town
North Franklin Unorg.
Rangeley Plantation
Rangeley Town
Sandy River Plantation
County—Oxford
Parts:
Lincoln Plantation
Magalloway Plantation
North Oxford Unorg.
Richmond
County—Kennebec
Parts:
Litchfield Town
County—Lincoln
Parts:
Dresden Town
County—Sagadahoc
Parts:
Bowdoinham Town
Richmond Town
Rumford

**PRIMARY MEDICAL CARE: Maine**
*Service Area Listing*

*Service Area Name*

County—Franklin
Parts:
Carthage Twn.
Weld Twn.
County—Oxford
Parts:
Andover Twn.
Byron Twn.
Dixfield Twn.
Hanover Twn.
Mexico Twn.
Milton Unorg.
Peru Twn.
Roxbury Twn.
Rumford Twn.
St. Francis
County—Aroostook
Parts:
Allagash Town
St. Francis Town
St. John Plantation
Topsfield
County—Washington
Parts:
Codyville Plt
Grand Lake Stream Plt
N Washington Unorg
Passamaquoddy Indian Res
Talmadge Town
Topsfield Town
Vanceboro Town
Waite Town
Van Buren
County—Aroostook
Parts:
Grand Isle Town
Hamlin Town
Van Buren Town

**PRIMARY MEDICAL CARE: Maine**
*Population Group Listing*

*Population Group*

Low Inc—Fort Fairfield
County—Aroostook
Parts:
Caswell Town
Fort Fairfield Town
Limestone Town
Low Inc—Kingfield Pcaa
County—Franklin
Parts:
Carrabassett Valley Town
E C Franklin Unorg. Terr
Kingfield Town
Phillips Town
Wyman Unorg. Terr
Low Inc—Lincoln
County—Aroostook
Parts:
Macwahoc Plt
County—Penobscot
Parts:
Carroll Plt
Chester Town
Lakeville Town
Lee Town
Lincoln Town
Mattawamakeag Town
Springfield Town
Twombley Unorg
Webster Plt

**PRIMARY MEDICAL CARE: Maine**
*Population Group Listing*

*Population Group*

Winn Town
Woodville Town
Low Inc—Skowhegan
County—Piscataquis
Parts:
Wellington Town
County—Somerset
Parts:
Anson Town
Athens Town
Canaan Town
Cornville Town
Embden Town
Harmony Town
Highland Plantation
Madison Town
Mercer Town
New Portland Town
Norridgewock Town
Skowhegan Town
Smithfield Town
Starks Town
Med Ind—Bar Harbor
County—Hancock
Parts:
Bar Harbor Town
Cranberry Isles Town
Frenchboro Town
Mount Desert Isle Town
Southwest Harbor Town
Swans Island Town
Tremont Town
Med Ind—Belfast
County—Waldo
Parts:
Belfast City
Belmont Town
Brooks Town
Jackson Town
Knox Town
Liberty Town
Monroe Town
Montville Town
Morrill Town
Northport Town
Searsmont Town
Searsport Town
Stockton Springs
Swanville Town
Waldo Town
Med Ind—Blue Hill Pcaa#40
County—Hancock
Parts:
Blue Hill Town
Brooklin Town
Brooksville Town
Castine Town
Deer Isle Town
Penobscot Town
Sedgwick Town
Stonington Town
Surry Town
County—Knox
Parts:
Isle Au Haut Town
Med Ind—Calais
County—Washington
Parts:
Alexander Town
Baileyville Town
Baring Town
Calais City

**PRIMARY MEDICAL CARE: Maine**
*Population Group Listing*

*Population Group*

Charlotte Town
Cooper Town
Crawford Town
Meddybemps Town
Plantation #21
Princeton Town
Robbinston Town
Med Ind—Milbridge
County—Washington
Parts:
Beddington Town
Cherryfield Town
Columbia Town
Deblois Town
Harrington Town
Milbridge Town
Steuben Town
Med Ind—Norway
County—Oxford
Parts:
Buckfield Town
Hebron Town
Norway Town
Otisfield Town
Oxford Town
Paris Town
Waterford Town
West Paris Town
Med Ind—Portland
County—Cumberland
Parts:
C.T. 1–3
C.T. 3.99–4.00
C.T. 5–6
C.T. 9–10
C.T. 12–14

**PRIMARY MEDICAL CARE: Maryland**
*County Listing*

*County Name*

Allegany
Service Area: Hancock (MD/PA/WV)
Anne Arundel
Service Area: Owensville
Baltimore City (Indep)
Service Area: North Central Baltimore
Service Area: O'Donnell Heights
Service Area: Orleans Square
Service Area: West Baltimore
Population Group: Low Inc—Belair Road/Brehm's Lane
Population Group: Low Inc—Park West
Population Group: Medicaid—South Baltimore City
Facility: Healthcare For The Homeless
*Caroline
Population Group: Medicaid—Caroline Co
Cecil
Population Group: Medicaid—Cecil Co
*Dorchester
Population Group: Medicaid—Dorchester Co
*Kent
Population Group: Medicaid—Kent Co
Queen Annes
Population Group: Medicaid—Centreville/Queenstown
*Somerset
Population Group: Medicaid—Somerset Co
Washington
Service Area: Hancock (MD/PA/WV)

**PRIMARY MEDICAL CARE: Maryland**
*County Listing*

*County Name*

*Wicomico
Population Group: Medicaid—Wicomico Co
*Worcester
Population Group: Medicaid—Berlin/Ocean City
Population Group: Medicaid—Snow Hill/Pocomoke

**PRIMARY MEDICAL CARE: Maryland**
*Service Area Listing*

*Service Area Name*

Hancock (MD/PA/WV)
County—Allegany
Parts:
Dist. 1 (orleans)
County—Washington
Parts:
Dist. 15 (Indian Spring)
Dist. 5 (hancock)
North Central Baltimore
County—Baltimore City (Indep)
Parts:
C.T. 805
C.T. 901–909
C.T. 1204
O'Donnell Heights
County—Baltimore City (Indep)
Parts:
C.T. 2606.04
Orleans Square
County—Baltimore City (Indep)
Parts:
C.T. 103
C.T. 105
C.T. 201–202
C.T. 601–603
C.T. 701–704
C.T. 802
C.T. 803.01–803.02
C.T. 804
C.T. 806–808
Owensville
County—Anne Arundel
Parts:
C.T. 7012–7014
C.T. 7070
C.T. 7080.98
West Baltimore
County—Baltimore City (Indep)
Parts:
C.T. 1801–1803
C.T. 1901–1903
C.T. 2001–2005

**PRIMARY MEDICAL CARE: Maryland**
*Population Group Listing*

*Population Group*

Low Inc—Belair Road/Brehm's Lane
County—Baltimore City (Indep)
Parts:
C.T. 801.01–801.02
C.T. 2601.02
C.T. 2602.01–2602.03
C.T. 2603.01–2603.03
C.T. 2604.02
C.T. 2604.98
C.T. 2701.01
Low Inc—Park West
County—Baltimore City (Indep)
Parts:
C.T. 1512–1513
C.T. 2716–2717
C.T. 2718.01–2718.02
C.T. 2801.01
Medicaid—Berlin/Ocean City
County—Worcester
Parts:
Dist. 3 (Berlin)
Dist. 4 (Newark)
Dist. 5 (St. Martin)
Dist. 10 (Ocean City)
Medicaid—Caroline Co
County—Caroline
Parts:
Medicaid Eligible
Medicaid—Cecil Co
County—Cecil
Parts:
Medicaid Eligible
Medicaid—Centreville/Queenstown
County—Queen Annes
Parts:
Dist. 1 (Dixon)
Dist. 2 (Church Hill)
Dist. 3 (Centreville)
Dist. 5 (Queenstown)
Dist. 6 (Ruthsburg)
Dist. 7 (Crumpton)
Medicaid—Dorchester Co
County—Dorchester
Parts:
Medicaid Eligible
Medicaid—Kent Co
County—Kent
Parts:
Medicaid Eligible
Medicaid—Snow Hill/Pocomoke
County—Worcester
Parts:
Dist. 1 (Pocomoke)
Dist. 2 (Snow Hill)
Dist. 7 (Atkinsons)
Dist. 8 (Stockton)
Medicaid—Somerset Co
County—Somerset
Parts:
Medicaid Eligible
Medicaid—South Baltimore City
County—Baltimore City (Indep)
Parts:
C.T. 2101.01
C.T. 2102.01
C.T. 2301–2303
C.T. 2401
C.T. 2404
C.T. 2502.03–2502.05
C.T. 2502.07
C.T. 2503.01–2503.03
C.T. 2504.01–2504.02
C.T. 2505–2506
Medicaid—Wicomico Co
County—Wicomico
Parts:
Medicaid Eligible

**PRIMARY MEDICAL CARE: Maryland**
*Facility Listing*

*Facility Name*

Healthcare For The Homeless
County—Baltimore City (Indep)

**PRIMARY MEDICAL CARE: Massachusetts**
*County Listing*

*County Name*

Bristol
Population Group: Low Inc—C New Bedford
Essex
Service Area: North Lawrence
Service Area: South Lynn
Population Group: Low Inc—Salem/East Peabody
*Franklin
Service Area: Athol-Orange
Service Area: Mohawk
Hampden
Service Area: Gateway Regional Dist
Population Group: Hispanic Pop—Holyoke
Population Group: Low Inc—Springfield
Hampshire
Service Area: Gateway Regional Dist
Service Area: Hampshire Regional Dist
Middlesex
Service Area: Community Health Network Area #16
Population Group: Low Inc—Somerville
Plymouth
Service Area: Hull
Suffolk
Service Area: Community Health Network Area #16
Service Area: N. Dorchester
Service Area: Roxbury
Service Area: S. Dorchester
Population Group: Hmlss—Boston
Population Group: Low Inc—Brighton/Allston
Worcester
Service Area: Athol-Orange
Population Group: Low Inc—Worcester

**PRIMARY MEDICAL CARE: Massachusetts**
*Service Area Listing*

*Service Area Name*

Athol-Orange
County—Franklin
Parts:
Erving Town
New Salem Town
Orange Town
Warwick Town
Wendell Town
County—Worcester
Parts:
Athol Town
Petersham Town
Phillipston Town
Royalston Town
Community Health Network Area #16
County—Middlesex
Parts:
Everett City
Malden City
County—Suffolk
Parts:
Chelsea City
Revere City
Winthrop Town
Gateway Regional Dist
County—Hampden
Parts:
Blandford Town
Chester Town
Montgomery Town
Russell Town

**PRIMARY MEDICAL CARE: Massachusetts**
*Service Area Listing*

*Service Area Name*

County—Hampshire
Parts:
Huntington Town
Middlefield Town
Worthington Town
Hampshire Regional Dist
County—Hampshire
Parts:
Chesterfield Town
Cummington Town
Goshen Town
Plainfield Town
Westhampton Town
Williamsburg Town
Hull
County—Plymouth
Parts:
Hull Town
Mohawk
County—Franklin
Parts:
Ashfield Twn.
Buckland Twn.
Charlemont Twn.
Colrain Twn.
Conway Twn.
Hawley Twn
Heath Twn.
Rowe Twn.
Shelburne Twn.
N. Dorchester
County—Suffolk
Parts:
C.T. 901–924
North Lawrence
County—Essex
Parts:
C.T. 2501–2516
Roxbury
County—Suffolk
Parts:
C.T. 801–809
C.T. 811–821
S. Dorchester
County—Suffolk
Parts:
C.T. 1001–1005
C.T. 1006.01–1006.02
C.T. 1007–1009
C.T. 1010.01–1010.02
C.T. 1011.01–1011.02
South Lynn
County—Essex
Parts:
C.T. 2055–2072

**PRIMARY MEDICAL CARE: Massachusetts**
*Population Group Listing*

*Population Group*

Hispanic Pop—Holyoke
County—Hampden
Parts:
City Of Holyoke
Hmlss—Boston
County—Suffolk
Parts:
Long Is Shelter/Ct 1501
Pc Clinic/Bc Hosp/Ct 710
Pine Street Inn/Ct 712
Shattuck Ctr/Ct 1101.02
St. Francis Hse/Ct 1206

**PRIMARY MEDICAL CARE: Massachusetts**
*Population Group Listing*

*Population Group*

Low Inc—Brighton/Allston
County—Suffolk
Parts:
C.T. 1
C.T. 2.01–2.02
C.T. 3
C.T. 4.01–4.02
C.T. 5.01–5.02
C.T. 6.01–6.02
C.T. 7.01–7.02
C.T. 8.01–8.02
Low Inc—C New Bedford
County—Bristol
Parts:
C.T. 6504–6509
C.T. 6510.02
C.T. 6511–6518
C.T. 6518.99–6519.00
C.T. 6520–6527
Low Inc—Salem/East Peabody
County—Essex
Parts:
C.T. 2041–2046
C.T. 2047.01–2047.02
C.T. 2104–2109
Low Inc—Somerville
County—Middlesex
Parts:
C.T. 3501–3515
Low Inc—Springfield
County—Hampden
Parts:
C.T. 8001
C.T. 8002.01–8002.02
C.T. 8003–8010
C.T. 8011.01–8011.02
C.T. 8012–8013
C.T. 8014.01–8014.02
C.T. 8015.01–8015.03
C.T. 8016.01–8016.05
C.T. 8017–8025
C.T. 8026.01–8026.02
Low Inc—Worcester
County—Worcester
Parts:
C.T. 7301–7303
C.T. 7304.01–7304.02
C.T. 7305–7307
C.T. 7308.01–7308.02
C.T. 7309.01–7309.02
C.T. 7310
C.T. 7311.01–7311.02
C.T. 7312.01–7312.02
C.T. 7313–7319
C.T. 7320.01–7320.02
C.T. 7321
C.T. 7322.01–7322.03
C.T. 7323–7328
C.T. 7329.01–7329.02
C.T. 7330
C.T. 7331.01–7331.02

**PRIMARY MEDICAL CARE: Michigan**
*County Listing*

*County Name*

*Alcona
*Alger
Facility: Alger Max Fac
Allegan
Service Area: Allegan
Service Area: South Haven/Bangor

**PRIMARY MEDICAL CARE: Michigan**
*County Listing*

*County Name*

*Alpena
Population Group: Low Inc—Alpena Co
*Antrim
Service Area: Mancelona
Population Group: Low Inc—East Jordan
Arenac
Service Area: Sterling/Standish
Bay
Service Area: Sterling/Standish
*Benzie
Berrien
Population Group: Low Inc—South Berrien Co
Population Group: Low Inc—North Berrien Co
*Branch
Population Group: Low Inc—Branch Co
Facility: Crane Women's Fac
Calhoun
Population Group: Medicaid—Calhoun Co
*Cass
Service Area: Dowagiac
Service Area: Three Rivers
*Charlevoix
Service Area: Beaver Island
Population Group: Low Inc—East Jordan
*Cheboygan
Population Group: Low Inc—Cheboygan Co
*Chippewa
Population Group: Low Inc—Chippewa Co
Facility: Chippewa Cty Corr Inst
*Clare
Crawford
Population Group: Low Inc—Crawford Co
*Delta
Population Group: Low Inc—Delta Co
*Dickinson
Population Group: Low Inc—Dickinson Co
Genesee
Service Area: Otter Lake
Population Group: Low Inc—Flint
*Gladwin
*Gogebic
Service Area: Ewen
Service Area: Ironwood/Hurley (MI/WI)
*Grand Traverse
Service Area: Buckley/Fife Lake
*Gratiot
Population Group: Low Inc—Gratiot Co
Facility: Mid Michigan Temporary Fac
*Hillsdale
*Houghton
Population Group: Low Inc—Houghton Co
*Huron
Service Area: Pigeon
Service Area: Port Austin
Population Group: Low Inc—Harbor Beach/Bad Axe
*Ionia
Population Group: Low Inc/MFW—Ionia Co
Facility: Handlon Mi Training Unit
Facility: Ionia Maximum Fac
Facility: Ionia Temporary Fac
Facility: Michigan Ref
*Iosco
Service Area: Hale/Whittemore/Prescott
Population Group: Low Inc—E Iosco Co
Iron
Service Area: Iron River/Crystal Falls
*Isabella
Population Group: Low Inc—Isabella Co

**PRIMARY MEDICAL CARE: Michigan**
*County Listing*

*County Name*

Jackson
  Population Group: Low Inc—Ne Jackson City
  Facility: State Prs.—South Michigan
Kalamazoo
  Population Group: Low Inc—N Kalamazoo City
*Kalkaska
Kent
  Population Group: Low Inc—Grand Rapids
  Population Group: MSFW—N Kent Co
*Keweenaw
*Lake
Lapeer
  Service Area: Brown City
  Service Area: Marlette/Kingston
  Service Area: Otter Lake
  Facility: Thumb Regional Fac
*Leelanau
  Service Area: Northport/Suttons Bay
*Lenawee
  Service Area: Morenci
  Facility: Gus Harrison Regional Fac
*Luce
  Population Group: Medicaid—Luce Co
Macomb
  Facility: Macomb Corr Fac
*Marquette
  Service Area: Gwinn
  Service Area: Western Marquette
  Facility: Marquette Branch Prs
*Mason
  Population Group: Low Inc/MFW—Mason Co
*Mecosta
*Menominee
  Service Area: E. Marinette/S. Menominee(MI/WI)
  Service Area: Northern Menominee
*Missaukee
Monroe
  Service Area: Carleton
  Population Group: Medicaid Pop.—South Monroe
*Montcalm
  Service Area: Northern Montcalm
  Population Group: Low Inc—Southern Montcalm
  Facility: Carson City Regional Fac
*Montmorency
Muskegon
  Population Group: Low Inc—Muskegon City
  Population Group: Low Inc—Northern Muskegon Co
  Facility: Brooks Regional Fac
  Facility: Muskegon Corr Fac
  Facility: Muskegon Temporary Fac
*Newaygo
  Population Group: Low Inc—Newaygo Co
Oakland
  Population Group: Low Inc—Pontiac
*Oceana
*Ogemaw
  Service Area: Hale/Whittemore/Prescott
  Service Area: Rose City/Lupton
  Service Area: West Branch
*Ontonagon
  Service Area: Ewen
  Population Group: Low Inc—North Ontonagon
*Osceola

**PRIMARY MEDICAL CARE: Michigan**
*County Listing*

*County Name*

*Oscoda
Ottawa
  Population Group: Low Inc—Central Holland
  Population Group: MFW—Ottawa Co
*Presque Isle
*Roscommon
Saginaw
  Service Area: East Side Saginaw
*Sanilac
  Service Area: Brown City
  Service Area: Marlette/Kingston
  Population Group: Low Inc—Deckerville/Sandusky
*Schoolcraft
  Population Group: Low Inc—Schoolcraft Co
St Clair
  Service Area: Algonac
  Service Area: Yale
  Population Group: Low Inc—Port Huron/Marysville
*St Joseph
  Service Area: Three Rivers
*Tuscola
  Service Area: Marlette/Kingston
  Service Area: Otter Lake
  Service Area: Pigeon
Van Buren
  Service Area: Dowagiac
  Service Area: South Haven/Bangor
Wayne
  Service Area: Airport/Conner (N.E. Detroit)
  Service Area: Chene (S. Central Detroit)
  Service Area: Eastside Detroit
  Service Area: Hamtramck
  Service Area: Highland Park
  Service Area: Inkster
  Service Area: Mackenzie/Brooks
  Service Area: Nolan/State Fair/Davison/Pershing
  Service Area: Outer Drive/Van Dyke
  Service Area: Southwest Detroit
  Service Area: Tireman/Chadsey
  Facility: Michigan Hospital & Medical Centers
  Facility: Ryan Regional Fac
*Wexford
  Service Area: Buckley/Fife Lake

**PRIMARY MEDICAL CARE: Michigan**
*Service Area Listing*

*Service Area Name*

Airport/Conner (N.E. Detroit)
  County—Wayne
    Parts:
      C.T. 5037
      C.T. 5039–5048
      C.T. 5052–5053
      C.T. 5107–5109
Algonac
  County—St Clair
    Parts:
      Algonac City
      Clay Twp
      Cottrellville Twp
      Ira Twp
      Marine City City
Allegan
  County—Allegan
    Parts:

**PRIMARY MEDICAL CARE: Michigan**
*Service Area Listing*

*Service Area Name*

      Allegan City
      Allegan Twp.
      Cheshire Twp.
      Clyde Twp.
      Dorr Twp.
      Hopkins Twp.
      Lee Twp.
      Leighton Twp.
      Martin Twp.
      Monterey Twp.
      Salem Twp.
      Trowbridge Twp.
      Valley Twp.
      Watson Twp.
      Wayland City
      Wayland Twp.
Beaver Island
  County—Charlevoix
    Parts:
      Peaine Township
      St. James Township
Brown City
  County—Lapeer
    Parts:
      Burnside Twp.
  County—Sanilac
    Parts:
      Brown City
      Elk Twp.
      Flynn Twp.
      Maple Valley Twp.
      Speaker Twp.
Buckley/Fife Lake
  County—Grand Traverse
    Parts:
      Fife Lake Twp
      Grant Twp
      Mayfield Twp
      Paradise Twp
  County—Wexford
    Parts:
      Greenwood Twp
      Hanover Twp
      Liberty Twp
      Wexford Twp
Carleton
  County—Monroe
    Parts:
      Ash Township
      Exeter Township
      London Township
Chene (S. Central Detroit)
  County—Wayne
    Parts:
      C.T. 5111
      C.T. 5161–5162
      C.T. 5177–5179
      C.T. 5183–5188
Dowagiac
  County—Cass
    Parts:
      Dowagiac City
      La Grange Township
      Marcellus Township
      Penn Township
      Pokagon Township
      Silver Creek Township
      Volinia Township
      Wayne Township
  County—Van Buren
    Parts:
      Decatur Township

**PRIMARY MEDICAL CARE: Michigan**
*Service Area Listing*

*Service Area Name*

Hamilton Township
Hartford City
Hartford Township
Keeler Township
Porter Township
E. Marinette/S. Menominee(MI/WI)
County—Menominee
Parts:
Ingallston Twp.
Mellen Twp.
Menominee City
Menominee Twp.
East Side Saginaw
County—Saginaw
Parts:
C.T. 1–11
C.T. 110
Eastside Detroit
County—Wayne
Parts:
C.T. 5121–5124
C.T. 5126
C.T. 5129
C.T. 5132–5136
C.T. 5139–5143
C.T. 5145–5157
Ewen
County—Gogebic
Parts:
Marenisco Twp
Watersmeet Twp
County—Ontonagon
Parts:
Bergland Twp
Haight Twp
Interior Twp
Matchwood Twp
McMillan Twp
Rockland Twp
Stannard Twp
Gwinn
County—Marquette
Parts:
Ewing Township
Forsyth Township
Turin Township
Wells Township
Hale/Whittemore/Prescott
County—Iosco
Parts:
Burleigh Twp
Grant Twp
Plainfield Twp
Reno Twp
Sherman Twp
Whittemore City
County—Ogemaw
Parts:
Logan Twp
Richland Twp
Hamtramck
County—Wayne
Parts:
C.T. 5520–5526
Highland Park
County—Wayne
Parts:
C.T. 5530–5537
Inkster
County—Wayne
Parts:
C.T. 5701–5710

**PRIMARY MEDICAL CARE: Michigan**
*Service Area Listing*

*Service Area Name*

Iron River/Crystal Falls
County—Iron
Ironwood/Hurley (MI/WI)
County—Gogebic
Parts:
Bessemer City
Bessemer Twp
Erwin Twp
Ironwood City
Ironwood Twp
Wakefield City
Wakefield Twp
Mackenzie/Brooks
County—Wayne
Parts:
C.T. 5341–5344
C.T. 5347
C.T. 5350–5355
C.T. 5363–5368
C.T. 5370–5373
C.T. 5378
C.T. 5451–5454
Mancelona
County—Antrim
Parts:
Chestonia Township
Custer Township
Helena Township
Kearney Township
Mancelona Township
Star Township
Marlette/Kingston
County—Lapeer
Parts:
Burlington Twp.
County—Sanilac
Parts:
La Motte Twp.
Marlette Twp.
County—Tuscola
Parts:
Dayton Twp.
Fremont Twp
Kingston Twp.
Koylton Twp.
Morenci
County—Lenawee
Parts:
Fairfield Township
Medina Township
Morenci City
Ogden Township
Riga Township
Seneca Township
Nolan/State Fair/Davison/Pershing
County—Wayne
Parts:
C.T. 5064–5080
C.T. 5102–5106
Northern Menominee
County—Menominee
Parts:
Cedarville Twp
Daggett Twp
Faithorn Twp
Gourley Twp
Harris Twp
Holmes Twp
Lake Twp
Meyer Twp
Nadeau Twp
Spalding Twp

**PRIMARY MEDICAL CARE: Michigan**
*Service Area Listing*

*Service Area Name*

Stephenson City
Stephenson Twp
Northern Montcalm
County—Montcalm
Parts:
Belvidere Twp
Cato Twp
Day Twp
Douglass Twp
Maple Valley Twp
Pierson Twp
Pine Twp
Reynolds Twp
Winfield Twp
Northport/Suttons Bay
County—Leelanau
Parts:
Centerville Twp.
Cleveland Twp.
Kasson Twp.
Leelanau Twp.
Leland Twp.
Solon Twp.
Suttons Bay Twp.
Otter Lake
County—Genesee
Parts:
Forest Township
County—Lapeer
Parts:
Deerfield Township
Marathon Township
North Branch Township
Rich Township
County—Tuscola
Parts:
Arbela Township
Millington Township
Watertown Township
Outer Drive/Van Dyke
County—Wayne
Parts:
C.T. 5035–5036
C.T. 5049–5051
C.T. 5061–5063
Pigeon
County—Huron
Parts:
Brookfield Twp.
Caseville Twp.
Fairhaven Twp.
McKinley Twp.
Sebewaing Twp.
Winsor Twp.
County—Tuscola
Parts:
Columbia Twp.
Port Austin
County—Huron
Parts:
Dwight Twp.
Gore Twp.
Hume Twp.
Huron Twp.
Lake Twp.
Pointe Aux Barques Twp.
Port Austin Twp.
Rose City/Lupton
County—Ogemaw
Parts:
Cumming Twp
Goodar Twp

**PRIMARY MEDICAL CARE: Michigan**
*Service Area Listing*

*Service Area Name*

Hill Twp
Rose City
Rose Twp
South Haven/Bangor
County—Allegan
Parts:
Casco Twp.
Ganges Twp.
County—Van Buren
Parts:
Arlington Twp.
Bangor City
Bangor Twp.
Columbia Twp.
Covert Twp.
Geneva Twp.
Lawrence Twp.
South Haven City
South Haven Twp.
Southwest Detroit
County—Wayne
Parts:
C.T. 5208–5209
C.T. 5211–5214
C.T. 5231–5238
C.T. 5240–5243
C.T. 5245
C.T. 5247–5248
Sterling/Standish
County—Bay
Parts:
Gibson Twp
Mount Forest Twp
Pinconning City
Pinconning Twp
Three Rivers
County—Cass
Parts:
Newberg Twp
Porter Twp
County—St Joseph
Parts:
Colon Twp
Constantine Twp
Fabius Twp
Florence Twp
Flowerfield Twp
Leonidas Twp
Lockport Twp
Mendon Twp
Nottawa Twp
Park Twp
Three Rivers City
Tireman/Chadsey
County—Wayne
Parts:
C.T. 5221–5222
C.T. 5251–5258
C.T. 5260–5265
C.T. 5335–5337
C.T. 5345–5346
West Branch
County—Ogemaw
Parts:
Churchill Twp
Edwards Twp
Foster Twp
Horton Twp
Klacking Twp
Mills Twp
Ogemaw Twp
West Branch City

**PRIMARY MEDICAL CARE: Michigan**
*Service Area Listing*

*Service Area Name*

West Branch Twp
Western Marquette
County—Marquette
Parts:
Champion Twp.
Humboldt Twp.
Michigamme Twp.
Republic Twp.
Yale
County—St Clair
Parts:
Berlin Twp
Brockway Twp
Emmett Twp
Greenwood Twp
Kenockee Twp
Lynn Twp
Mussey Twp
Riley Twp
Yale City

**PRIMARY MEDICAL CARE: Michigan**
*Population Group Listing*

*Population Group*

Low Inc—Alpena Co
County—Alpena
Parts:
Low Income
Low Inc—Branch Co
County—Branch
Parts:
Low Income
Low Inc—Central Holland
County—Ottawa
Parts:
C.T. 223–225
Low Inc—Cheboygan Co
County—Cheboygan
Parts:
Low Income
Low Inc—Chippewa Co
County—Chippewa
Parts:
Low Income
Low Inc—Crawford Co
County—Crawford
Parts:
Low Income
Low Inc—Deckerville/Sandusky
County—Sanilac
Parts:
Argyle Twp
Austin Twp
Bridgehampton Twp
Custer Twp
Delaware Twp
Elmer Twp
Evergreen Twp
Forester Twp
Greenleaf Twp
Marion Twp
Minden Twp
Moore Twp
Sandusky City
Sanilac Twp
Watertown Twp
Wheatland Twp
Low Inc—Delta Co
County—Delta
Parts:
Low Income

**PRIMARY MEDICAL CARE: Michigan**
*Population Group Listing*

*Population Group*

Low Inc—Dickinson Co
County—Dickinson
Parts:
Low Income
Low Inc—E Iosco Co
County—Iosco
Parts:
Alabaster Twp
Au Sable Twp
Baldwin Twp
East Tawas City
Oscoda Twp
Tawas Twp
Tawas City City
Wilber Twp
Low Inc—East Jordan
County—Antrim
Parts:
Banks Twp
Central Lake Twp
Echo Twp
Forest Home Twp
Jordan Twp
Torch Lake Twp
Warner Twp
County—Charlevoix
Parts:
Boyne City City
Boyne Valley Twp
Chandler Twp
East Jordan City
Evangeline Twp
Eveline Twp
Hudson Twp
Marion Twp
Melrose Twp
Norwood Twp
South Arm Twp
Wilson Twp
Low Inc—Flint
County—Genesee
Parts:
C.T. 1–11
C.T. 14–15
C.T. 17–29
C.T. 103.02
C.T. 103.04
C.T. 122.02
Low Inc—Grand Rapids
County—Kent
Parts:
C.T. 1–10
C.T. 11.01–11.02
C.T. 12–46
C.T. 116
C.T. 118.01–118.02
C.T. 126.01–126.02
Low Inc—Gratiot Co
County—Gratiot
Parts:
Low Income
Low Inc—Harbor Beach/Bad Axe
County—Huron
Parts:
Bad Axe City
Bingham Twp
Bloomfield Twp
Chandler Twp
Colfax Twp
Grant Twp
Harbor Beach City
Lincoln Twp

**PRIMARY MEDICAL CARE: Michigan**
*Population Group Listing*

*Population Group*

Meade Twp
Oliver Twp
Paris Twp
Rubicon Twp
Sand Beach Twp
Sheridan Twp
Sherman Twp
Sigel Twp
Verona Twp
Low Inc—Houghton Co
County—Houghton
Parts:
Low Income
Low Inc—Isabella Co
County—Isabella
Parts:
Low Income
Low Inc—Muskegon City
County—Muskegon
Parts:
C.T. 1–5
C.T. 6.01–6.02
C.T. 7–8
C.T. 11–13
C.T. 14.01–14.02
C.T. 19.02
C.T. 21
C.T. 26.01
Low Inc—N Kalamazoo City
County—Kalamazoo
Parts:
C.T. 1
C.T. 2.01–2.02
C.T. 3
C.T. 4.02
C.T. 5–6
C.T. 8.01–8.02
C.T. 9–10
Low Inc—Ne Jackson City
County—Jackson
Parts:
C.T. 1–4
C.T. 6–7
C.T. 10–13
Low Inc—Newaygo Co
County—Newaygo
Parts:
Low Income
Low Inc—North Berrien Co
County—Berrien
Parts:
Bainbridge Twp
Benton Charter Twp
Benton Harbor City
Coloma City
Coloma Twp
Hagar Twp
Pipestone Twp
Sodus Twp
Watervliet Twp
Watervliet City
Low Inc—North Ontonagon
County—Ontonagon
Parts:
Bohemia Twp
Carp Lake Twp
Greenland Twp
Ontonagon Twp
Low Inc—Northern Muskegon Co
County—Muskegon
Parts:
Blue Lake Twp

**PRIMARY MEDICAL CARE: Michigan**
*Population Group Listing*

*Population Group*

Cedar Creek Twp
Dalton Twp
Fruitland Twp
Holton Twp
Montague Twp
Montague City
White River Twp
White Hall City
Whitehall Twp
Low Inc—Pontiac
County—Oakland
Parts:
C.T. 1410
C.T. 1412–1418
C.T. 1420–1427
Low Inc—Port Huron/Marysville
County—St Clair
Parts:
Burtchville Twp
Casco Twp
China Twp
Clyde Twp
Columbus Twp
East China Twp
Fort Gratiot Twp
Grant Twp
Kimball Twp
Marysville City
Port Huron Twp
Port Huron City
St Clair Twp
St Clair City
Wales Twp
Low Inc—Schoolcraft Co
County—Schoolcraft
Parts:
Low Income
Low Inc—South Berrien Co
County—Berrien
Parts:
Baroda Twp
Berrien Twp
Bertrand Twp
Bridgman City
Buchanan City
Buchanan Twp
Chickaming Twp
Galien Twp
Lake Charter Twp
New Buffalo Twp
New Buffalo City
Niles City
Niles Twp
Oronoko Twp
Three Oaks Twp
Weesaw Twp
Low Inc—Southern Montcalm
County—Montcalm
Parts:
Bloomer Twp
Bushnell Twp
Carson City City
Crystal Twp
Eureka Twp
Evergreen Twp
Fairplain Twp
Ferris Twp
Greenville City
Home Twp
Montcalm Twp
Richland Twp
Sidney Twp

**PRIMARY MEDICAL CARE: Michigan**
*Population Group Listing*

*Population Group*

Stanton City
Low Inc/MFW—Ionia Co
County—Ionia
Parts:
Low Income
MFW
Low Inc/MFW—Mason Co
County—Mason
Parts:
Low Income
MFW
Medicaid—Calhoun Co
County—Calhoun
Parts:
Medicaid Eligible
Medicaid—Luce Co
County—Luce
Parts:
Medicaid Eligible
Medicaid Pop.—South Monroe
County—Monroe
Parts:
Bedford Twp.
Erie Twp.
Ida Twp.
La Salle Twp.
Luna Pier City
Summerfield Twp.
Whiteford Twp.
MFW—Ottawa Co
County—Ottawa
Parts:
MFW
MSFW—N Kent Co
County—Kent
Parts:
Algoma Twp
Cedar Springs City
Courtland Twp
Nelson Twp
Oakfield Twp
Rockford City
Solon Twp
Sparta Twp
Spencer Twp
Tyrone Twp

**PRIMARY MEDICAL CARE: Michigan**
*Facility Listing*

*Facility Name*

Alger Max Fac
County—Alger
Brooks Regional Fac
County—Muskegon
Carson City Regional Fac
County—Montcalm
Chippewa Cty Corr Inst
County—Chippewa
Crane Women'S Fac
County—Branch
Gus Harrison Regional Fac
County—Lenawee
Handlon Mi Training Unit
County—Ionia
Ionia Maximum Fac
County—Ionia
Ionia Temporary Fac
County—Ionia
Macomb Corr Fac
County—Macomb
Marquette Branch Prs

**PRIMARY MEDICAL CARE: Michigan**
*Facility Listing*

*Facility Name*

County—Marquette
Michigan Hospital & Medical Centers
County—Wayne
Michigan Ref
County—Ionia
Mid Michigan Temporary Fac
County—Gratiot
Muskegon Corr Fac
County—Muskegon
Muskegon Temporary Fac
County—Muskegon
Ryan Regional Fac
County—Wayne
State Prs.—South Michigan
County—Jackson
Thumb Regional Fac
County—Lapeer

**PRIMARY MEDICAL CARE: Minnesota**
*County Listing*

*County Name*

*Aitkin
Service Area: Floodwood
Service Area: Mille Lacs
*Beltrami
Service Area: Northome/Blackduck
*Blue Earth
Service Area: Wells
*Cass
Clay
Service Area: Ada/Halstad/Twin Valley
Service Area: Barnesville
Service Area: Hawley
*Cook
Service Area: Silver Bay
*Crow Wing
Service Area: Mille Lacs
*Faribault
Service Area: Wells
Grant
Service Area: Elbow Lake/Dalton
Hennepin
Service Area: Near North—Minneapolis
Population Group: Am In—Hennepin Co
Population Group: Hmlss—Inner City Minneapolis
Population Group: Low Inc—N Minneapolis
*Itasca
Service Area: Bigfork
Service Area: Northome/Blackduck
*Jackson
Service Area: Jackson/Lakefield
*Kanabec
Service Area: Mille Lacs
*Kandiyohi
Service Area: Belgrade/Brooten
*Kittson
Service Area: Karlstad
*Koochiching
Service Area: Northome/Blackduck
*Lake
Service Area: Silver Bay
*Lincoln
Service Area: Tyler/Lake Benton
*Lyon
Service Area: Tracy
Service Area: Tyler/Lake Benton
*Mahnomen
*Marshall
Service Area: Karlstad
Service Area: Warren

**PRIMARY MEDICAL CARE: Minnesota**
*County Listing*

*County Name*

*Mille Lacs
Service Area: Mille Lacs
*Morrison
Service Area: Albany
Service Area: Mille Lacs
*Murray
Norman
Service Area: Ada/Halstad/Twin Valley
*Otter Tail
Service Area: Elbow Lake/Dalton
Service Area: Pelican Rapids
*Pipestone
Service Area: Pipestone
Service Area: Tyler/Lake Benton
Polk
Service Area: Ada/Halstad/Twin Valley
Service Area: Crookston
Service Area: Warren
*Pope
Service Area: Belgrade/Brooten
Ramsey
Service Area: Summit-Dale
Population Group: Am In—St. Paul
Population Group: Span Sp—St. Paul City
*Red Lake
*Redwood
Service Area: Tracy
*Rock
Service Area: Pipestone
St Louis
Service Area: Cook/Orr
Service Area: Floodwood
Population Group: Inmates—FPC Duluth
Stearns
Service Area: Albany
Service Area: Belgrade/Brooten
*Wabasha
Service Area: Plainview
*Waseca
Service Area: Wells
*Wilkin
Service Area: Barnesville
*Winona
Service Area: Plainview

**PRIMARY MEDICAL CARE: Minnesota**
*Service Area Listing*

*Service Area Name*

Ada/Halstad/Twin Valley
County—Clay
Parts:
Felton City
Felton Township
Hagen Township
Ulen City
Ulen Township
County—Polk
Parts:
Hubbard Township
Nielsville City
Scandia Township
Albany
County—Morrison
Parts:
Elmdale City
Elmdale Twp
Upsala City
County—Stearns
Parts:
Albany City
Albany Twp

**PRIMARY MEDICAL CARE: Minnesota**
*Service Area Listing*

*Service Area Name*

Avon City
Avon Twp
Holdingford City
Holding Twp
Krain Twp
St. Anthony City
Barnesville
County—Clay
Parts:
Alliance Twp
Barnesville City
Barnesville Twp
Comstock City
Elkton Twp
Holy Cross Twp
Humboldt Twp
Parke Twp
Skree Twp
Tansem Twp
County—Wilkin
Parts:
Atherton Twp
Deerhorn Twp
Manston Twp
Mitchell Twp
Prairie View Twp
Rothsay City
Tanberg Twp
Wolverton Twp
Belgrade/Brooten
County—Kandiyohi
Parts:
Burbank Township
Colfax Township
County—Pope
Parts:
Bangor Township
Chippewa Falls Townsh
Gilchrist Township
Lake Johanna Township
Sedan City
County—Stearns
Parts:
Belgrade City
Brooten City
Crow Lake Township
Crow River Township
North Fork Township
Bigfork
County—Itasca
Parts:
Bearville Township
Bigfork City
Bigfork Township
Carpenter Township
Effie Unorg.
Effie City
Grattan Township
Kinghurst Township
Lake Jessie Township
Liberty Township
Marcell Township
Northeast Itasca Unorg.
Pomroy Township
Stokes Township
Wirt Township
Cook/Orr
County—St Louis
Parts:
Alango Twp
Angora Twp
Beatty Twp

**PRIMARY MEDICAL CARE: Minnesota**
*Service Area Listing*

*Service Area Name*

Cook City
Field Twp
Gheen Unorg.
Lake Vermillion Unorg.
Leiding Twp
Linden Grove Twp
Morcom Twp
Northeast St. Louis Unorg
Northwest St. Louis Unorg
Orr City
Owens Twp
Portage Twp
Sturgeon Twp
Willow Valley Twp
Crookston
County—Polk
Parts:
Andover Twp
Badger Twp
Belgium Twp
Beltrami City
Chester Twp
Climax City
Crookston Twp
Crookston City
Erskine City
Euclid Twp
Fairfax Twp
Fanny Twp
Fertile City
Fisher Twp
Fisher City
Garden Twp
Garfield Twp
Gentilly Twp
Godfrey Twp
Grove Park Twp
Hammond Twp
Hill River Twp
Kertsonville Twp
Keystone Twp
King Twp
Knute Twp
Lessor Twp
Liberty Twp
Lowell Twp
Mc Intosh City
Mentor City
Nesbitt Twp
Onstad Twp
Parnell Twp
Reis Twp
Roome Twp
Russia Twp
Sletten Twp
Tabor Twp
Tilden Twp
Trail City
Tynsid Twp
Vineland Twp
Winger Twp
Winger City
Woodside Twp
Elbow Lake/Dalton
County—Otter Tail
Parts:
Dalton City
Tumuli Township
Floodwood
County—Aitkin
Parts:
Ball Bluff Twp

**PRIMARY MEDICAL CARE: Minnesota**
*Service Area Listing*

*Service Area Name*

Balsam Twp
Cornish Twp
Northeast Aitkin Unorg
Turner Twp
County—St Louis
Parts:
Arrowhead Twp
Cedar Valley Twp
Cotton Twp
Elmer Twp
Fine Lakes Twp
Floodwood City
Floodwood Twp
Halden Twp
Kelsey Twp
Meadowlands Twp
Meadowlands City
Ness Twp
Northland Twp
Payne Twp
Potshot Lake Unorg
Prairie Lake Twp
Toivola Twp
Van Buren Twp
Hawley
County—Clay
Parts:
Cromwell Township
Eglon Township
Hawley City
Hawley Township
Highland Grove Townsh
Riverton Township
Spring Prairie Townsh
Jackson/Lakefield
County—Jackson
Parts:
Alpha City
Belmont Township
Des Moines Township
Enterprise Township
Heron Lake Township
Hunter Township
Jackson City
Lakefield City
Middletown Township
Minneota Township
Okabena City
Petersburg Township
Rost Township
West Heron Lake Township
Wisconsin Township
Karlstad
County—Kittson
Parts:
Arveson Twp
Deerwood Twp
Halma City
Jupiter Twp
Karlstad City
Norway Twp
Pelan Twp
Spring Brook Twp
County—Marshall
Parts:
Augsberg Twp
Lincoln Twp
Nelson Park Twp
Strandquist City
West Valley Twp
Wright Twp
Mille Lacs

**PRIMARY MEDICAL CARE: Minnesota**
*Service Area Listing*

*Service Area Name*

County—Aitkin
Parts:
Hazelton Twp.
Idun Twp.
Jewett Twp.
Lakeside Twp.
Malmo Twp.
McGrath City
Seavey Twp
Wealthwood Twp.
Williams Twp.
County—Crow Wing
Parts:
Garrison City
Garrison Twp.
Roosevelt Twp.
County—Kanabec
Parts:
Ford Twp.
Hay Brook Twp.
Hillman Twp.
County—Mille Lacs
Parts:
Bradbury Twp.
Dailey Twp
East Side Twp.
Isle City
Isle Harbor Twp.
Kathio Twp.
Lewis Twp.
Mudgett Twp.
Onamia City
Onamia Twp.
South Harbor Twp.
Wahkon City
County—Morrison
Parts:
Hillman City
Leigh Twp.
Mount Morris Twp.
Richardson Twp.
Near North—Minneapolis
County—Hennepin
Parts:
C.T. 20–23
C.T. 27–29
C.T. 32–35
C.T. 41–42
Northome/Blackduck
County—Beltrami
Parts:
Battle Township
Blackduck City
Cormant Township
Durand Township
Funkley City
Hagali Township
Hines Township
Hornet Township
Kelliher City
Kelliher Township
Langor Township
Nebish Township
O'Brien Township
Quiring Township
Shooks Township
Shotley Brook Unorg.
Shotley Township
Summit Township
Waskish Township
Woodrow Township
County—Itasca

**PRIMARY MEDICAL CARE: Minnesota**
*Service Area Listing*

*Service Area Name*

Parts:
Alvwood Township
Ardenhurst Township
Moose Park Township
Nore Township
Third River Township
County—Koochiching
Parts:
Mizpah City
Northome City
Northome Unorg.
Northwest Koochiching Unorg.
Pelican Rapids
County—Otter Tail
Parts:
Candor Township
Dora Township
Dunn Township
Erhard City
Erhards Grove Township
Lida Township
Maplewood Township
Norwegian Grove Township
Pelican Rapids City
Pelican Township
Scambler Township
Star Lake Township
Trondhjem Township
Vergas City
Pipestone
County—Pipestone
Parts:
Burke Twp
Eden Twp
Edgerton City
Elmer Twp
Grange Twp
Gray Twp
Hatfield City
Holland City
Ihlen City
Jasper City
Osborne Twp
Pipestone City
Rock Twp
Sweet Twp
Trosky City
Troy Twp
Woodstock City
County—Rock
Parts:
Battle Plain Twp
Denver Twp
Hardwick City
Rose Dell Twp
Plainview
County—Wabasha
Parts:
Elgin City
Elgin Twp.
Highland Twp.
Millville City
Oakwood Twp.
Plainview City
Plainview Twp.
Watopa Twp.
County—Winona
Parts:
Whitewater Twp.
Silver Bay
County—Lake
Parts:

**PRIMARY MEDICAL CARE: Minnesota**
*Service Area Listing*

*Service Area Name*

Beaver Bay City
Beaver Bay Twp.
Crystal Bay Twp.
Lake No. 1 Twp.
Silver Bay City
Summit-Dale
County—Ramsey
Parts:
C.T. 324–327
C.T. 335–340
C.T. 354–355
Tracy
County—Lyon
Parts:
Amiret Twp.
Balaton City
Custer Twp.
Garvin City
Monroe Twp.
Rock Lake Twp.
Sodus Twp.
Tracy City
County—Redwood
Parts:
Gales Twp.
Johnsonville Twp.
North Hero Twp.
Revere City
Springdale Twp.
Walnut Grove City
Tyler/Lake Benton
County—Lincoln
Parts:
Arco City
Diamond Lake Township
Hope Township
Lake Benton City
Lake Benton Township
Lake Stay Township
Marshfield Township
Tyler City
County—Lyon
Parts:
Coon Creek Township
Florence City
Shelburne Township
County—Pipestone
Parts:
Aetna Township
Fountain Prairie Township
Ruthton City
Warren
County—Marshall
Parts:
Alma Township
Alvarado City
Argyle City
Big Woods Township
Bloomer Township
Boxville Township
Comstock Township
Foldahl Township
Fork Township
McCrea Township
Middle River Township
Oak Park Township
Oslo City
Parker Township
Sinnott Township
Stephen City
Tamarac Township
Vega Township

**PRIMARY MEDICAL CARE: Minnesota**
*Service Area Listing*

*Service Area Name*

Wanger Township
Warren City
Warrenton Township
County—Polk
Parts:
Angus Township
Brislet Township
Farley Township
Wells
County—Blue Earth
Parts:
Danville Township
County—Faribault
Parts:
Bricelyn City
Brush Creek Township
Clark Township
Dunbar Township
Easton City
Foster Township
Kiester City
Kiester Township
Lura Township
Minnesota Lake City
Minnesota Lake Townsh
Seely Township
Walnut Lake Township
Walters City
Wells City
County—Waseca
Parts:
Vivian Township
Waldorf City

**PRIMARY MEDICAL CARE: Minnesota**
*Population Group Listing*

*Population Group*

Am In—Hennepin Co
County—Hennepin
Parts:
American Indian
Am In—St. Paul
County—Ramsey
Parts:
American Indian—St. Paul
Hmlss—Inner City Minneapolis
County—Hennepin
Parts:
C.T. 44–48
C.T. 53–54
C.T. 57–63
C.T. 71–74
C.T. 78–79
Inmates—FPC Duluth
County—St Louis
Parts:
FPC Duluth
Low Inc—N Minneapolis
County—Hennepin
Parts:
C.T. 7–10
C.T. 13–16
Span Sp—St. Paul City
County—Ramsey
Parts:
Spanish Speaking—St. Paul

**PRIMARY MEDICAL CARE: Mississippi**
*County Listing*

*County Name*

*Adams

**PRIMARY MEDICAL CARE: Mississippi**
*County Listing*

*County Name*

Service Area: North Natchez
Amite
Service Area: Centreville/Liberty
*Benton
*Bolivar
Population Group: Med Ind—Bolivar/Sunflower
*Calhoun
*Carroll
*Chickasaw
*Choctaw
*Claiborne
*Clarke
*Clay
*Coahoma
Population Group: Med Ind—Coahoma Co
*Copiah
*Covington
De Soto
Service Area: Hernando
Forrest
Service Area: East Leaf River
*George
*Greene
Hancock
Harrison
Population Group: Med Ind—Harrison Co
Hinds
Service Area: Utica
*Holmes
*Humphreys
*Itawamba
Jackson
Population Group: Pov Pop—Jackson Co
*Jasper
*Jefferson
*Jefferson Davis
*Jones
*Kemper
*Lauderdale
Population Group: Med Ind—Lauderdale Co
*Lawrence
*Leake
*Leflore
Madison
*Marion
*Marshall
*Monroe
*Montgomery
*Neshoba
*Newton
*Noxubee
*Panola
*Pearl River
*Prentiss
*Quitman
Rankin
Service Area: Puckett
*Scott
*Smith
*Stone
*Sunflower
Population Group: Med Ind—Bolivar/Sunflower
Facility: Mississippi State Pen.
*Tallahatchie
*Tate
*Tippah
*Tishomingo
Population Group: Pov Pop—Red Bay/Vina/Belmont (AL/MS)

**PRIMARY MEDICAL CARE: Mississippi**
*County Listing*

*County Name*

*Walthall
*Warren
Population Group: Low Inc—Warren Co
*Washington
*Wayne
*Webster
Wilkinson
Service Area: Centreville/Liberty
*Winston
*Yalobusha
*Yazoo

**PRIMARY MEDICAL CARE: Mississippi**
*Service Area Listing*

*Service Area Name*

Centreville/Liberty
County—Wilkinson
East Leaf River
County—Forrest
Parts:
C.T. 1
C.T. 4–6
C.T. 105
Hernando
County—De Soto
Parts:
C.T. 709–712
North Natchez
County—Adams
Parts:
C.T. 2–4
Puckett
County—Rankin
Parts:
C.T. 209
Utica
County—Hinds
Parts:
C.T. 113

**PRIMARY MEDICAL CARE: Mississippi**
*Population Group Listing*

*Population Group*

Low Inc—Warren Co
County—Warren
Parts:
Low Income
Med Ind—Bolivar/Sunflower
County—Bolivar
Parts:
Medically Indigent
County—Sunflower
Parts:
Med. Ind. Pop.
Med Ind—Coahoma Co
County—Coahoma
Parts:
Medically Indigent
Med Ind—Harrison Co
County—Harrison
Parts:
Medically Indigent
Med Ind—Lauderdale Co
County—Lauderdale
Parts:
Medically Indigent
Pov Pop—Jackson Co
County—Jackson
Parts:
Pov Pop

**PRIMARY MEDICAL CARE: Mississippi**
*Population Group Listing*

*Population Group*

Pov Pop—Red Bay/Vina/Belmont (AL/MS)
County—Tishomingo
Parts:
Dist. 4
Dist. 5

**PRIMARY MEDICAL CARE: Mississippi**
*Facility Listing*

*Facility Name*

Mississippi State Pen.
County—Sunflower

**PRIMARY MEDICAL CARE: Missouri**
*County Listing*

*County Name*

Andrew
*Atchison
*Bates
*Benton
*Bollinger
*Cape Girardeau
Population Group: Low Inc—Cape Girardeau
*Carroll
*Carter
Cass
*Cedar
*Chariton
*Clark
Clay
Population Group: Medicaid—Clay Co
*Cooper
*Crawford
*Dade
*Dallas
*Daviess
*De Kalb
*Dent
*Douglas
*Gentry
Greene
Service Area: Ash Grove
Population Group: Pov Pop—North Springfield
*Grundy
*Harrison
*Hickory
*Holt
*Howard
*Howell
Population Group: Poverty—Howell Co
Jackson
Population Group: Low Inc—Eastern Jackson
Population Group: Medicaid—Central K C
Jefferson
Service Area: Hillsboro/De Soto
*Johnson
*Knox
*Laclede
*Lewis
Lincoln
*Maries
*McDonald
*Mercer
*Mississippi
*Montgomery
*New Madrid
Population Group: Medicaid—New Madrid/Sikeston

**PRIMARY MEDICAL CARE: Missouri**
*County Listing*

*County Name*

*Oregon
*Osage
*Ozark
*Perry
*Pike
*Pulaski
Ray
*Reynolds
*Ripley
*Schuyler
*Scotland
*Scott
Population Group: Medicaid—New Madrid/Sikeston
*Shannon
St Louis
Population Group: Pov Pop—West St Louis
Population Group: Pov Pop—North St Louis
St Louis City (Indep)
Population Group: Pov Pop—West St Louis
Population Group: Pov Pop—Grace Hill/Cochran
Population Group: Pov Pop—North St Louis
Population Group: Pov Pop—Southeast St Louis
*Stoddard
*Stone
*Taney
*Texas
*Washington
*Wayne
Webster
*Worth

**PRIMARY MEDICAL CARE: Missouri**
*Service Area Listing*

*Service Area Name*

Ash Grove
County—Greene
Parts:
Boone No. 1 Twp
Boone No. 2 Twp
Cass Twp
Walnut Grove Twp
Hillsboro/De Soto
County—Jefferson
Parts:
Big River Twp
Central Twp
Plattin Twp
Valle Twp

**PRIMARY MEDICAL CARE: Missouri**
*Population Group Listing*

*Population Group*

Low Inc—Cape Girardeau
County—Cape Girardeau
Parts:
Low Income
Low Inc—Eastern Jackson
County—Jackson
Parts:
C.T. 112–113
C.T. 114.01
C.T. 114.03–114.04
C.T. 115–116

**PRIMARY MEDICAL CARE: Missouri**
*Population Group Listing*

*Population Group*

C.T. 122–124
C.T. 134.04
C.T. 135–136
C.T. 137.01–137.04
C.T. 138–140
C.T. 141.01
C.T. 141.03–141.06
C.T. 142.01–142.02
C.T. 143
C.T. 145
C.T. 146.01–146.02
C.T. 147
C.T. 148.01–148.02
C.T. 149–151
Medicaid—Central K C
County—Jackson
Parts:
C.T. 49–55
C.T. 56.01–56.02
C.T. 57
C.T. 58.01–58.02
C.T. 60–67
C.T. 75–77
C.T. 78.01–78.02
C.T. 79–80
C.T. 87–89
C.T. 96
Medicaid—Clay Co
County—Clay
Parts:
Medicaid Eligible
Medicaid—New Madrid/Sikeston
County—New Madrid
Parts:
Medicaid Eligible
County—Scott
Parts:
Medicaid Eligible
Pov Pop—Grace Hill/Cochran
County—St Louis City (Indep)
Parts:
C.T. 1085
C.T. 1096–1097
C.T. 1202–1203
C.T. 1213–1214
C.T. 1222
C.T. 1255–1257
C.T. 1266–1267
Pov Pop—North Springfield
County—Greene
Parts:
C.T. 1–2
C.T. 5–9
C.T. 17
C.T. 18.01–18.02
C.T. 19–21
C.T. 31
C.T. 32.01–32.02
C.T. 33
Pov Pop—North St Louis
County—St Louis
Parts:
C.T. 2139–2140
County—St Louis City (Indep)
Parts:
C.T. 1061–1067
C.T. 1071–1075
Pov Pop—Southeast St Louis
County—St Louis City (Indep)
Parts:
C.T. 1018
C.T. 1156–1157

**PRIMARY MEDICAL CARE: Missouri**
*Population Group Listing*

*Population Group*

C.T. 1164–1165
C.T. 1172–1174
C.T. 1181
C.T. 1185
C.T. 1221
C.T. 1224
C.T. 1231–1234
C.T. 1241–1243
C.T. 1246
Pov Pop—West St Louis
County—St Louis
Parts:
C.T. 2159–2161
County—St Louis City (Indep)
Parts:
C.T. 1051.98
C.T. 1052–1055
C.T. 1121
Poverty—Howell Co
County—Howell
Parts:
Poverty

**PRIMARY MEDICAL CARE: Montana**
*County Listing*

*County Name*

*Big Horn
*Blaine
Carter
*Carter
Service Area: Fallon
Service Area: Fallon
*Chouteau
Service Area: Big Sandy
Service Area: Fort Benton
*Custer
Service Area: Fallon
*Daniels
Fallon
Fallon
Service Area: Fallon
Service Area: Fallon
*Gallatin
Service Area: Ennis/W. Yellowstone
Service Area: Three Forks/Manhattan
*Garfield
*Glacier
*Granite
*Hill
Service Area: Big Sandy
*Judith Basin
*Lewis And Clark
Service Area: Choteau
*Lincoln
Service Area: Eureka
Service Area: Troy
*Madison
Service Area: Ennis/W. Yellowstone
*McCone
*Musselshell
*Park
Service Area: Gardiner/Yellowstone (MT/WY)
*Phillips
*Pondera
*Powder River
*Powell (g)
Facility: Montana State Prs
*Prairie
*Richland
Service Area: Culbertson

**PRIMARY MEDICAL CARE: Montana**
*County Listing*

*County Name*

*Roosevelt
Service Area: Culbertson
Service Area: Poplar/Wolf Point
Rosebud
Service Area: Forsyth/Colstrip
*Sanders
*Silver Bow
Population Group: Med Ind—Silver Bow Co
*Sweet Grass
*Teton
Service Area: Choteau
Treasure
Service Area: Forsyth/Colstrip
*Valley
Population Group: Low Inc—Valley Co
Wibaux
*Wibaux
Service Area: Fallon
Service Area: Fallon
*Yellowstone Park
Service Area: Gardiner/Yellowstone (MT/WY)

**PRIMARY MEDICAL CARE: Montana**
*Service Area Listing*

*Service Area Name*

Big Sandy
County—Chouteau
Parts:
Big Sandy CCD
County—Hill
Parts:
Rocky Boy CCD
Choteau
County—Lewis And Clark
Parts:
Augusta CCD
County—Teton
Parts:
Choteau CCD
Fairfield CCD
Culbertson
County—Richland
Parts:
Fairview Division
County—Roosevelt
Parts:
East Roosevelt Division
Ennis/W. Yellowstone
County—Gallatin
Parts:
West Yellowstone Division
County—Madison
Parts:
Harrison Division
Madison Valley Division
Virginia City Division
Eureka
County—Lincoln
Parts:
Eureka CCD
Fallon
County—Custer
Parts:
Shirley-Ismay Division
County—Wibaux
County—Wibaux
Forsyth/Colstrip
County—Treasure
Fort Benton

**PRIMARY MEDICAL CARE: Montana**
*Service Area Listing*

*Service Area Name*

County—Chouteau
Parts:
Fort Benton CCD
Geraldine CCD
Gardiner/Yellowstone (MT/WY)
County—Park
Parts:
Gardiner-Cooke Division
County—Yellowstone Park
Parts:
Yellowstone National Park Divisi
Poplar/Wolf Point
County—Roosevelt
Parts:
Fort Peck Res. CCD
Three Forks/Manhattan
County—Gallatin
Parts:
Manhattan Division
Three Forks Division
Troy
County—Lincoln
Parts:
Troy CCD

**PRIMARY MEDICAL CARE: Montana**
*Population Group Listing*

*Population Group*

Low Inc—Valley Co
County—Valley
Parts:
Low Income
Med Ind—Silver Bow Co
County—Silver Bow
Parts:
Medically Indigent

**PRIMARY MEDICAL CARE: Montana**
*Facility Listing*

*Facility Name*

Montana State Prs
County—Powell

**PRIMARY MEDICAL CARE: Nebraska**
*County Listing*

*County Name*

Antelope
Service Area: Antelope
Boone
Service Area: Albion
Brown
Service Area: North Central
*Burt
Service Area: Oakland
Service Area: Onawa (IA/NE)
Cass
Cedar
Service Area: Cedar/Dixon
*Cherry
*Cuming
Service Area: West Point
*Custer
Service Area: Arnold
Service Area: Burwell/Ord
*Dawes
Service Area: Crawford
Deuel
Service Area: Julesburg (CO/NB)
*Dixon

**PRIMARY MEDICAL CARE: Nebraska**
*County Listing*

*County Name*

Service Area: Cedar/Dixon
Service Area: Wayne/Wakefield
*Dodge
Service Area: West Point
Douglas
Population Group: Medicaid—NE/SE OMAha
*Dundy
Frontier
Service Area: Cambridge
Service Area: Curtis
Furnas
*Furnas
Service Area: Cambridge
Service Area: Cambridge
Garfield
Service Area: Burwell/Ord
*Gosper
Service Area: Cambridge
*Greeley
Service Area: Albion
Service Area: Howard/St Paul
*Harlan
Hayes
Service Area: Hayes/Hitchcock
Hitchcock
Service Area: Hayes/Hitchcock
Howard
Service Area: Howard/St Paul
*Johnson
*Kearney
Keya Paha
Service Area: North Central
*Kimball
Lancaster
Facility: Lancaster Dept Of Corr
*Lincoln
Service Area: Arnold
*Logan
Service Area: Arnold
Loup
Service Area: Burwell/Ord
*Madison
Service Area: Albion
Service Area: Antelope
*Merrick
*Morrill
*Platte
Service Area: Albion
*Richardson
Population Group: Low Inc—Richardson Co
Rock
Service Area: North Central
*Saunders
Service Area: Wahoo
*Scotts Bluff
Population Group: Medicaid—Scotts Bluff
*Sheridan
*Sherman
Sioux
Service Area: Crawford
*Stanton
*Thayer
*Thurston
Population Group: Winnebago Indian Res
Valley
Service Area: Burwell/Ord
Wayne
Service Area: Wayne/Wakefield
*Webster

**PRIMARY MEDICAL CARE: Nebraska**
*County Listing*

*County Name*

Wheeler
Service Area: Burwell/Ord

**PRIMARY MEDICAL CARE: Nebraska**
*Service Area Listing*

*Service Area Name*

Albion
County—Greeley
Parts:
Spalding Prec
County—Madison
Parts:
Newman Grove City
Shell Creek Prec
County—Platte
Parts:
St Bernard Twp
Walker Twp
Antelope
County—Madison
Parts:
Jefferson Precinct
Tilden City
Arnold
County—Custer
Parts:
Arnold Township
Cliff Township
Custer Township
Delight Township
Elim Township
Grant Township
Hayes Township
Triumph Township
Wayne Township
Wood River Township
County—Lincoln
Parts:
Antelope Precinct
Garfield Precinct
County—Logan
Parts:
Gandy Precinct
Logan Precinct
Stapleton No. 2 Precinct
Burwell/Ord
County—Custer
Parts:
Comstock Prec
Corner Prec
Douglas Grove Prec
Sargent Prec
Spring Creek Prec
West Union Prec
County—Wheeler
Cambridge
County—Frontier
Parts:
Garfield Precinct
Grant Precinct
Knowles Precinct
County—Gosper
Parts:
Elk Creek Precinct
Highland Precinct
Union Precinct
West Muddy Precinct
Alliance Precinct
Parts:
Beaver Precinct
East Valley Precinct

**PRIMARY MEDICAL CARE: Nebraska**
*Service Area Listing*

*Service Area Name*

Indianola Precinct
Lebanon Precinct
Missouri Ridge Precinct
North Valley Precinct
Tyrone Precinct
Cedar/Dixon
County—Dixon
Parts:
Clark Township
Concord Township
Daily Township
Galena Township
Hooker Township
Newcastle Township
Otter Creek Township
Ponca City
Ponca Township
Silver Creek Township
Spring Bank Township
Crawford
County—Dawes
Parts:
Precinct No. 11
Precinct No. 7
Precinct No. 10
Precinct No. 9
County—Sioux
Curtis
County—Frontier
Parts:
Allen Precinct
Clearwater Precinct
Curtis City
Curtis Precinct
Earl Precinct
Fairview Precinct
Harrison Precinct
Horrell Precinct
Laird Precinct
Laws Precinct
Lincoln Precinct
Logan Precinct
Moorefield Precinct
Muddy Precinct
North Star Precinct
Orafino Precinct
Osborn Precinct
Plum Creek Precinct
Russell Precinct
Sheridan Precinct
Sherman Precinct
Stockville Precinct
Weaver Precinct
Zimmer Precinct
Hayes/Hitchcock
County—Hitchcock
Howard/St Paul
County—Greeley
Parts:
Greeley Precinct
Scotia Precinct
Wolbach No. 1 Precinct
Wolbach No. 2 Precinct
County—Howard
Julesburg (CO/NB)
County—Deuel
North Central
County—Rock
Oakland
County—Burt
Parts:
Arizona Township

**PRIMARY MEDICAL CARE: Nebraska**
*Service Area Listing*

*Service Area Name*

Bell Creek Township
Craig Township
Everett Township
Logan Township
Oakland Township
Oakland City
Pershing Township
Summit Township
Tekamah City
Onawa (IA/NE)
County—Burt
Parts:
Decatur Twp
Quinnebaugh Twp
Riverside Twp
Silver Creek Twp
Wahoo
County—Saunders
Parts:
Ashland Twp
Center Twp
Chapman Twp
Chester Twp
Clear Creek Twp
Douglas Twp
Elk Twp
Green Twp
Marble Twp
Marietta Twp
Mariposa Twp
Newman Twp
Oak Creek Twp
Richland Twp
Rock Creek Twp
South Cedar Twp
Stocking Twp
Union Twp
Wahoo City
Wahoo Twp
Wayne/Wakefield
County—Dixon
Parts:
Emerson Twp
Logan Twp
Wakefield Twp
County—Wayne
West Point
County—Cuming
Parts:
Beemer Township
Bismarck Township
Blaine Township
Cuming Township
Elkhorn Township
Garfield Township
Grant Township
Lincoln Township
Logan Township
Monterey Township
Neligh Township
Sherman Township
St. Charles Township
West Point City
Wisner Township
Wisner City
County—Dodge
Parts:
Cuming Township
Pebble Township
Scribner City
Webster Township

**PRIMARY MEDICAL CARE: Nebraska**
*Population Group Listing*

*Population Group*
Low Inc—Richardson Co
County—Richardson
Parts:
Low Income
Medicaid—NE/SE OMAha
County—Douglas
Parts:
C.T. 3
C.T. 6–12
C.T. 13.01–13.02
C.T. 14–16
C.T. 18–19
C.T. 39–41
C.T. 51–54
C.T. 59.01–59.02
C.T. 60
C.T. 61.01–61.02
Medicaid—Scotts Bluff
County—Scotts Bluff
Parts:
Medicaid Eligible
Winnebago Indian Res
County—Thurston
Parts:
Omaha Indian Res
Winnebago Indian Res.

**PRIMARY MEDICAL CARE: Nebraska**
*Facility Listing*

*Facility Name*
Lancaster Dept Of Corr
County—Lancaster

**PRIMARY MEDICAL CARE: Nevada**
*County Listing*

*County Name*
Carson City (Indep)
Population Group: Low Inc—E Carson City (Indep)
Population Group: Native Am-Washoe Indian Tribe
Facility: Nv St Corr Fac (North)
*Churchill
Population Group: Native Am-Fallon Reservation And Colony
Clark
Service Area: Central/N Central Las Vegas
Service Area: Indian Springs
Service Area: Moapa Valley
Service Area: Searchlight/Davis Dam
Service Area: Virgin Valley
Facility: Nv St Corr Fac (South)
*Douglas
Service Area: Topaz Lake
Population Group: Native Am-Washoe Indian Tribe
*Elko
*Esmerelda
Service Area: Coaldale/Silverpeak
Service Area: Tonopah/Esmeralda
*Eureka
*Lander
*Lyon
Service Area: Dayton/Fernley/Silver Springs
Service Area: Smith/Yerington
*Mineral
Nye
Service Area: Beatty
Service Area: Gabbs

**PRIMARY MEDICAL CARE: Nevada**
*County Listing*

*County Name*
Service Area: Pahrump
Service Area: Round Mountain
Service Area: Tonopah/Esmeralda
*Pershing
*Storey
Washoe
Service Area: Gerlach
Service Area: Incline Village
Service Area: Wadsworth
Population Group: Med Ind—Reno/Sparks
*White Pine (g)
Facility: Nv St Corr Fac (East)

**PRIMARY MEDICAL CARE: Nevada**
*Service Area Listing*

*Service Area Name*
Beatty
County—Nye
Parts:
Amargosa Valley CCD
Beatty CCD
Central/N Central Las Vegas
County—Clark
Parts:
C.T. 3.01–3.02
C.T. 4
C.T. 5.02–5.04
C.T. 6–9
C.T. 11
C.T. 35
C.T. 36.02
C.T. 37–38
C.T. 39.97–39.98
C.T. 40
C.T. 43–46
Coaldale/Silverpeak
County—Esmerelda
Parts:
Silverpeak CCD
Dayton/Fernley/Silver Springs
County—Lyon
Parts:
Dayton CCD
Fernley CCD
Silver Springs CCD
Gabbs
County—Nye
Parts:
Gabbs CCD
Gerlach
County—Washoe
Parts:
Gerlach CCD
Incline Village
County—Washoe
Parts:
Incline Village CCD
Indian Springs
County—Clark
Parts:
C.T. 58.98
Moapa Valley
County—Clark
Parts:
C.T. 59
Pahrump
County—Nye
Parts:
Crystal Twp
Pahrump CCD
Yucca Flat CCD

**PRIMARY MEDICAL CARE: Nevada**
*Service Area Listing*

*Service Area Name*
Round Mountain
County—Nye
Parts:
Round Mountain CCD
Searchlight/Davis Dam
County—Clark
Parts:
C.T. 57
Smith/Yerington
County—Lyon
Parts:
Smith CCD
Yerington Twp
Tonopah/Esmeralda
County—Esmerelda
Parts:
Goldfield CCD
County—Nye
Parts:
Ralston CCD
Tonopah CCD
Topaz Lake
County—Douglas
Parts:
Pine Nut CCD
Topaz Lake CCD
Virgin Valley
County—Clark
Parts:
C.T. 56.02–56.03
Wadsworth
County—Washoe
Parts:
Pyramid Lake Division

**PRIMARY MEDICAL CARE: Nevada**
*Population Group Listing*

*Population Group*
Low Inc—E Carson City (Indep)
County—Carson City (Indep)
Parts:
C.T. 1
C.T. 5–6
C.T. 9–10
Med Ind—Reno/Sparks
County—Washoe
Parts:
C.T. 1–4
C.T. 7
C.T. 9
C.T. 10.03–10.05
C.T. 11.01–11.03
C.T. 12–15
C.T. 17–19
C.T. 21.01–21.02
C.T. 22.03–22.05
C.T. 24.01–24.02
C.T. 25
C.T. 26.01
C.T. 26.03–26.04
C.T. 27.02
C.T. 28
C.T. 29.01–29.02
C.T. 30
C.T. 31.01
C.T. 31.03
C.T. 31.05–31.06
C.T. 33.01
Native Am-Fallon Reservation And Colony
County—Churchill
Parts:

**PRIMARY MEDICAL CARE: Nevada**
*Population Group Listing*

*Population Group*

Fallon Colony
Fallon Reservation
Native Am-Fort Mcdermitt Reservation
Parts:
Fort Mcdermitt Res
Native Am-Washoe Indian Tribe
County—Douglas
Parts:
Dresslerville Ranch
Washoe Ranch
County—Carson City (Indep)
Parts:
Carson Colony
Native Am-Winnemucca Colony
Parts:
Winnemucca Colony

**PRIMARY MEDICAL CARE: Nevada**
*Facility Listing*

*Facility Name*

Nv St Corr Fac (East)
County—White Pine
Nv St Corr Fac (North)
County—Carson City (Indep)
Nv St Corr Fac (South)
County—Clark

**PRIMARY MEDICAL CARE: New Hampshire**
*County Listing*

*County Name*

*Carroll
Service Area: Parsonfield (ME/NH)
*Coos
Service Area: Upper Connecticut Valley (NH/VT)
Population Group: Low Inc—Berlin
*Grafton
Service Area: Baker River Valley
Service Area: Haverhill/Wells River (NH/VT)
Hillsborough
Service Area: Central Manchester
Service Area: Hillsboro/Weare
Population Group: Low Inc—E Nashua
Merrimack
Service Area: Hillsboro/Weare
Rockingham
Service Area: Raymond
Strafford
Population Group: Low Inc—Strafford Co
*Sullivan
Service Area: Hillsboro/Weare

**PRIMARY MEDICAL CARE: New Hampshire**
*Service Area Listing*

*Service Area Name*

Baker River Valley
County—Grafton
Parts:
Rumney Twn.
Warren Twn.
Wentworth Twn.
Central Manchester
County—Hillsborough
Parts:
C.T. 4–5
C.T. 13–16
C.T. 19–20
Haverhill/Wells River (NH/VT)

**PRIMARY MEDICAL CARE: New Hampshire**
*Service Area Listing*

*Service Area Name*

County—Grafton
Parts:
Bath Twn.
Benton Twn.
Haverhill Twn.
Landaff Twn.
Lisbon Twn.
Monroe Twn.
Piermont Twn.
Hillsboro/Weare
County—Hillsborough
Parts:
Antrim Twn.
Deering Twn.
Hillsborough Twn.
Weare Twn.
Windsor Twn.
County—Merrimack
Parts:
Henniker Twn.
County—Sullivan
Parts:
Washington Twn.
Parsonfield (ME/NH)
County—Carroll
Parts:
Effingham Town
Freedom Town
Raymond
County—Rockingham
Parts:
Deerfield Twn.
Epping Twn.
Fremont Twn.
Nottingham Twn.
Raymond Twn.
Upper Connecticut Valley (NH/VT)
County—Coos
Parts:
Clarksville Town
Colebrook Town
Columbia Town
Dixville Town
Errol Town
Millsfield Twp
Pittsburg Town
Stewartstown Town
Wentworth Location

**PRIMARY MEDICAL CARE: New Hampshire**
*Population Group Listing*

*Population Group*

Low Inc—Berlin
County—Coos
Parts:
Berlin City
Cambridge Twp
Dummer Town
Gorham Town
Jefferson Town
Kilkenny Twp
Milan Town
Randolph Town
Shelburne Town
Stark Town
Success Twp
Low Inc—E Nashua
County—Hillsborough
Parts:
C.T. 105–109
Low Inc—Strafford Co

**PRIMARY MEDICAL CARE: New Hampshire**
*Population Group Listing*

*Population Group*

County—Strafford
Parts:
Low Income

**PRIMARY MEDICAL CARE: New Jersey**
*County Listing*

*County Name*

Atlantic
Service Area: Atlantic City—Northside/Inlet
Population Group: Low Inc—West Atlantic
Camden
Population Group: Med Ind—Camden
Cumberland
Population Group: Low Inc—Cumberland/Olivet
Facility: FCI Fairton
Essex
Service Area: Airport/Port Newark
Service Area: City Of Orange
Service Area: East Orange City
Service Area: Vailsburg
Population Group: Pov Pop—Irvington
Facility: Essex County Jail
Hudson
Service Area: Jersey City
Mercer
Population Group: Medicaid—Trenton City
Middlesex
Population Group: Low Inc—Perth Amboy
Population Group: Low Inc—New Brunswick
Monmouth
Service Area: City Of Asbury Park
Service Area: Western Red Bank
Population Group: Low Inc—Central Long Branch
Ocean
Population Group: Low Inc—Lakewood
Passaic
Service Area: Downtown Paterson
Service Area: Northside Paterson
Service Area: Passaic
Salem
Population Group: Low Inc—Cumberland/Olivet
Population Group: Med Ind/MFW—West Salem Co
Sussex
Service Area: South Sussex
Union
Population Group: Low Inc—E Elizabeth
Warren
Population Group: Low Inc—S Warren Co

**PRIMARY MEDICAL CARE: New Jersey**
*Service Area Listing*

*Service Area Name*

Airport/Port Newark
County—Essex
Parts:
C.T. 74
C.T. 75.01–75.02
C.T. 98
Atlantic City—Northside/Inlet
County—Atlantic
Parts:
C.T. 11–19
C.T. 24–25
City Of Asbury Park
County—Monmouth

**PRIMARY MEDICAL CARE: New Jersey**
*Service Area Listing*

*Service Area Name*

Parts:
C.T. 8070.02–8070.04
C.T. 8071
C.T. 8072.97–8072.98
C.T. 8073
City Of Orange
County—Essex
Parts:
C.T. 181–189
Downtown Paterson
County—Passaic
Parts:
C.T. 1811–1815
C.T. 1816.01–1816.02
C.T. 1817.01–1817.02
C.T. 1818
C.T. 1820
C.T. 1822–1823
C.T. 1829
East Orange City
County—Essex
Parts:
East Orange City
Jersey City
County—Hudson
Parts:
C.T. 1–8
C.T. 9.01–9.02
C.T. 10–11
C.T. 12.01–12.02
C.T. 13–15
C.T. 16.01–16.02
C.T. 17–40
C.T. 41.01–41.02
C.T. 42–56
C.T. 58.01–58.02
C.T. 59–63
Northside Paterson
County—Passaic
Parts:
C.T. 1802–1809
Passaic
County—Passaic
Parts:
C.T. 1752–1755
C.T. 1758–1759
South Sussex
County—Sussex
Parts:
Andover Twp
Andover Boro
Branchville Boro
Byram Twp
Frankford Twp
Franklin Boro
Fredon Twp
Green Twp
Hamburg Boro
Hampton Twp
Hardyston Twp
Hopatcong Boro
Lafayette Twp
Newton Town
Ogdensburg Boro
Sparta Twp
Stanhope Boro
Stillwater Twp
Sussex Boro
Vernon Twp
Wantage Twp
Vailsburg
County—Essex

**PRIMARY MEDICAL CARE: New Jersey**
*Service Area Listing*

*Service Area Name*

Parts:
C.T. 19–25
Western Red Bank
County—Monmouth
Parts:
C.T. 8034

**PRIMARY MEDICAL CARE: New Jersey**
*Population Group Listing*

*Population Group*

Low Inc—Central Long Branch
County—Monmouth
Parts:
C.T. 8055–8056
C.T. 8058.01–8058.02
Low Inc—Cumberland/Olivet
County—Cumberland
Parts:
Low Income
County—Salem
Parts:
Pittsgrove Twp
Low Inc—E Elizabeth
County—Union
Parts:
C.T. 302–307
C.T. 308.01–308.02
C.T. 309–314
Low Inc—Lakewood
County—Ocean
Parts:
Lakewood Twp
Low Inc—New Brunswick
County—Middlesex
Parts:
C.T. 52–59
Low Inc—Perth Amboy
County—Middlesex
Parts:
C.T. 40–50
Low Inc—S Warren Co
County—Warren
Parts:
Alpha Boro
Belvidere Town
Franklin Twp
Greenwich Twp
Harmony Twp
Lopatcong Twp
Oxford Twp
Phillipsburg Town
Pohatcong Twp
Washington Boro
Washington Twp
White Twp
Low Inc—West Atlantic
County—Atlantic
Parts:
C.T. 104.01–104.03
C.T. 105.01
C.T. 105.03–105.04
C.T. 106–111
C.T. 112.01–112.02
C.T. 113
C.T. 114.01–114.02
C.T. 115–116
C.T. 117.01–117.02
C.T. 118.05
C.T. 119–122
Med Ind—Camden
County—Camden

**PRIMARY MEDICAL CARE: New Jersey**
*Population Group Listing*

*Population Group*

Parts:
C.T. 6001–6020
Med Ind/MFW—West Salem Co
County—Salem
Parts:
Alloway Twp
Carneys Point Twp
Elmer Boro
Elsinboro Twp
Lower Alloways Creek Twp
Mannington Twp
Oldmans Twp
Penns Grove Boro
Pennsville Twp
Pilesgrove Twp
Quinton Twp
Salem City
Upper Pittsgrove Twp
Woodstown Boro
Medicaid—Trenton City
County—Mercer
Parts:
C.T. 1–17
C.T. 19–24
Pov Pop—Irvington
County—Essex
Parts:
C.T. 119
C.T. 121–126
C.T. 128–133

**PRIMARY MEDICAL CARE: New Jersey**
*Facility Listing*

*Facility Name*

Essex County Jail
County—Essex
FCI Fairton
County—Cumberland

**PRIMARY MEDICAL CARE: New Mexico**
*County Listing*

*County Name*

Bernalillo
Service Area: North Valley
Service Area: Southwest Valley
Population Group: Low Inc/Hmlss—Albuquerque Central
*Catron
*Chaves
Population Group: Med Ind—Chaves Co
*Cibola
*Curry
*De Baca
Dona Ana
Service Area: Hatch
Service Area: Southern Dona Ana
Facility: Southern N.M. Corr. Fac.
*Grant
Service Area: Cliff/Gila
*Guadalupe
*Harding
*Hidalgo
*Lea
Service Area: Jal/Eunice
Service Area: Northern Lea
*Lincoln
Service Area: Carrizozo
Service Area: Corona
*Luna
*McKinley

**PRIMARY MEDICAL CARE: New Mexico**
*County Listing*

*County Name*

*Mora
*Otero
  Service Area: Cloudcroft
*Rio Arriba
  Service Area: Coyote
  Service Area: Penasco/Truchas/Embudo
  Service Area: Rio Chama
  Service Area: Tierra Amarilla
  Service Area: Western Rio Arriba
*Roosevelt
  Population Group: Low Inc—Roosevelt Co
*San Juan
  Population Group: Am In—San Juan Co
*San Miguel
  Service Area: Pecos/Villanueva
Sandoval
  Service Area: Cuba
  Service Area: Southern Sandoval
Santa Fe
  Service Area: Santa Fe/La Familia
  Population Group: Low Inc—Cerrillos/Madrid
*Sierra
*Socorro
  Service Area: Claunch
  Service Area: Magdalena
*Taos
  Service Area: Penasco/Truchas/Embudo
  Service Area: Questo/Arroyo Hondo
  Service Area: Tres Piedras
*Torrance
*Union
Valencia

**PRIMARY MEDICAL CARE: New Mexico**
*Service Area Listing*

*Service Area Name*

Carrizozo
  County—Lincoln
    Parts:
      Carrizozo CCD
Claunch
  County—Socorro
    Parts:
      Claunch CCD
Cliff/Gila
  County—Grant
    Parts:
      Pinos Altos Division
      Tyrone Division
Cloudcroft
  County—Otero
    Parts:
      S.E. Otero CCD
Corona
  County—Lincoln
    Parts:
      Corona CCD
Coyote
  County—Rio Arriba
    Parts:
      Coyote CCD
Cuba
  County—Sandoval
    Parts:
      Cuba CCD
      Jemez CCD
Hatch
  County—Dona Ana
    Parts:
      Hatch CCD

**PRIMARY MEDICAL CARE: New Mexico**
*Service Area Listing*

*Service Area Name*

Jal/Eunice
  County—Lea
    Parts:
      Eunice CCD
      Jal CCD
Magdalena
  County—Socorro
    Parts:
      Magdalena Division
North Valley
  County—Bernalillo
    Parts:
      C.T. 29
      C.T. 30.01–30.02
      C.T. 31
      C.T. 32.01–32.02
      C.T. 35.01–35.02
      C.T. 36
Northern Lea
  County—Lea
    Parts:
      Lovington CCD
      Tatum CCD
Pecos/Villanueva
  County—San Miguel
    Parts:
      Pecos CCD
      Villanueva CCD
Penasco/Truchas/Embudo
  County—Rio Arriba
    Parts:
      Chimayo Division
      Dixon Division
  County—Taos
    Parts:
      Penasco Division
      Picuris Division
Questo/Arroyo Hondo
  County—Taos
    Parts:
      Arroyo Hondo CCD
      Questa CCD
Rio Chama
  County—Rio Arriba
    Parts:
      Rio Chama CCD
Santa Fe/La Familia
  County—Santa Fe
    Parts:
      C.T. 3
      C.T. 7–9
      C.T. 10.02
      C.T. 12
Southern Dona Ana
  County—Dona Ana
    Parts:
      Anthony Division
      South Dona Ana Division
Southern Sandoval
  County—Sandoval
    Parts:
      C.T. 103–104
      C.T. 105.01–105.02
Southwest Valley
  County—Bernalillo
    Parts:
      C.T. 23
      C.T. 24.01–24.02
      C.T. 43
      C.T. 44.01–44.02
      C.T. 45.01–45.02
      C.T. 46.02–46.04

**PRIMARY MEDICAL CARE: New Mexico**
*Service Area Listing*

*Service Area Name*

Tierra Amarilla
  County—Rio Arriba
    Parts:
      Tierra Amarilla CCD
      Vallecitas CCD
Tres Piedras
  County—Taos
    Parts:
      Tres Piedras CCD
Western Rio Arriba
  County—Rio Arriba
    Parts:
      Jicarilla CCD
      Western Rio Arriba CCD

**PRIMARY MEDICAL CARE: New Mexico**
*Population Group Listing*

*Population Group*

Am In—San Juan Co
  County—San Juan
    Parts:
      American Indian
Low Inc—Cerrillos/Madrid
  County—Santa Fe
    Parts:
      Blk Grp 8 Of Ct 103.03
      Blk Grp 3 Of Ct 103.06
Low Inc—Roosevelt Co
  County—Roosevelt
    Parts:
      Low Income
Low Inc/Hmlss—Albuquerque Central
  County—Bernalillo
    Parts:
      C.T. 14–15
      C.T. 20–22
      C.T. 25–28
Med Ind—Chaves Co
  County—Chaves
    Parts:
      Medically Indigent

**PRIMARY MEDICAL CARE: New Mexico**
*Facility Listing*

*Facility Name*

Southern N.M. Corr. Fac.
  County—Dona Ana

**PRIMARY MEDICAL CARE: New York**
*County Listing*

*County Name*

Albany
  Service Area: Westerlo-Rensselaerville
*Allegany
  Service Area: Arcade
  Service Area: Letchworth
  Service Area: Wellsville
Bronx
  Service Area: High Bridge
  Service Area: Hunts Point
  Service Area: Morris Heights
  Service Area: Morrisania
  Service Area: Mott Haven/Point Morris
  Service Area: Soundview
  Service Area: Tremont/West Farms
  Facility: Nyc Corr. Fac./Rikers Island
Broome
  Service Area: Deposit
  Service Area: Whitney Point Pcaa

**PRIMARY MEDICAL CARE: New York**
*County Listing*

*County Name*

Population Group: Low Inc—Binghamton
*Cattaraugus
Service Area: Arcade
Service Area: Randolph/Ellicottville
Service Area: Tri-County
Population Group: Seneca Nation—Cattaraugus Res
Cayuga
Service Area: Aurora
Service Area: Cato
Service Area: Groton/Moravia
Population Group: Low Inc—Auburn Pcsa
Population Group: Pov Pop—Oswego City
Chautauqua
Service Area: Dunkirk-Fredonia
Service Area: Tri-County
Service Area: Westfield
Population Group: Low Inc—Union City (PA/NY)
Population Group: Seneca Nation—Cattaraugus Res
*Chenango
Service Area: Cincinnatus/De Ruyter
Service Area: Greene
Population Group: Low Inc—Hamilton/Sherburne
*Clinton
Service Area: Dannemora
Population Group: Low Inc—Malone
*Columbia
Service Area: Southeast Columbia
*Cortland
Service Area: Cincinnatus/De Ruyter
Population Group: Low Inc—Cortland
*Delaware
Service Area: Deposit
Service Area: Hancock/Walton
Service Area: Hobart/Stamford
Service Area: Margaretville/Andes
Dutchess
Service Area: N. Harlem Valley—Dutchess
Population Group: Low Inc—Beacon
Erie
Service Area: Black Rock/Riverside
Service Area: Tri-County
Population Group: Medicaid—P.S. 84 Area
Population Group: Medicaid—Lower West Side
Population Group: Medicaid—Ellicott Neighborhood
Population Group: Seneca Nation—Cattaraugus Res
Facility: Children's Hosp Pc Clinics—C.T. 67.02
*Essex
Service Area: Central Adirondack
Service Area: East Central Essex
Service Area: Schroon-Ticonderoga
Service Area: Warrensburg
Facility: FCI Raybrook
*Franklin
Service Area: Canton-Potsdam
Population Group: Low Inc—Malone
Facility: Bare Hill Corr Fac
Genesee
Service Area: Genesee
*Greene
*Hamilton
Service Area: Central Adirondack
Service Area: South Hamilton
Herkimer
Service Area: West Winfield

**PRIMARY MEDICAL CARE: New York**
*County Listing*

*County Name*

*Jefferson
Service Area: Alexandria Bay
Service Area: Gouverneur
Population Group: Pov Pop—Watertown
Kings
Service Area: Bedford-Stuyvesant
Service Area: Bushwick
Service Area: Coney Isl/Brighton Bch/W Brighton
Service Area: Crown Heights—Brooklyn
Service Area: East Ny-Brooklyn
Service Area: Williamsburg
Population Group: Inmates—MDC Brooklyn
*Lewis
Service Area: Camden
Livingston
Service Area: Letchworth
Service Area: N. Livingston
Madison
Service Area: Cincinnatus/De Ruyter
Population Group: Low Inc—Hamilton/Sherburne
Monroe
Service Area: Jordan
Service Area: Westside (Rochester)
New York
Service Area: Alphabet City—Lower East Side
Service Area: East Harlem
Service Area: Washington Heights—Inwood
Service Area: West Central Harlem
Population Group: Inmates—MCC New York
Population Group: Low Inc—Upper West Side
Population Group: Pov/Homeless—Chelsea
Oneida
Service Area: Camden
Service Area: West Winfield
Population Group: Low Inc—Hamilton/Sherburne
Population Group: Medicaid—Utica
Onondaga
Population Group: Pov Pop—Syracuse
Orange
Population Group: Low Inc—Newburgh City
Orleans
Service Area: Oak Orchard
Oswego
Service Area: Pulaski
Population Group: Low Inc—Fulton
Population Group: Pov Pop—Oswego City
*Otsego
Service Area: Cherry Valley
Service Area: Southeast Otsego
Service Area: Southwest Otsego
Service Area: Western Otsego
Queens
Service Area: Long Island City
Service Area: South Jamaica
Population Group: Medicaid—Rockaway
Rockland
Population Group: Low Inc—Monsey/New Square
Saratoga
Service Area: Corinth/Luzerne
Schenectady

**PRIMARY MEDICAL CARE: New York**
*County Listing*

*County Name*

Population Group: Low Inc—Hamilton Hill/Mt Pleasant
Schoharie
Service Area: Cherry Valley
Service Area: Hobart/Stamford
Service Area: Southern Schoharie
*Seneca
Service Area: South Seneca
*St Lawrence
Service Area: Alexandria Bay
Service Area: Canton-Potsdam
Service Area: Gouverneur
Population Group: Low Inc—Massena
*Steuben
Service Area: Elkland (NY/PA)
*Sullivan
Service Area: Cochecton
Population Group: Low Inc—Liberty
Tioga
Service Area: Whitney Point Pcaa
*Tompkins
Service Area: Groton/Moravia
Warren
Service Area: Corinth/Luzerne
Service Area: Schroon-Ticonderoga
Service Area: Warrensburg
Washington
Service Area: Pawlet/Granville (VT/NY)
Service Area: Schroon-Ticonderoga
Westchester
Population Group: Medicaid/Hispanic—Port Chester
*Wyoming
Service Area: Arcade
Service Area: Genesee
Service Area: Letchworth
Facility: Attica Corr Fac

**PRIMARY MEDICAL CARE: New York**
*Service Area Listing*

*Service Area Name*

Alexandria Bay
County—Jefferson
Parts:
Alexandria Town
Cape Vincent Town
Clayton Town
Lyme Town
Orleans Town
Philadelphia Town
Theresa Town
County—St Lawrence
Parts:
Hammond Town
Alphabet City—Lower East Side
County—New York
Parts:
C.T. 10.02
C.T. 20
C.T. 22.01–22.02
C.T. 24
C.T. 26.01–26.02
C.T. 28
Arcade
County—Allegany
Parts:
Centerville Town
Rushford Town
County—Cattaraugus
Parts:
Farmersville Town

**PRIMARY MEDICAL CARE: New York**
*Service Area Listing*

*Service Area Name*

Freedom Town
Machias Town
Yorkshire Town
County—Wyoming
Parts:
Arcade Town
Eagle Town
Java Town
Orangeville Town
Sheldon Town
Wethersfield Town
Aurora
County—Cayuga
Parts:
Genoa Town
Ledyard Town
Scipio Town
Springport Town
Venice Town
Bedford-Stuyvesant
County—Kings
Parts:
C.T. 11
C.T. 23
C.T. 25
C.T. 27
C.T. 29.01–29.02
C.T. 31
C.T. 33
C.T. 35
C.T. 179
C.T. 181
C.T. 183
C.T. 185–01–185.02
C.T. 187
C.T. 189
C.T. 191
C.T. 193
C.T. 195
C.T. 197
C.T. 199
C.T. 201
C.T. 203
C.T. 205
C.T. 207
C.T. 213
C.T. 215
C.T. 217
C.T. 219
C.T. 221
C.T. 223
C.T. 225
C.T. 227
C.T. 229
C.T. 231
C.T. 233
C.T. 235
C.T. 237
C.T. 239
C.T. 241
C.T. 243
C.T. 245
C.T. 247
C.T. 249
C.T. 251
C.T. 253
C.T. 255
C.T. 257
C.T. 259.01–259.02
C.T. 261
C.T. 263
C.T. 265

**PRIMARY MEDICAL CARE: New York**
*Service Area Listing*

*Service Area Name*

C.T. 267
C.T. 269
C.T. 271.01–271.02
C.T. 273
C.T. 275
C.T. 277
C.T. 279
C.T. 281
C.T. 283
C.T. 285.01–285.02
C.T. 287
C.T. 289
C.T. 291
C.T. 293
C.T. 295
C.T. 297
C.T. 299
C.T. 301
C.T. 303
C.T. 307
C.T. 309
C.T. 311
C.T. 313
C.T. 315
C.T. 317.01–317.02
C.T. 319
C.T. 321
C.T. 323
C.T. 325
C.T. 327
C.T. 329
C.T. 331
C.T. 333
C.T. 335
C.T. 337
C.T. 339
C.T. 341
C.T. 343
C.T. 345
C.T. 347
C.T. 349
C.T. 351
C.T. 353
C.T. 355
C.T. 357
C.T. 359
C.T. 361
C.T. 363
C.T. 365.01–365.02
C.T. 367
C.T. 369
C.T. 371
C.T. 373
C.T. 375
C.T. 377
C.T. 379
C.T. 381

**PRIMARY MEDICAL CARE: New York**
*Service Area Listing*

C.T. 383
C.T. 385
C.T. 387
Black Rock/Riverside
County—Erie
Parts:
C.T. 55–59
Bushwick
County—Kings
Parts:
C.T. 389

**PRIMARY MEDICAL CARE: New York**
*Service Area Listing*

C.T. 391
C.T. 393
C.T. 395
C.T. 397
C.T. 399
C.T. 401
C.T. 403
C.T. 405
C.T. 407
C.T. 409
C.T. 411
C.T. 413
C.T. 415
C.T. 417
C.T. 419
C.T. 421
C.T. 423
C.T. 425
C.T. 427
C.T. 429
C.T. 431
C.T. 433
C.T. 435
C.T. 437
C.T. 439
C.T. 441
C.T. 443
C.T. 445
C.T. 447
C.T. 453
C.T. 455.97–455.98
C.T. 465
C.T. 473
C.T. 477
C.T. 481
C.T. 483
C.T. 487
C.T. 489
C.T. 491
C.T. 493
C.T. 495
C.T. 497
C.T. 501
C.T. 503
C.T. 505
C.T. 511
C.T. 513
C.T. 527
C.T. 1142.01–1142.02
Camden
County—Lewis
Parts:
Osceola Town
County—Oneida
Parts:
Annsville Town
Camden Town
Florence Town
Vienna Town
Canton-Potsdam
County—Franklin
Parts:
Dickinson Twn.
Waverly Twn.
County—St Lawrence
Parts:
Canton Twn.
Colton Twn.
Hopkinton Twn.
Parishville Twn.
Pierrepont Twn.
Potsdam Twn.
Stockholm Twn.

**PRIMARY MEDICAL CARE: New York**
*Service Area Listing*

Cato
County—Cayuga
Parts:
Cato Town
Conquest Town
Ira Town
Victory Town
Central Adirondack
County—Essex
Parts:
Newcomb Town
County—Hamilton
Parts:
Indian Lake Town
Long Lake Town
Cherry Valley
County—Otsego
Parts:
Cherry Valley Town
Roseboom Town
Springfield Town
County—Schoharie
Parts:
Sharon Town
Cincinnatus/De Ruyter
County—Chenango
Parts:
Lincklaen Town
Pitcher Town
County—Cortland
Parts:
Cincinnatus Town
Cuyler Town
Freetown Town
Harford Town
Lapeer Town
Marathon Town
Taylor Town
Willet Town
County—Madison
Parts:
De Ruyter Town
Cochecton
County—Sullivan
Parts:
Callicoon Town
Cochecton Town
Delaware Town
Fremont Town
Highland Town
Tusten Town
Coney Isl/Brighton Bch/W Brighton
County—Kings
Parts:
C.T. 326
C.T. 328
C.T. 330
C.T. 340
C.T. 342
C.T. 348.01–348.02
C.T. 350
C.T. 352
C.T. 354
C.T. 356
C.T. 360.01–360.02
C.T. 362
C.T. 364
Corinth/Luzerne
County—Saratoga
Parts:
Corinth Town
Day Town
Edinburg Town

**PRIMARY MEDICAL CARE: New York**
*Service Area Listing*

Hadley Town
County—Warren
Parts:
Lake Luzerne Town
Stony Creek Town
Crown Heights—Brooklyn
County—Kings
Parts:
C.T. 508
C.T. 794
C.T. 796
C.T. 798
C.T. 800
C.T. 802
C.T. 804
C.T. 806
C.T. 810
C.T. 812
C.T. 814
C.T. 816
C.T. 818
C.T. 820
C.T. 822
C.T. 824
C.T. 856
C.T. 864
C.T. 866
C.T. 868
C.T. 870
C.T. 872
C.T. 874.01–874.02
C.T. 876
C.T. 878
C.T. 880
C.T. 882
C.T. 884
C.T. 886
C.T. 888
C.T. 890
C.T. 892
C.T. 894
C.T. 896
C.T. 898
C.T. 900
C.T. 902
Dannemora
County—Clinton
Parts:
Dannemora Town
Saranac Town
Deposit
County—Broome
Parts:
Colesville Twn.
Sanford Twn.
Windsor Twn.
County—Delaware
Parts:
Deposit Twn.
Tompkins Twn.
Dunkirk-Fredonia
County—Chautauqua
Parts:
Arkwright Twn.
Charlotte Twn.
Dunkirk Twn.
Dunkirk City
Pomfret Twn.
Portland Twn.
Sheridan Twn.
Stockton Twn.
East Central Essex
County—Essex

**PRIMARY MEDICAL CARE: New York**
*Service Area Listing*

Parts:
Elizabethtown Town
Essex Town
Keene Town
Lewis Town
Moriah Town
North Hudson Town
Westport Town
Willsboro Town
East Harlem
County—New York
Parts:
C.T. 156.02
C.T. 158.02
C.T. 160.02
C.T. 162
C.T. 164
C.T. 166
C.T. 168
C.T. 170
C.T. 172.01–172.02
C.T. 174.01–174.02
C.T. 178
C.T. 180
C.T. 182
C.T. 184
C.T. 188
C.T. 192
C.T. 194
C.T. 196
C.T. 198
C.T. 202
C.T. 204
C.T. 206
C.T. 210
East Ny-Brooklyn
County—Kings
Parts:
C.T. 904
C.T. 906
C.T. 908
C.T. 910
C.T. 912
C.T. 914
C.T. 916
C.T. 918
C.T. 920
C.T. 922
C.T. 982
C.T. 1058
C.T. 1070
C.T. 1078
C.T. 1098
C.T. 1100
C.T. 1102
C.T. 1106
C.T. 1110
C.T. 1112
C.T. 1114
C.T. 1118
C.T. 1120
C.T. 1122
C.T. 1124
C.T. 1126
C.T. 1128
C.T. 1130
C.T. 1132
C.T. 1134
C.T. 1136
C.T. 1138
C.T. 1140
C.T. 1146
C.T. 1148

**PRIMARY MEDICAL CARE: New York**
*Service Area Listing*

C.T. 1150
C.T. 1152
C.T. 1154
C.T. 1156
C.T. 1158
C.T. 1160
C.T. 1162
C.T. 1164
C.T. 1166
C.T. 1168
C.T. 1170
C.T. 1172.01–1172.02
C.T. 1174
C.T. 1176.01–1176.02
C.T. 1178
C.T. 1180
C.T. 1182.01–1182.02
C.T. 1184
C.T. 1186
C.T. 1188
C.T. 1190.97
C.T. 1192
C.T. 1194
C.T. 1196
C.T. 1200
C.T. 1202.97–1202.98
C.T. 1208
C.T. 1210
C.T. 1214
C.T. 1220
Elkland (NY/PA)
County—Steuben
Parts:
Tuscarora Town
Woodhull Town
Genesee
County—Wyoming
Parts:
Attica Town
Bennington Town
Gouverneur
County—Jefferson
Parts:
Antwerp Twn.
County—St Lawrence
Parts:
De Kalb Twn.
De Peyster Twn.
Edwards Twn.
Fowler Twn.
Gouverneur Twn.
Hermon Twn.
Macomb Twn.
Rossie Twn.
Greene
County—Chenango
Parts:
German Town
Greene Town
McDonough Town
Smithville Town
Groton/Moravia
County—Cayuga
Parts:
Locke Twn.
Moravia Twn.
Sempronius Twn.
Summerhill Twn.
County—Tompkins
Parts:
Groton Twn.
Hancock/Walton
County—Delaware
Parts:
Colchester Town
Hamden Town
Hancock Town
Walton Town
High Bridge
County—Bronx
Parts:
C.T. 53.01
C.T. 57
C.T. 59.01
C.T. 187
C.T. 189
C.T. 193
C.T. 195
C.T. 197
C.T. 199
C.T. 201
C.T. 211
C.T. 213.01–213.02
C.T. 217.02
C.T. 219
C.T. 221
C.T. 223
C.T. 227.02
Hobart/Stamford
County—Delaware
Parts:
Davenport Town
Harpersfield Town
Kortright Town
Stamford Town
County—Schoharie
Parts:
Jefferson Town
Hunts Point
County—Bronx
Parts:
C.T. 91
C.T. 97
C.T. 99
C.T. 105
C.T. 115.01–115.02
Jordan
County—Monroe
Parts:
C.T. 7
C.T. 13–15
C.T. 39
C.T. 43
C.T. 48–53
C.T. 55–56
C.T. 80
C.T. 91–92
C.T. 93.01
Letchworth
County—Allegany
Parts:
Allen Town
Caneadea Town
Granger Town
Hume Town
County—Livingston
Parts:
Portage Town
County—Wyoming
Parts:
Castile Town
Gainesville Town
Genesee Falls Town
Pike Town
Long Island City
County—Queens
Parts:
C.T. 1
C.T. 7
C.T. 19
C.T. 25
C.T. 27
C.T. 29
C.T. 31
C.T. 35
C.T. 37
C.T. 39
C.T. 41
C.T. 43
C.T. 45
C.T. 47
C.T. 49
C.T. 51
C.T. 53
C.T. 55
C.T. 57
C.T. 59
C.T. 171
Margaretville/Andes
County—Delaware
Parts:
Andes Town
Middletown Town
Roxbury Town
Morris Heights
County—Bronx
Parts:
C.T. 53.02
C.T. 205
C.T. 215.01–215.02
C.T. 217.01
C.T. 227.01
C.T. 233.01
C.T. 235.01
C.T. 237.01
C.T. 239
C.T. 241
C.T. 243
C.T. 245
C.T. 247
C.T. 249
C.T. 251
C.T. 253
C.T. 255
C.T. 257
Morrisania
County—Bronx
Parts:
C.T. 47
C.T. 49
C.T. 59.02
C.T. 61
C.T. 65
C.T. 67
C.T. 69
C.T. 121.01
C.T. 123
C.T. 125
C.T. 127.01
C.T. 129.01
C.T. 131
C.T. 133
C.T. 135
C.T. 137
C.T. 139
C.T. 141
C.T. 143
C.T. 145
C.T. 147

**PRIMARY MEDICAL CARE: New York**
*Service Area Listing*

C.T. 149
C.T. 151
C.T. 153
C.T. 155
C.T. 157
C.T. 161
C.T. 163
C.T. 165
C.T. 167
C.T. 169
C.T. 171
C.T. 173
C.T. 175
C.T. 177
C.T. 179
C.T. 181
C.T. 183
C.T. 225
C.T. 227.03
C.T. 229.02
C.T. 367
C.T. 369.02
Mott Haven/Point Morris
County—Bronx
Parts:
C.T. 11
C.T. 15
C.T. 17
C.T. 23
C.T. 25
C.T. 27.01–27.02
C.T. 31
C.T. 33
C.T. 35
C.T. 37
C.T. 39
C.T. 41
C.T. 43
C.T. 71
C.T. 73
C.T. 75
C.T. 77
C.T. 79
C.T. 81
C.T. 83
C.T. 85
C.T. 87
C.T. 89
C.T. 119
C.T. 121.02
C.T. 127.02
C.T. 129.02
N. Harlem Valley—Dutchess
County—Dutchess
Parts:
Amenia Twn.
Dover Twn.
North East Twn.
Pine Plains Twn.
Stanford Twn.
Washington Twn.
N. Livingston
County—Livingston
Parts:
Avon Town
Caledonia Town
Geneseo Town
Groveland Town
Leicester Town
Lima Town
Livonia Town
York Town
Oak Orchard
County—Orleans
Parts:
Albion Town
Barre Towwn
Carlton Town
Clarendon Town
Gaines Town
Kendall Town
Murray Town
Pawlet/Granville (VT/NY)
County—Washington
Parts:
Fort Ann Town
Granville Town
Hampton Town
Hartford Town
Hebron Town
Whitehall Town
Pulaski
County—Oswego
Parts:
Albion Town
Boylston Town
Mexico Town
Orwell Town
Redfield Town
Richland Town
Sandy Creek Town
Williamstown Town
Randolph/Ellicottville
County—Cattaraugus
Parts:
Carrollton Town
Cold Spring Town
Conewango Town
Ellicottville Town
Franklinville Town
Great Valley Town
Humphrey Town
Little Valley Town
Mansfield Town
Napoli Town
New Albion Town
Randolph Town
Red House Town
Salamanca Town
Salamanca City
South Valley Town
Schroon-Ticonderoga
County—Essex
Parts:
Crown Point Town
Schroon Town
Ticonderoga Town
County—Warren
Parts:
Hague Town
County—Washington
Parts:
Dresden Town
Putnam Town
Soundview
County—Bronx
Parts:
C.T. 2
C.T. 4
C.T. 16
C.T. 20
C.T. 24
C.T. 28
C.T. 36
C.T. 38
C.T. 40.01–40.02
C.T. 44
C.T. 46
C.T. 48
C.T. 50
C.T. 52
C.T. 54
C.T. 56
C.T. 58
C.T. 62
C.T. 64
C.T. 66
C.T. 68
C.T. 70
C.T. 72
C.T. 74
C.T. 78
C.T. 84
C.T. 86
C.T. 88
C.T. 98
C.T. 102
C.T. 214
South Hamilton
County—Hamilton
Parts:
Arietta Town
Benson Town
Hope Town
Lake Pleasant Town
Morehouse Town
Wells Town
South Jamaica
County—Queens
Parts:
C.T. 190
C.T. 196
C.T. 198
C.T. 202
C.T. 204
C.T. 206
C.T. 208
C.T. 212
C.T. 244
C.T. 246
C.T. 248
C.T. 250
C.T. 252
C.T. 258
C.T. 260
C.T. 262
C.T. 264
C.T. 266
C.T. 270
C.T. 272
C.T. 274
C.T. 276
C.T. 278
C.T. 280
C.T. 410
C.T. 414
C.T. 440
C.T. 442
South Seneca
County—Seneca
Parts:
Covert Twn.
Lodi Twn.
Ovid Twn.
Southeast Columbia
County—Columbia
Parts:
Ancram Town
Copake Town

**PRIMARY MEDICAL CARE: New York**
*Service Area Listing*

Gallatin Town
Hillsdale Town
Taghkanic Town
Southeast Otsego
County—Otsego
Parts:
Decatur Town
Maryland Town
Westford Town
Worcester Town
Southern Schoharie
County—Schoharie
Parts:
Blenheim Town
Broome Town
Conesville Town
Fulton Town
Gilboa Town
Southwest Otsego
County—Otsego
Parts:
Butternuts Town
Morris Town
Tremont/West Farms
County—Bronx
Parts:
C.T. 60
C.T. 216.01
C.T. 218
C.T. 220
C.T. 229.01
C.T. 231
C.T. 233.02
C.T. 235.02
C.T. 236
C.T. 237.02
C.T. 240
C.T. 359
C.T. 361
C.T. 363
C.T. 365.01–365.02
C.T. 369.01
C.T. 371
C.T. 373
C.T. 375.01–375.03
C.T. 377
C.T. 379
C.T. 381
C.T. 383
C.T. 385
C.T. 387
C.T. 389
C.T. 391
C.T. 393
C.T. 399.02
Tri-County
County—Cattaraugus
Parts:
Dayton Town
Leon Town
Otto Town
Perrysburg Town
Persia Town
County—Chautauqua
Parts:
Cherry Creek Town
Hanover Town
Villenova Town
County—Erie
Parts:
Brant Town
Collins Town
Eden Town

**PRIMARY MEDICAL CARE: New York**
*Service Area Listing*

Evans Town
North Collins Town
Warrensburg
County—Essex
Parts:
Minerva Town
County—Warren
Parts:
Chester Town
Horicon Town
Johnsburg Town
Thurman Town
Warrensburg Town
Washington Heights—Inwood
County—New York
Parts:
C.T. 243.01
C.T. 245
C.T. 247
C.T. 249
C.T. 251
C.T. 253
C.T. 255
C.T. 261
C.T. 263
C.T. 265

**PRIMARY MEDICAL CARE: New York**
*Service Area Listing*

*Service Area Name*

C.T. 267
C.T. 269
C.T. 271
C.T. 273
C.T. 275
C.T. 277
C.T. 279
C.T. 281
C.T. 283
C.T. 285
C.T. 287
C.T. 289
C.T. 291
C.T. 293
C.T. 295
C.T. 297
C.T. 303
C.T. 307
C.T. 309
C.T. 311
Wellsville
County—Allegany
Parts:
Alfred Twn.
Alma Twn.
Almond Twn.
Amity Twn.
Andover Twn.
Angelica Twn.
Belfast Twn.
Birdsall Twn.
Bolivar Twn.
Burns Twn.
Clarksville Twn.
Cuba Twn.
Friendship Twn.
Genesee Twn.
Grove Twn.
Independence Twn.
New Hudson Twn.
Scio Twn.
Ward Twn.

**PRIMARY MEDICAL CARE: New York**
*Service Area Listing*

*Service Area Name*

Wellsville Twn.
West Almond Twn.
Willing Twn.
Wirt Twn.
West Central Harlem
County—New York
Parts:
C.T. 186
C.T. 190
C.T. 197.02
C.T. 200
C.T. 201.02
C.T. 207.02
C.T. 208
C.T. 209.01–209.02
C.T. 211–212
C.T. 213.01–213.02
C.T. 214
C.T. 216
C.T. 217.01–217.02
C.T. 218
C.T. 219.97
C.T. 220
C.T. 221.01–221.02
C.T. 222
C.T. 223.97–223.98
C.T. 224–226
C.T. 227.01–227.02
C.T. 228–230
C.T. 231.01–231.02
C.T. 232–234
C.T. 235.01–235.02
C.T. 236–237
C.T. 239
C.T. 241
C.T. 243.02
West Winfield
County—Herkimer
Parts:
Columbia Town
Litchfield Town
Warren Town
Winfield Town
County—Oneida
Parts:
Bridgewater Town
Westerlo-Rensselaerville
County—Albany
Parts:
Rensselaerville Town
Westerlo Town
Western Otsego
County—Otsego
Parts:
Burlington Town
Edmeston Town
New Lisbon Town
Pittsfield Town
Plainfield Town
Westfield
County—Chautauqua
Parts:
Chautauqua Town
Mina Town
Ripley Town
Sherman Town
Westfield Town
Westside (Rochester)
County—Monroe
Parts:
C.T. 2
C.T. 16–17

**PRIMARY MEDICAL CARE: New York**
*Service Area Listing*

*Service Area Name*

C.T. 23–24
C.T. 27
C.T. 32
C.T. 40–41
C.T. 62–71
C.T. 75
C.T. 87.01–87.02
C.T. 88–90
C.T. 93.02
C.T. 94.01–94.03
C.T. 95
C.T. 96.01–96.04
Whitney Point Pcaa
County—Broome
Parts:
Barker Town
Lisle Town
Nanticoke Town
Triangle Town
County—Tioga
Parts:
Berkshire Town
Richford Town
Williamsburg
County—Kings
Parts:
C.T. 507
C.T. 509
C.T. 515
C.T. 519
C.T. 523
C.T. 525
C.T. 529
C.T. 531
C.T. 533
C.T. 535
C.T. 537
C.T. 539
C.T. 545
C.T. 547
C.T. 549
C.T. 551
C.T. 553
C.T. 555

**PRIMARY MEDICAL CARE: New York**
*Population Group Listing*

*Population Group*

Inmates—MCC New York
County—New York
Parts:
MCC New York
Inmates—MDC Brooklyn
County—Kings
Parts:
MDC Brooklyn
Low Inc—Auburn Pcsa
County—Cayuga
Parts:
Auburn City
Aurelius Town
Brutus Town
Fleming Town
Mentz Town
Montezuma Town
Owasco Town
Sennett Town
Throop Town
Low Inc—Beacon
County—Dutchess
Parts:

**PRIMARY MEDICAL CARE: New York**
*Population Group Listing*

*Population Group*

C.T. 2101–2103
Low Inc—Binghamton
County—Broome
Parts:
C.T. 4–8
C.T. 10–12
Low Inc—Cortland
County—Cortland
Parts:
Cortland City
Cortlandville Town
Homer Town
Preble Town
Scott Town
Solon Town
Truxton Town
Virgil Town
Low Inc—Fulton
County—Oswego
Parts:
Fulton City
Granby Town
Schroeppel Town
Volney Town
Low Inc—Hamilton Hill/Mt Pleasant
County—Schenectady
Parts:
C.T. 203
C.T. 207–209
C.T. 210.01–210.02
C.T. 211.01–211.02
C.T. 214–217
Low Inc—Hamilton/Sherburne
County—Chenango
Parts:
Columbus Town
Otselic Town
Sherburne Town
Smyrna Town
County—Madison
Parts:
Brookfield Town
Eaton Town
Georgetown Town
Hamilton Town
Lebanon Town
Madison Town
County—Oneida
Parts:
Sangerfield Town
Low Inc—Liberty
County—Sullivan
Parts:
Liberty Town
Neversink Town
Rockland Town
Low Inc—Malone
County—Clinton
Parts:
Altona Town
Clinton Town
Ellenburg Town
County—Franklin
Parts:
Bangor Town
Belmont Town
Bombay Town
Brandon Town
Burke Town
Chateaugay Town
Constable Town
Duane Town

**PRIMARY MEDICAL CARE: New York**
*Population Group Listing*

*Population Group*

Fort Covington Town
Malone Town
Moira Town
Westville Town
Low Inc—Massena
County—St Lawrence
Parts:
Brasher Town
Lawrence Town
Louisville Town
Massena Town
Norfolk Town
Low Inc—Monsey/New Square
County—Rockland
Parts:
C.T. 115.03–115.04
C.T. 121–124
Low Inc—Newburgh City
County—Orange
Parts:
Newburgh City
Low Inc—Union City (PA/NY)
County—Chautauqua
Parts:
Clymer Town
French Creek Town
Low Inc—Upper West Side
County—New York
Parts:
C.T. 177
C.T. 179
C.T. 181
C.T. 183
C.T. 185
C.T. 187
C.T. 189
C.T. 191
C.T. 193
C.T. 195
C.T. 197.01
C.T. 199
C.T. 201.01
C.T. 203
C.T. 205
C.T. 207.01
Medicaid —P.S. 84 Area
County—Erie
Parts:
C.T. 27.02
C.T. 29
C.T. 32.01–32.02
C.T. 33.01–33.02
C.T. 34–36
C.T. 39.01–39.02
C.T. 40.01–40.02
C.T. 41–42
C.T. 44.02
C.T. 52.02
C.T. 64
Medicaid—Ellicott Neighborhood
County—Erie
Parts:
C.T. 12
C.T. 13.01–13.02
C.T. 14.01–14.02
C.T. 15–18
C.T. 25.01–25.02
C.T. 26
C.T. 27.01
C.T. 31
Medicaid—Lower West Side
County—Erie

**PRIMARY MEDICAL CARE: New York**
*Population Group Listing*

*Population Group*

Parts:
C.T. 68
C.T. 71.01–71.02
C.T. 72.01
Medicaid—Rockaway
County—Queens
Parts:
C.T. 916.01–916.02
C.T. 916.99
C.T. 918
C.T. 922
C.T. 928
C.T. 934
C.T. 938
C.T. 942.01–942.03
C.T. 952
C.T. 962
C.T. 964
C.T. 972
C.T. 992
C.T. 998
C.T. 1008
C.T. 1010
C.T. 1032
Medicaid—Utica
County—Oneida
Parts:
C.T. 201
C.T. 202.01–202.02
C.T. 203–206
C.T. 207.01–207.02
C.T. 208.01–208.03
C.T. 209–210
C.T. 211.01–211.03
C.T. 212.01–212.02
C.T. 213.01–213.03
C.T. 214.01–214.04
C.T. 215
C.T. 216.01–216.02
C.T. 217.01–217.02
Medicaid/Hispanic—Port Chester
County—Westchester
Parts:
C.T. 78–82
Pov Pop—Oswego City
County—Cayuga
Parts:
Sterling Twn.
County—Oswego
Parts:
Hannibal Twn.
Minetto Twn.
New Haven Twn.
Oswego Twn.
Oswego City
Scriba Twn.
Pov Pop—Syracuse
County—Onondaga
Parts:
City Of Syracuse
Pov Pop—Watertown
County—Jefferson
Parts:
Brownville Twn.
City Of Watertown
Hounsfield Twn.
Le Ray Twn.
Pamelia Twn.
Rutland Twn.
Watertown Twn.
Pov/Homeless—Chelsea
County—New York

**PRIMARY MEDICAL CARE: New York**
*Population Group Listing*

*Population Group*

Parts:
Homeless
C.T. 93
C.T. 95
C.T. 97
C.T. 99
C.T. 101
C.T. 103
C.T. 109
C.T. 111
C.T. 113
C.T. 115
C.T. 117
Seneca Nation—Cattaraugus Res
County—Cattaraugus
Parts:
Cattaraugus Res
County—Chautauqua
Parts:
Cattaraugus Res
County—Erie
Parts:
Cattaraugus Res

**PRIMARY MEDICAL CARE: New York**
*Facility Listing*

*Facility Name*

Attica Corr Fac
County—Wyoming
Bare Hill Corr Fac
County—Franklin
Children's Hosp Pc Clinics—C.T. 67.02
County—Erie
FCI Raybrook
County—Essex
Nyc Corr. Fac./Rikers Island
County—Bronx

**PRIMARY MEDICAL CARE: North Carolina**
*County Listing*

*County Name*

Alamance
Population Group: Med Ind—Alamance Co
Alexander
*Anson
*Beaufort
Service Area: Bayboro—Aurora
Service Area: Belhaven—Swan Quarter
*Bertie
*Bladen
Brunswick
Caldwell
Service Area: Western Caldwell
*Carteret
Service Area: Eastern Carteret
*Caswell
Catawba
Population Group: Pov Pop—Catawba Co
Chatham
*Cherokee
Service Area: Hot House/Shoal Creek
*Clay
*Cleveland
Population Group: Med Ind—Cleveland Co
*Columbus
Cumberland
Population Group: Low Inc—Cumberland Co
Currituck
*Dare

**PRIMARY MEDICAL CARE: North Carolina**
*County Listing*

*County Name*

Service Area: Hatteras
*Duplin
Population Group: Low Inc—Duplin Co
Durham
Population Group: Medicaid—Durham Co
Edgecombe
Franklin
*Gates
*Graham
*Granville
Facility: FCI Butner
*Greene
Guilford
Service Area: Inner City Greensboro
*Halifax
Service Area: Littleton
*Harnett
Service Area: Western Harnett
Population Group: Pov Pop—Angier/Buies Creek
*Henderson
Population Group: MFW—Henderson/Polk
*Hertford
Population Group: Med Ind—Hertford Co
*Hoke
*Hyde
Service Area: Belhaven—Swan Quarter
Johnston
Population Group: Low Inc/MFW—Johnston Co
*Jones
*Lenoir
Service Area: East Kinston
*Macon
Service Area: Franklin
Madison
Mecklenburg
Service Area: Central Charlotte
*Montgomery
Nash
Population Group: MFW—Nash/Wilson
New Hanover
Population Group: Low Inc—New Hanover Co
*Northampton
Onslow
Pamlico
Service Area: Bayboro—Aurora
*Pender
*Polk
Population Group: MFW—Henderson/Polk
Randolph
*Robeson
*Sampson
Population Group: Low Inc/MFW—Sampson Co
*Scotland
Population Group: Med Ind—Scotland Co
*Stanly
Population Group: Pov Pop—Stanly Co
Stokes
Service Area: Danbury
*Swain
Population Group: Low Inc—Swain Co
*Tyrrell
Union
*Warren
Service Area: Littleton
Service Area: Warrenton
*Washington
Wayne
Population Group: Low Inc—Wayne Co

**PRIMARY MEDICAL CARE: North Carolina**
*County Listing*

*County Name*

*Wilson
Population Group: MFW—Nash/Wilson
Population Group: Pov Pop—Wilson Co
*Yancey
Population Group: Low Inc—Yancey Co

**PRIMARY MEDICAL CARE: North Carolina**
*Service Area Listing*

*Service Area Name*

Bayboro—Aurora
County—Beaufort
Parts:
Richland Twp
County—Pamlico
Belhaven—Swan Quarter
County—Beaufort
Parts:
Bath Township
Pantego Township
County—Hyde
Parts:
Currituck Township
Fairfield Township
Lake Landing Township
Lake Mattamuskeet Unorg.
Swan Quarter Township
Central Charlotte
County—Mecklenburg
Parts:
C.T. 1
C.T. 4–8
C.T. 36–37
C.T. 38.98
C.T. 39.01–39.02
C.T. 40–42
C.T. 43.02
C.T. 44–52
Danbury
County—Stokes
Parts:
C.T. 701–703
East Kinston
County—Lenoir
Parts:
C.T. 101–105
C.T. 107
Eastern Carteret
County—Carteret
Parts:
Atlantic Twp.
Cedar Island Twp.
Davis Twp.
Harkers Island Twp.
Marshallberg Twp.
Merrimon Town
Portsmouth Twp.
Sea Level Twp.
Smyrna Twp.
Stacy Twp.
Straits Twp
Franklin
County—Macon
Parts:
Burningtown Twp
Cartoogechaye Twp
Cowee Twp
Ellijay Twp
Flats Twp
Franklin Twp
Millshoal Twp
Nantahala Twp

**PRIMARY MEDICAL CARE: North Carolina**
*Service Area Listing*

*Service Area Name*

Smiths Bridge Twp.
Hatteras
County—Dare
Parts:
Hatteras Twp
Kinnakeet Twp
Hot House/Shoal Creek
County—Cherokee
Parts:
Hot House Twp.
Shoal Creek Twp.
Inner City Greensboro
County—Guilford
Parts:
C.T. 101
C.T. 107.02
C.T. 108.01
C.T. 110
C.T. 111.01
C.T. 112–115
Littleton
County—Halifax
Parts:
Brinkleyville Township
Butterwood Township
Littleton Township
County—Warren
Parts:
Fishing Creek Township
Judkins Township
Warrenton
County—Warren
Parts:
Fork Township
Hawtree Township
Nutbush Township
River Township
Roanoke Township
Sandy Creek Township
Shocco Township
Sixpound Township
Smith Creek Township
Warrenton Township
Western Caldwell
County—Caldwell
Parts:
Globe Twp.
Johns River Twp.
Mulberry Twp.
Patterson Twp.
Wilson Creek Twp.
Western Harnett
County—Harnett
Parts:
Anderson Creek Twp.
Barbecue Twp.
Johnsonville Twp.
Lillington Twp.
Stewarts Creek Twp.
Upper Little River Twp.

**PRIMARY MEDICAL CARE: North Carolina**
*Population Group Listing*

*Population Group*

Low Inc—Cumberland Co
County—Cumberland
Parts:
Low Income
Low Inc—Duplin Co
County—Duplin
Parts:

**PRIMARY MEDICAL CARE: North Carolina**
*Population Group Listing*

*Population Group*

Low Income
Low Inc—New Hanover Co
County—New Hanover
Parts:
Low Income
Low Inc—Swain Co
County—Swain
Parts:
Low Income
Low Inc—Wayne Co
County—Wayne
Parts:
Low Income
Low Inc—Yancey Co
County—Yancey
Parts:
Low Income
Low Inc/MFW—Johnston Co
County—Johnston
Parts:
Low Inc/MFW
Low Inc/MFW—Sampson Co
County—Sampson
Parts:
Low Inc/MFW
Med Ind—Alamance Co
County—Alamance
Parts:
Medically Indigent
Med Ind—Cleveland Co
County—Cleveland
Parts:
Medically Indigent
Med Ind—Hertford Co
County—Hertford
Parts:
Medically Indigent
Med Ind—Scotland Co
County—Scotland
Parts:
Medically Indigent
Medicaid—Durham Co
County—Durham
Parts:
Medicaid Eligible
MFW—Henderson/Polk
County—Henderson
Parts:
MFW
County—Polk
Parts:
Mig. Pop.
MFW—Nash/Wilson
County—Nash
Parts:
MFW
County—Wilson
Parts:
Mig Pop
Pov Pop—Angier/Buies Creek
County—Harnett
Parts:
Black River Twp.
Neills Creek Twp.
Pov Pop—Catawba Co
County—Catawba
Parts:
Pov Pop
Pov Pop—Stanly Co
County—Stanly
Parts:
Pov Pop

**PRIMARY MEDICAL CARE: North Carolina**
*Population Group Listing*

*Population Group*

Pov Pop—Wilson Co
County—Wilson
Parts:
Pov Pop

**PRIMARY MEDICAL CARE: North Carolina**
*Facility Listing*

*Facility Name*

FCI Butner
County—Granville

**PRIMARY MEDICAL CARE: North Dakota**
*County Listing*

*County Name*

*Adams
Service Area: Lemmon (SD/ND)
*Barnes
Service Area: Wimbledon
*Benson
Billings
Service Area: Belfield/Medora
*Bottineau
Service Area: Mohall
*Bowman
Service Area: Bowman/Scranton/Rhame
*Burke
Service Area: Kenmare/Bowbells
Service Area: Powers Lake/Columbus
*Dickey
Service Area: Ellendale/Edgeley (ND/SD)
Service Area: Oakes/Forman
*Divide
*Dunn
*Eddy
*Emmons
*Foster
*Golden Valley
Grand Forks
Service Area: Northwood
*Kidder
Service Area: Harvey
Service Area: Medina
*La Moure
Service Area: Ellendale/Edgeley (ND/SD)
Service Area: La Moure
Logan
*Logan
Service Area: Wishek/Napoleon
Service Area: Wishek/Napoleon
*McHenry
McIntosh
Service Area: Wishek/Napoleon
*McKenzie
*McLean
Morton
Service Area: West Morton/East Stark
*Nelson
Service Area: McVille
Service Area: Northwood
*Oliver
*Pembina
*Pierce
Service Area: Harvey
*Renville
Service Area: Kenmare/Bowbells
Service Area: Mohall
*Richland
Service Area: Hankinson/Lidgerwood (ND/SD)
*Rolette

**PRIMARY MEDICAL CARE: North Dakota**
*County Listing*

*County Name*

Sargent
Service Area: Oakes/Forman
*Sheridan
Service Area: Harvey
*Sioux
*Slope
*Stark
Service Area: Belfield/Medora
Service Area: West Morton/East Stark
*Steele
Service Area: Mayville/Finley
Service Area: Northwood
*Stutsman
Service Area: Medina
Service Area: Wimbledon
*Traill
Service Area: Mayville/Finley
*Ward
Service Area: Kenmare/Bowbells
*Wells
Service Area: Harvey

**PRIMARY MEDICAL CARE: North Dakota**
*Service Area Listing*

*Service Area Name*

Belfield/Medora
County—Stark
Parts:
Belfield City
South Heart City
West Stark Unorg.
Bowman/Scranton/Rhame
County—Bowman
Parts:
Adelaide Twp.
Amor Twp.
Bowman City
Bowman Twp.
Boyesen Twp.
Buena Vista Twp.
Fischbein Twp.
Gascoyne City
Gascoyne Twp.
Gem Twp.
Goldfield Twp.
Grainbelt Twp.
Grand River Twp.
Haley Twp.
Hart Unorg.
Ladd Twp.
Langberg Twp.
Marion Twp.
Minnehaha Twp.
Nebo Twp.
Rhame City
Rhame Twp.
Scranton City
Scranton Twp.
Star Twp.
Stillwater Twp.
Talbot Twp.
Whiting Twp.
Ellendale/Edgeley (ND/SD)
County—Dickey
Parts:
Ada Township
Albertha Township
Albion Township
Elden Township
Ellendale City
Ellendale Township

**PRIMARY MEDICAL CARE: North Dakota**
*Service Area Listing*

*Service Area Name*

Elm Township
Forbes City
Fullerton City
German Township
Grand Valley Township
Hamburg Township
Kent Township
Kentner Township
Keystone Township
Lorraine Township
Maple Township
Merricourt City
Monango City
Northwest Township
Porter Township
Potsdam Township
Spring Valley Township
Valley Township
Van Meter Township
Whitestone Township
Wright Township
Yorktown Township
Young Township
County—La Moure
Parts:
Edgeley City
Golden Glen Township
Kulm City
Nora Township
Norden Township
Pomona View Township
Ray Township
Swede Township
Wano Township
Willowbank Township
Hankinson/Lidgerwood (ND/SD)
County—Richland
Parts:
Barney Twp.
Belford Twp.
Brandenburg Twp.
Brightwood Twp.
Danton Twp.
Devillo Twp.
Dexter Twp.
Duerr Twp.
Elma Twp.
Fairmount City
Fairmount Twp.
Grant Twp.
Great Bend City
Greendale Twp.
Hankinson City
La Mars Twp.
Liberty Grove Twp.
Lidgerwood City
Mantador City
Moran Twp.
Waldo Twp.
Wyndmere City
Wyndmere Twp.
Harvey
County—Kidder
Parts:
Atwood Twp
Clear Lake Twp
Kickapoo Twp
Merkel Twp
Northwest Twp
Robinson City
Robinson Twp
Stewart Twp

**PRIMARY MEDICAL CARE: North Dakota**
*Service Area Listing*

*Service Area Name*

Tuttle City
Tuttle Twp
County—Pierce
Parts:
Alexander Twp
Antelope Lake Twp
Elling Twp
Hagel Twp
S Pierce Unorg
Truman Twp
White Twp
County—Wells
Parts:
Bremen Twp
Bull Moose Twp
Chaseley Twp
Crystal Lake Twp
Delger Twp
Fairville Twp
Fessenden City
Forward Twp
Fram Twp
Germantown Twp
Hamberg City
Hamberg Twp
Harvey City
Heimdal Twp
Hillsdale Twp
Lynn Twp
Manfred Twp
Norway Lake Twp
Oshkosh Twp
Pony Gulch Twp
Rusland Twp
Silver Lake Twp
St Anna Twp
Valhalla Twp
Wells Twp
West Norway Twp
Western Twp
Kenmare/Bowbells
County—Burke
Parts:
Bowbells City
Bowbells Twp.
Carter Twp.
Dimond Twp.
Flaxton City
Kandiyohi Twp.
Lakeview Twp.
Minnesota Twp.
North Star Twp.
North Burke Unorg.
Richland Twp.
Roseland Twp.
Vanville Twp.
Ward Twp.
County—Renville
Parts:
Fairbanks Twp.
Grover Twp.
Ivanhoe Twp.
McKinney Twp.
Prosperity Twp.
Rockford Twp.
Roosevelt Twp.
Stafford Twp.
Tolley City
County—Ward
Parts:
Baden Twp.
Denmark Twp.

**PRIMARY MEDICAL CARE: North Dakota**
*Service Area Listing*

*Service Area Name*

Elmdale Twp.
Greenbush Twp.
Kenmare City
Kenmare Twp.
Sauk Prairie Twp.
Spencer Twp.
La Moure
County—La Moure
Parts:
Adrian Twp.
Badger Twp.
Berlin City
Black Loam Twp.
Blue Bird Twp.
Dean Twp.
Dickey City
Gladstone Twp.
Glen Twp.
Glenmore Twp.
Grand Rapids Twp.
Grandview Twp.
Greenville Twp.
Henrietta Twp.
Jud City
Kennison Twp.
La Moure City
Litchville Twp.
Marion City
Mikkelson Twp.
Ovid Twp.
Pearl Lake Twp.
Prairie Twp.
Raney Twp.
Roscoe Twp.
Russell Twp.
Ryan Twp.
Saratoga Twp.
Sheridan Twp.
Verona City
Lemmon (SD/ND)
County—Adams
Parts:
E Adams Unorg
Gilstrap Twp
North Lemmon Twp
Orange Twp
South Fork Twp
Mayville/Finley
County—Steele
Parts:
Broadlawn Twp
Carpenter Twp
Colgate Twp
Easton Twp
Edendale Twp
Enger Twp
Finley City
Finley Twp
Franklin Twp
Golden Lake Twp
Greenview Twp
Hope City
Hugo Twp
Luverne City
Melrose Twp
Primrose Twp
Riverside Twp
Sherbrooke Twp
Willow Lake Twp
County—Traill
McVille
County—Nelson

**PRIMARY MEDICAL CARE: North Dakota**
*Service Area Listing*

*Service Area Name*

Parts:
Adler Township
Bergen Township
Central Township
Clara Township
Dahlen Township
Dayton Township
Dodds Township
Enterprise Township
Field Township
Forde Township
Hamlin Township
Illinois Township
Lakota City
Lakota Township
Lee Township
Leval Township
McVille City
Melvin Township
Michigan City City
Michigan Township
Nash Township
Nesheim Township
Osago Township
Pekin City
Petersburg City
Petersburg Township
Rubin Township
Sarnia Township
Tolna City
Wamduska Township
Williams Township
Medina
County—Kidder
Parts:
Allen Twp.
Buckeye Twp.
Bunker Twp.
Crystal Spring Twp.
Dawson City
Graf Twp.
Haynes Twp.
Manning Twp.
Peace Twp.
Quinby Twp.
Sibley Twp.
South Kidder Unorg.
Steele City
Tanner Twp.
Tappen City
Tappen Twp.
Valley Twp.
Vernon Twp.
Weiser Twp.
Westford Twp.
Williams Twp.
Woodlawn Twp.
County—Stutsman
Parts:
Bloomenfield Twp.
Chase Lake Unorg.
Chicago Twp.
Cleveland City
Flint Twp.
Germania Twp.
Griffin Twp.
Iosco Twp.
Medina City
Newbury Twp.
Peterson Twp.
Sinclair Twp.
St. Paul Twp.

**PRIMARY MEDICAL CARE: North Dakota**
*Service Area Listing*

*Service Area Name*

Stirton Twp.
Streeter City
Streeter Twp.
Valley Spring Twp.
Weld Twp.
Mohall
County—Bottineau
Parts:
Antler City
Antler Township
Blaine Township
Cut Bank Township
Hoffman Township
Lansford City
Lansford Township
Renville Township
Sherman Township
Wheaton Township
County—Renville
Parts:
Brandon Township
Callahan Township
Clay Township
Colquhoun Township
Eden Valley Township
Grano City
Grassland Township
Hamerly Township
Hamlet Township
Hurley Township
Lockwood Township
Loraine City
Mohall City
Sherwood City
Northwood
County—Grand Forks
Parts:
Arvilla Twp
Avon Twp.
Elm Grove Twp.
Grace Twp.
Larimore City
Larimore Twp
Lind Twp.
Logan Center Twp.
Loretta Twp.
Moraine Twp.
Niagara City
Niagara Twp.
Northwood City
Northwood Twp.
Pleasant View Twp.
Washington Twp.
County—Nelson
Parts:
Aneta City
Ora Twp.
Rugh Twp.
County—Steele
Parts:
Beaver Creek Twp.
Newburgh Twp.
Sharon City
Sharon Twp.
Westfield Twp.
Oakes/Forman
County—Dickey
Parts:
Bear Creek Township
Clement Township
Divide Township
Hudson Township

**PRIMARY MEDICAL CARE: North Dakota**
*Service Area Listing*

*Service Area Name*

James River Valley To
Lovell Township
Ludden City
Oakes City
Port Emma Township
Riverdale Township
County—Sargent
Powers Lake/Columbus
County—Burke
Parts:
Battleview Township
Clayton Township
Cleary Township
Columbus City
Colville Township
Dale Township
Fay Township
Foothills Township
Forthun Township
Garness Township
Harmonious Township
Keller Township
Larson City
Leaf Mountain Township
Lignite City
Lucy Township
Portal City
Portal Township
Powers Lake City
Short Creek Township
Soo Township
Thorson Township
Vale Township
West Morton/East Stark
County—Morton
Parts:
Almont City
Engelter Twp
Glen Ullin City
Hebron City
New Salem City
West Morton Unorg
County—Stark
Parts:
East Stark Unorg
Richardton City
Taylor City
Wimbledon
County—Barnes
Parts:
Ashtabula Twp.
Baldwin Twp.
Dazey City
Dazey Twp.
Edna Twp.
Ellsbury Twp.
Grand Prairie Twp.
Lake Town Twp.
Leal City
Minnie Lake Twp.
Pierce Twp.
Pillsbury City
Rogers City
Rogers Twp.
Sibley City
Sibley Trail Twp.
Uxbridge Twp.
Wimbledon City
County—Stutsman
Parts:
Ashland Twp.
Courtenay Twp.

**PRIMARY MEDICAL CARE: North Dakota**
*Service Area Listing*

*Service Area Name*

Courtenay City
Durham Twp.
Gray Twp.
Spiritwood Lake City
Wishek/Napoleon
County—McIntosh

**PRIMARY MEDICAL CARE: Ohio**
*County Listing*

*County Name*

*Adams
*Ashtabula
Service Area: Orwell
*Athens
Population Group: Med Ind—Athens Co
*Brown
Butler
Service Area: Eastern Hamilton
Service Area: West Middletown
Carroll
Clark
Service Area: Southwest Side (Springfield)
Columbiana
Service Area: East Liverpool (OH/PA/WV)
*Coshocton
Population Group: Med Ind—Coshocton Co
Cuyahoga
Service Area: East Cleveland
Service Area: Hough/Norwood/Glenville
Service Area: Lee Miles (Cleveland)
Service Area: Mt Pleasant/Union-Miles/Corlett
Service Area: Western Collinwood
Population Group: Med Ind—Near West/Westside/Edgewater
Population Group: Medicaid—Clark-Fulton/Denison/Tremont
Population Group: Medicaid Pop—Central/Fairfax/Kinsman
Facility: Free Clinic Of Greater Cleveland
Fairfield
Population Group: Low Inc—Lancaster/Baltimore
*Fayette
Franklin
Service Area: Lower Linden (N.E. Columbus)
Service Area: Near North/University
Service Area: Near Southside (Columbus)
Population Group: Low Inc—Franklinton (Columbus)
*Guernsey
Service Area: Cambridge
Service Area: Freeport
Hamilton
Service Area: East & Lower Price Hill/S Fairmont
Service Area: East End (Cincinnati)
Service Area: Millvale
Service Area: West End (Cincinnati)
Service Area: Winton Hills (Cincinnati)
*Hardin
*Harrison
Service Area: Cadiz/Scio/Hopedale
Service Area: Freeport
*Henry
Population Group: Med Ind—Henry Co
*Highland
Population Group: Low Inc—Highland Co
*Hocking

**PRIMARY MEDICAL CARE: Ohio**
*County Listing*

*County Name*

Population Group: Med Ind—Hocking Co
*Jackson
Jefferson
Service Area: East Liverpool (OH/PA/WV)
Lawrence
Population Group: Low Inc—Lawrence Co
Lucas
Service Area: Center City/Dorr (Toledo)
Service Area: East Toledo
Service Area: Near Southside Toledo
Mahoning
Service Area: Eastside Youngstown
*Meigs
*Monroe
Service Area: New Matamoras
Service Area: Woodsfield
Montgomery
Service Area: West Dayton
*Morgan
*Morrow
*Perry
*Pike
Portage
Population Group: Med Ind—Portage Co
*Putnam
Population Group: Med Ind—Putnam Co
Richland
Population Group: Med Ind—Richland Co
*Ross
Facility: Ross Corr INS
Facility: Ross Corr. I.
*Sandusky
Population Group: Low Inc/MFW—Sandusky Co
*Scioto
Population Group: Med Ind—Scioto Co
Facility: Southern Ohio Corr. I.
Stark
Service Area: Ne Canton
Summit
Service Area: Akron (Southeast Side)
Trumbull
Service Area: Orwell
Service Area: The Flats (Warren)
*Tuscarawas
Service Area: Freeport
*Vinton
Washington
Service Area: New Matamoras

**PRIMARY MEDICAL CARE: Ohio**
*Service Area Listing*

*Service Area Name*

Akron (Southeast Side)
County—Summit
Parts:
C.T. 5014
C.T. 5031–5035
C.T. 5038
Cadiz/Scio/Hopedale
County—Harrison
Parts:
Archer Twp.
Athens Twp.
Cadiz Twp.
Franklin Twp.
German Twp.
Green Twp.
Monroe Twp.
North Twp.
Rumley Twp.

**PRIMARY MEDICAL CARE: Ohio**
*Service Area Listing*

*Service Area Name*

Short Creek Twp.
Stock Twp.
Cambridge
County—Guernsey
Parts:
Adams Twp.
Cambridge Twp.
Center Twp.
Jackson Twp.
Jefferson Twp.
Knox Twp.
Liberty Twp.
Millwood Twp.
Monroe Twp.
Oxford Twp.
Richland Twp.
Spencer Twp.
Valley Twp.
Westland Twp.
Wheeling Twp.
Wills Twp.
Center City/Dorr (Toledo)
County—Lucas
Parts:
C.T. 27–28
C.T. 31–37
C.T. 39
East & Lower Price Hill/S Fairmont
County—Hamilton
Parts:
C.T. 87
C.T. 89
C.T. 91–96
C.T. 103
East Cleveland
County—Cuyahoga
Parts:
C.T. 1501
C.T. 1503–1504
C.T. 1511–1518
East End (Cincinnati)
County—Hamilton
Parts:
C.T. 43–44
C.T. 47.02
East Liverpool (OH/PA/WV)
County—Columbiana
Parts:
Center Twp
East Liverpool City
Elk Run Twp
Franklin Twp
Hanover Twp
Liverpool Twp
Madison Twp
Middleton Twp
St. Clair Twp
Unity Twp
Washington Twp
Wayne Twp
Wellsville City
Yellow Creek Twp
County—Jefferson
Parts:
Brush Creek Twp
Saline Twp
East Toledo
County—Lucas
Parts:
C.T. 46
C.T. 47.01–47.02
C.T. 48

**PRIMARY MEDICAL CARE: Ohio**
*Service Area Listing*

*Service Area Name*

C.T. 48.99–49.00
C.T. 50–53
Eastern Hamilton
County—Butler
Parts:
C.T. 3–4
C.T. 6
C.T. 7.01–7.02
Eastside Youngstown
County—Mahoning
Parts:
C.T. 8001–8007
C.T. 8040
Freeport
County—Guernsey
Parts:
Londonderry Twp
Madison Twp
Washington Twp
County—Harrison
Parts:
Freeport Twp
Moorefield Twp
Nottingham Twp
Washington Twp
County—Tuscarawas
Parts:
Perry Twp
Hough/Norwood/Glenville
County—Cuyahoga
Parts:
C.T. 1112–1113
C.T. 1114.01–1114.02
C.T. 1115–1118
C.T. 1119.01–1119.02
C.T. 1121–1128
C.T. 1161–1168
C.T. 1181–1185
C.T. 1186.01–1186.02
C.T. 1189
Lee Miles (Cleveland)
County—Cuyahoga
Parts:
C.T. 1217–1219
C.T. 1221–1223
Lower Linden (N.E. Columbus)
County—Franklin
Parts:
C.T. 7.10
C.T. 7.20
C.T. 7.30
C.T. 9.10
C.T. 9.20
C.T. 14–15
C.T. 75.11–75.12
C.T. 75.20
Millvale
County—Hamilton
Parts:
C.T. 28
C.T. 77
C.T. 85.02
C.T. 86.01
Mt Pleasant/Union-Miles/Corlett
County—Cuyahoga
Parts:
C.T. 1155
C.T. 1198–1199
C.T. 1204–1206
C.T. 1207.01–1207.02
C.T. 1208.01–1208.02
C.T. 1211–1213

**PRIMARY MEDICAL CARE: Ohio**
*Service Area Listing*

*Service Area Name*

C.T. 1214.01–1214.02
C.T. 1215–1216
C.T. 1275
Ne Canton
County—Stark
Parts:
C.T. 7002–7005
C.T. 7018
C.T. 7124
Near North/University
County—Franklin
Parts:
C.T. 10
C.T. 11.10
C.T. 12–13
C.T. 16–17
C.T. 18.10
C.T. 18.20
C.T. 20
C.T. 20–22
C.T. 32
Near Southside (Columbus)
County—Franklin
Parts:
C.T. 54.20
C.T. 55
C.T. 56.10
C.T. 56.20
C.T. 58.20
C.T. 59–61
C.T. 87.10
C.T. 87.20
C.T. 87.30
C.T. 87.40
Near Southside Toledo
County—Lucas
Parts:
C.T. 38
C.T. 40–42
C.T. 54
New Matamoras
County—Monroe
Parts:
Benton Twp
Jackson Twp
County—Washington
Parts:
Grandview Twp
Independence Twp
Liberty Twp
Ludlow Twp
Orwell
County—Ashtabula
Parts:
Colebrook Twp
Hartsgrove Twp
Morgan Twp
New Lyme Twp
Orwell Twp
Rome Twp
Trumbull Twp
Windsor Twp
County—Trumbull
Parts:
Bloomfield Twp
Greene Twp
Gustavus Twp
Kinsman Twp
Mesopotamia Twp
Southwest Side (Springfield)
County—Clark
Parts:

**PRIMARY MEDICAL CARE: Ohio**
*Service Area Listing*

*Service Area Name*

C.T. 1–3
C.T. 8
C.T. 9.01–9.02
C.T. 10
C.T. 11.01–11.02
C.T. 12
The Flats (Warren)
County—Trumbull
Parts:
C.T. 9205–9207
West Dayton
County—Montgomery
Parts:
C.T. 2–4
C.T. 6–7
C.T. 9–10
C.T. 13
C.T. 35–42
C.T. 44–45
C.T. 602–603
C.T. 702.01–702.02
C.T. 703
West End (Cincinnati)
County—Hamilton
Parts:
C.T. 2
C.T. 3.01–3.02
C.T. 4
C.T. 8
C.T. 14–15
West Middletown
County—Butler
Parts:
C.T. 128–132
C.T. 140
Western Collinwood
County—Cuyahoga
Parts:
C.T. 1169
C.T. 1171.01–1171.02
C.T. 1172.01–1172.02
C.T. 1173–1175
C.T. 1179
C.T. 1261
Winton Hills (Cincinnati)
County—Hamilton
Parts:
C.T. 80
Woodsfield
County—Monroe
Parts:
Adams Twp
Bethel Twp
Center Twp
Franklin Twp
Green Twp
Lee Twp
Malaga Twp
Ohio Twp
Perry Twp
Salem Twp
Seneca Twp
Summit Twp
Sunsbury Twp
Switzerland Twp
Washington Twp
Wayne Twp

**PRIMARY MEDICAL CARE: Ohio**
*Population Group Listing*

*Population Group*

Low Inc—Franklinton (Columbus)

**PRIMARY MEDICAL CARE: Ohio**
*Population Group Listing*

*Population Group*

County—Franklin
Parts:
C.T. 41–44
C.T. 50–51
Low Inc—Highland Co
County—Highland
Parts:
Low Income
Low Inc—Holmes Co
Parts:
Low Income
Low Inc—Lancaster/Baltimore
County—Fairfield
Parts:
Amanda Twp
Berne Twp
Bloom Twp
Clear Creek Twp
Greenfield Twp
Hocking Twp
Lancaster City
Liberty Twp
Madison Twp
Pleasant Twp
Richland Twp
Rush Creek Twp
Walnut Twp
Low Inc—Lawrence Co
County—Lawrence
Parts:
Low Income
Low Inc/MFW—Sandusky Co
County—Sandusky
Parts:
Low Income
MFW
Med Ind—Athens Co
County—Athens
Parts:
Medically Indigent
Med Ind—Coshocton Co
County—Coshocton
Parts:
Medically Indigent
Med Ind—Henry Co
County—Henry
Parts:
Medically Indigent
Med Ind—Hocking Co
County—Hocking
Parts:
Medically Indigent
Med Ind—Near West/Westside/Edgewater
County—Cuyahoga
Parts:
C.T. 1011.01–1011.02
C.T. 1012–1019
C.T. 1021.01
C.T. 1022–1026
C.T. 1031–1039
Med Ind—Portage Co
County—Portage
Parts:
Medically Indigent
Med Ind—Putnam Co
County—Putnam
Parts:
Medically Indigent
Med Ind—Richland Co
County—Richland
Parts:
Medically Indigent

**PRIMARY MEDICAL CARE: Ohio**
*Population Group Listing*

*Population Group*

Med Ind—Scioto Co
County—Scioto
Parts:
Medically Indigent
Medicaid—Clark-Fulton/Denison/Tremont
County—Cuyahoga
Parts:
C.T. 1027–1029
C.T. 1041–1042
C.T. 1042.99–1043.00
C.T. 1044–1049
C.T. 1051–1055
C.T. 1056.01–1056.02
Medicaid Pop—Central/Fairfax/Kinsman
County—Cuyahoga
Parts:
C.T. 1079
C.T. 1087–1089
C.T. 1091–1093
C.T. 1096–1099
C.T. 1101–1103
C.T. 1129
C.T. 1131–1139
C.T. 1141–1145
C.T. 1147–1148

**PRIMARY MEDICAL CARE: Ohio**
*Facility Listing*

*Facility Name*

Free Clinic Of Greater Cleveland
County—Cuyahoga
Ross Corr INS
County—Ross
Ross Corr. I.
County—Ross
Southern Ohio Corr. I.
County—Scioto

**PRIMARY MEDICAL CARE: Oklahoma**
*County Listing*

*County Name*

*Adair
*Alfalfa
Population Group: Low Inc—Woods/Alfalfa
*Atoka (g)
Facility: Stringtown Corr. C.
*Beaver
*Blaine
Service Area: Watonga
*Bryan
*Caddo
Canadian
Facility: FCI El Reno
*Carter
Service Area: Velma-Alma/Healdton North
*Choctaw
Cleveland
Facility: Lexington Corr. C.
*Coal
Creek
Population Group: Low Inc—Mounds
*Dewey
Service Area: Vici/Dewey South
*Harmon
Population Group: Medicaid—Harmon Co
*Haskell
*Hughes
Service Area: Allen
*Jackson
*Johnston

**PRIMARY MEDICAL CARE: Oklahoma**
*County Listing*

*County Name*

*Kiowa
*Latimer
*Le Flore
*Lincoln
Logan
*Marshall
*Mayes
McClain
*McCurtain
*McIntosh
*Nowata
Service Area: Chelsea/New Alluwe
Service Area: Nowata
*Okfuskee
Oklahoma
Service Area: Luther
Service Area: N.E. Oklahoma Co
Service Area: S.E. Oklahoma City
*Okmulgee
Population Group: Low Inc—Mounds
*Pittsburg
Service Area: Quinton
*Pontotoc
Service Area: Allen
Pottawatomie
Service Area: Konawa
*Pushmataha
Service Area: Finley-Rattan/Antlers
*Roger Mills
Rogers
Service Area: Chelsea/New Alluwe
*Seminole
Service Area: Konawa
Sequoyah
*Stephens
Service Area: Velma-Alma/Healdton North
*Tillman
Tulsa
Service Area: North Tulsa
Population Group: Am In—Tulsa
*Washita
Service Area: Southwest Washita
*Woods
Population Group: Low Inc—Woods/Alfalfa

**PRIMARY MEDICAL CARE: Oklahoma**
*Service Area Listing*

*Service Area Name*

Allen
County—Hughes
Parts:
South Hughes CCD
County—Pontotoc
Parts:
Northeast Pontotoc CCD
Chelsea/New Alluwe
County—Nowata
Parts:
Alluwe CCD
County—Rogers
Parts:
Chelsea CCD
Finley-Rattan/Antlers
County—Pushmataha
Parts:
Antlers CCD
Finley-Rattan CCD
Konawa
County—Pottawatomie
Parts:
Maud CCD

**PRIMARY MEDICAL CARE: Oklahoma**
*Service Area Listing*

*Service Area Name*

Wanette-Asher CCD
County—Seminole
Parts:
Konawa CCD
Seminole South CCD
Luther
County—Oklahoma
Parts:
C.T. 1081.01
C.T. 1081.03
C.T. 1089–1090
N.E. Oklahoma Co
County—Oklahoma
Parts:
C.T. 1080.03
C.T. 1080.05
C.T. 1080.10–1080.11
C.T. 1088.01
C.T. 1088.03–1088.04
North Tulsa
County—Tulsa
Parts:
C.T. 2–10
C.T. 12–14
C.T. 57
C.T. 62
C.T. 79
C.T. 80.01–80.02
C.T. 91.01
Nowata
County—Nowata
Parts:
Lenapah-Delaware CCD
Nowata CCD
South Coffeyville-Wann Cc
Quinton
County—Pittsburg
Parts:
Quinton CCD
S.E. Oklahoma City
County—Oklahoma
Parts:
C.T. 1039
C.T. 1048
C.T. 1053–1054
C.T. 1073.04
Southwest Washita
County—Washita
Parts:
Southwest Washita CCD
Velma-Alma/Healdton North
County—Carter
Parts:
Healdton North Division
County—Stephens
Parts:
Velma-Alma Division
Vici/Dewey South
County—Dewey
Parts:
Dewey South CCD
Vici CCD
Watonga
County—Blaine
Parts:
Geary CCD
Watonga CCD

**PRIMARY MEDICAL CARE: Oklahoma**
*Population Group Listing*

*Population Group*

Am In—Tulsa

**PRIMARY MEDICAL CARE: Oklahoma**
*Population Group Listing*

*Population Group*

County—Tulsa
Parts:
American Indian
Low Inc—Mounds
County—Creek
Parts:
C.T. 215
County—Okmulgee
Parts:
Beggs Division
Low Inc—Woods/Alfalfa
County—Alfalfa
Parts:
Low Income
County—Woods
Parts:
Low Inc
Medicaid—Harmon Co
County—Harmon
Parts:
Medicaid Eligible

**PRIMARY MEDICAL CARE: Oklahoma**
*Facility Listing*

*Facility Name*

FCI El Reno
County—Canadian
Lexington Corr. C.
County—Cleveland
Stringtown Corr. C.
County—Atoka

**PRIMARY MEDICAL CARE: Oregon**
*County Listing*

*County Name*

*Baker
Service Area: Halfway
*Benton
Service Area: Alsea
Clackamas
Service Area: Estacada
Service Area: Mt. Hood
Population Group: MSFWs—Western Clackamas Co
*Columbia
Service Area: Clatskanie
Service Area: Vernonia
*Coos
Service Area: Powers
*Curry
Service Area: Port Orford
Population Group: Low Inc—Brookings
*Deschutes
Service Area: La Pine
*Douglas
Service Area: Drain/Yoncalla
Service Area: Glendale
Population Group: Med Ind—Roseburg
*Gilliam
Service Area: Arlington
Service Area: Condon
*Grant
*Harney
*Hood River
Population Group: MSFW—Hood River Co
Jackson
Service Area: Rogue River
Service Area: Shady Cove
Population Group: Med Ind—Medford
Population Group: MFW—Ashland/Phoenix

**PRIMARY MEDICAL CARE: Oregon**
*County Listing*

*County Name*

*Josephine
Service Area: Applegate-Williams
Service Area: Cave Junction
Service Area: Glendale
Population Group: Med Ind—Grants Pass
*Klamath
Service Area: Bly
Service Area: Chiloquin
Population Group: Med Ind/MFW—Klamath Falls
*Lake
Service Area: Silver Lake
Lane
Service Area: Lowell
Service Area: McKenzie
Service Area: Oakridge
Service Area: Triangle Lake/Swisshome
Population Group: Low Inc—Florence
*Lincoln
Population Group: Low Inc—De Lake
*Linn
Service Area: Mill City/Gates/Detroit
*Malheur
Service Area: Jordan Valley
Service Area: Nyssa (OR/ID)
Service Area: Vale
Population Group: MSFW—N. Treasure Valley (ID/OR)
Facility: Snake River Corr. I.
Marion
Service Area: Mill City/Gates/Detroit
Population Group: Low Inc/MFW—Marion/Polk
Facility: State Corr. I.
*Morrow
Service Area: Boardman
Multnomah
Population Group: Low Inc/Homeless—Burnside(Portland)
Polk
Service Area: Willamina/Grand Ronde
Population Group: Low Inc/MFW—Marion/Polk
*Sherman
Service Area: Moro/Grass Valley
Service Area: Wasco
*Tillamook
Service Area: Pacific City/Cloverdale
Population Group: Low Inc—Tillamook
*Umatilla
Population Group: MSFW—Umatilla
Facility: E Oregon Corr I
*Union
Service Area: Cove/Union
Service Area: Elgin
*Wasco
Service Area: Maupin/Dufur
Washington
Population Group: MSFW—Washington
*Wheeler
Service Area: Fossil
Service Area: Mitchell
Yamhill
Population Group: MSFW—Yamhill
Facility: FCI Sheridan

**PRIMARY MEDICAL CARE: Oregon**
*Service Area Listing*

*Service Area Name*

Alsea
County—Benton

**PRIMARY MEDICAL CARE: Oregon**
*Service Area Listing*

*Service Area Name*

Parts:
Southwest Benton CCD
Applegate-Williams
County—Josephine
Parts:
Williams CCD
Arlington
County—Gilliam
Parts:
Arlington Div.
Bly
County—Klamath
Parts:
Langell CCD
Boardman
County—Morrow
Parts:
Boardman Division
Cave Junction
County—Josephine
Parts:
Cave Junction CCD
Wilderville CCD
Chiloquin
County—Klamath
Parts:
Chiloquin CCD
Cresent Lake CCD
Clatskanie
County—Columbia
Parts:
Clatskanie Division
Marshland Division
Condon
County—Gilliam
Parts:
Condon Div.
Cove/Union
County—Union
Parts:
Cove CCD
Union CCD
Drain/Yoncalla
County—Douglas
Parts:
Elkton-Drain CCD
Kellogg-Yoncalla CCD
Elgin
County—Union
Parts:
Elgin CCD
Estacada
County—Clackamas
Parts:
Estacada Division
Fossil
County—Wheeler
Parts:
Fossil CCD
Glendale
County—Douglas
Parts:
South Umpqua CCD
County—Josephine
Parts:
Northwest Josephine CCD
Halfway
County—Baker
Parts:
Eagle Valley CCD
Halfway CCD
Jordan Valley

**PRIMARY MEDICAL CARE: Oregon**
*Service Area Listing*

*Service Area Name*

County—Malheur
Parts:
Jordan CCD
La Pine
County—Deschutes
Parts:
C.T. 9902–9905
Lowell
County—Lane
Parts:
Lowell CCD
Maupin/Dufur
County—Wasco
Parts:
Dufur CCD
McKenzie
County—Lane
Parts:
McKenzie CCD
Mill City/Gates/Detroit
County—Linn
Parts:
Mill City CCD
County—Marion
Parts:
Mill City CCD
Mitchell
County—Wheeler
Parts:
Mitchell CCD
Moro/Grass Valley
County—Sherman
Parts:
Moro CCD
Mt. Hood
County—Clackamas
Parts:
Mount Hood Division
Nyssa (OR/ID)
County—Malheur
Parts:
Adrian CCD
Nyssa CCD
Owyhee CCD
Oakridge
County—Lane
Parts:
Oakridge Division
Pacific City/Cloverdale
County—Tillamook
Parts:
Beaver Division
Neskowin Division
Port Orford
County—Curry
Parts:
Port Orford CCD
Powers
County—Coos
Parts:
Powers Div.
Rogue River
County—Jackson
Parts:
Northwest Jackson CCD
Sams Valley CCD
Shady Cove
County—Jackson
Parts:
Butte Falls-Prospect Division
Shady Cove Division
Silver Lake

**PRIMARY MEDICAL CARE: Oregon**
*Service Area Listing*

*Service Area Name*

County—Lake
Parts:
Silver Lake-Ft Rock CCD
Triangle Lake/Swisshome
County—Lane
Parts:
Middle Siuslaw-Triangle Lake Div
Vale
County—Malheur
Parts:
Brogan Division
Juntura Division
Vale Division
West Vale Division
Vernonia
County—Columbia
Parts:
Vernonia Division
Wasco
County—Sherman
Parts:
Wasco CCD
Willamina/Grand Ronde
County—Polk
Parts:
Willamina CCD

**PRIMARY MEDICAL CARE: Oregon**
*Population Group Listing*

*Population Group*

Low Inc—Brookings
County—Curry
Parts:
Brookings CCD
Harbor CCD
Low Inc—De Lake
County—Lincoln
Parts:
De Lake CCD
Depoe CCD
Low Inc—Florence
County—Lane
Parts:
North Siuslaw CCD
South Siuslaw CCD
Low Inc—Tillamook
County—Tillamook
Parts:
Bay City CCD
Tillamook CCD
Low Inc/Homeless—Burnside(Portland)
County—Multnomah
Parts:
C.T. 21
C.T. 51
Low Inc/MFW—Marion/Polk
County—Marion
Parts:
Low Income/MFW
County—Polk
Parts:
Low Inc/MFW
Med Ind—Grants Pass
County—Josephine
Parts:
C.T. 3604–3608
C.T. 3610–3613
Med Ind—Medford
County—Jackson
Parts:
Medford Div

**PRIMARY MEDICAL CARE: Oregon**
*Population Group Listing*

*Population Group*

Med Ind—Roseburg
County—Douglas
Parts:
Calapooia CCD
Melrose CCD
Roseburg CCD
Tenmile CCD
Med Ind/MFW—Klamath Falls
County—Klamath
Parts:
Keno CCD
Klamath Falls CCD
Malin CCD
Merrill CCD
MFW—Ashland/Phoenix
County—Jackson
Parts:
Ashland CCD
Eagle Point CCD
Southeast Jackson CCD
Southwest Jackson CCD
MSFW—Hood River Co
County—Hood River
Parts:
MSFW
MSFW—N. Treasure Valley (ID/OR)
County—Malheur
Parts:
MSFW
MSFW—Umatilla
County—Umatilla
Parts:
MSFW
MSFW—Washington
County—Washington
Parts:
MSFW
MSFW—Yamhill
County—Yamhill
Parts:
MSFW
MSFWs—Western Clackamas Co
County—Clackamas
Parts:
Beaver Creek CCD
Canby CCD
Colton CCD
Molalla CCD
Mulino CCD
Northwest Clackamas CCD
Redland CCD
Sandy CCD
Wilsonville CCD
Yoder CCD

**PRIMARY MEDICAL CARE: Oregon**
*Facility Listing*

*Facility Name*

E Oregon Corr I
County—Umatilla
FCI Sheridan
County—Yamhill
Snake River Corr. I.
County—Malheur
State Corr. I.
County—Marion

**PRIMARY MEDICAL CARE: Pennsylvania**
*County Listing*

*County Name*

Adams

**PRIMARY MEDICAL CARE: Pennsylvania**
*County Listing*

*County Name*

Population Group: MFW—Adams/Franklin
Allegheny
Service Area: Arlington Heights/St Clair
Service Area: Homewood-Brushton
Service Area: Manchester
Service Area: McKees Rocks-Stowe
Service Area: North Braddock
Service Area: South Braddock
Service Area: West End Pittsburgh
Population Group: Low Inc—Hill District
Population Group: Low Inc—Mckeesport
Population Group: Pov Pop—East Liberty
*Armstrong
Service Area: Armstrong-Clarion
Service Area: Dayton/Rural Valley
Service Area: Kiski Valley
Service Area: New Bethlehem/Hawthorn
Service Area: Northeast Butler
Beaver
Service Area: East Liverpool (OH/PA/WV)
*Bedford
Service Area: Broad Top/Cromwell
Service Area: Pleasantville
Berks
Population Group: Med Ind—Welsh Mountain
Blair
Service Area: Pleasantville
*Bradford
Service Area: La Porte
Butler
Service Area: Northeast Butler
Cambria
Service Area: Nanty-Glo
Facility: Sci Cresson
*Cameron
Centre
Service Area: Snow Shoe
Population Group: Low Inc—Philipsburg
Chester
Population Group: Med Ind—Welsh Mountain
*Clarion
Service Area: Armstrong-Clarion
Service Area: New Bethlehem/Hawthorn
*Clearfield
Service Area: Mahaffey
Service Area: Snow Shoe
Population Group: Low Inc—Philipsburg
*Clinton
Service Area: Renovo
Service Area: Snow Shoe
*Crawford
Service Area: Conneautville
Population Group: Low Inc—Union City (PA/NY)
Population Group: Med Ind—Titusville
Dauphin
Service Area: Millersburg
Population Group: Med Ind—Harrisburg
Delaware
Population Group: Medicaid—City Of Chester
*Elk
Service Area: Marienville
Erie
Service Area: Southern Erie
Population Group: Low Inc—Union City (PA/NY)
Population Group: Med Ind—Erie City
Fayette
Service Area: Greensboro

**PRIMARY MEDICAL CARE: Pennsylvania**
*County Listing*

*County Name*

Service Area: Markleysburg
Service Area: Republic
*Forest
Service Area: Marienville
Service Area: Tionesta
*Franklin
Service Area: Dry Run
Population Group: MFW—Adams/Franklin
*Fulton
Service Area: Broad Top/Cromwell
Service Area: Hancock (MD/PA/WV)
*Greene
Service Area: Clay/Battelle (WV/PA)
Service Area: Greensboro
Population Group: Pov Pop—Western Greene
*Huntingdon
Service Area: Big Valley
Service Area: Broad Top/Cromwell
Service Area: Mt. Union
*Indiana
Service Area: Dayton/Rural Valley
Service Area: Nanty-Glo
Service Area: North Indiana
Service Area: Punxsutawney
*Jefferson
Service Area: Punxsutawney
*Juniata
Service Area: Middleburg
Service Area: Millerstown
Lancaster
Population Group: Low Inc—Se Lancaster
Population Group: Med Ind—Welsh Mountain
*McKean
Service Area: Coudersport
Facility: FCI Mckean
Mercer
Service Area: Stoneboro
Population Group: Low Inc—Sharon/Farrell
*Mifflin
Service Area: Big Valley
Service Area: McClure
Service Area: Mt. Union
Monroe
Service Area: Mount Pocono
Service Area: South Monroe
Northampton
Population Group: Low Inc—Easton
*Northumberland
Service Area: Herndon
Service Area: Millersburg
Service Area: Shamokin
Perry
Service Area: Millerstown
Philadelphia
Service Area: Pennsport
Service Area: South Philadelphia
Service Area: Upper N. Philadelphia
Service Area: Woodland
*Pike
Service Area: Tafton
*Potter
Service Area: Coudersport
Service Area: Westfield
*Schuylkill
Service Area: Shamokin
Facility: FCI Schuylkill
*Snyder
Service Area: McClure
Service Area: Middleburg
Somerset

**PRIMARY MEDICAL CARE: Pennsylvania**
*County Listing*

*County Name*

Service Area: Confluence
Service Area: Indian Lake
*Sullivan
Service Area: La Porte
*Susquehanna
Service Area: Montrose
*Tioga
Service Area: Blossburg
Service Area: Coudersport
Service Area: Elkland (NY/PA)
Service Area: Mansfield
Service Area: Westfield
*Union
Population Group: Inmates—LSCI Allenwood
Population Group: Inmates—FPC Allenwood
Facility: MSCi Allenwood
Facility: USP Allenwood
Facility: USP Lewisburg
*Venango
Service Area: Tionesta
Population Group: Med Ind—Titusville
*Warren
Population Group: Low Inc—Union City (PA/NY)
Population Group: Med Ind—Titusville
*Wayne
Service Area: Northern Wayne
Westmoreland
Service Area: Kiski Valley
York
Service Area: York

**PRIMARY MEDICAL CARE: Pennsylvania**
*Service Area Listing*

*Service Area Name*

Arlington Heights/St. Clair
County—Allegheny
Parts:
C.T. 1603–1604
C.T. 1606
Armstrong-Clarion
County—Armstrong
Parts:
Brady's Bend Twp.
Madison Twp.
Perry Twp.
Sugarcreek Twp.
Washington Twp.
County—Clarion
Parts:
Brady Twp.
East Brady Boro.
Madison Twp.
Rimersburg Boro.
Big Valley
County—Huntingdon
Parts:
Barree Twp.
Jackson Twp.
Miller Twp.
County—Mifflin
Parts:
Armagh Twp.
Brown Twp.
Menno Twp.
Union Twp.
Blossburg
County—Tioga
Parts:

**PRIMARY MEDICAL CARE: Pennsylvania**
*Service Area Listing*

*Service Area Name*

Bloss Twp.
Blossburg Boro.
Covington Twp.
Duncan Twp.
Hamilton Twp.
Liberty Boro.
Liberty Twp.
Putnam Twp.
Union Twp.
Ward Twp.
Broad Top/Cromwell
County—Bedford
Parts:
Broad Top Twp
Coaldale Boro
Hopewell Boro
Hopewell Twp
Liberty Twp
Saxton Boro
County—Fulton
Parts:
Dublin Twp
Taylor Twp
Wells Twp
County—Huntingdon
Parts:
Broad Top City Boro
Carbon Twp
Cass Twp
Cassville Boro
Clay Twp
Coalmont Boro
Cromwell Twp
Dublin Twp
Dudley Boro
Hopewell Twp
Lincoln Twp
Orbisonia Boro
Rockhill Furnace Boro
Saltillo Boro
Shade Gap Boro
Springfield Twp
Tell Twp
Three Springs Boro
Todd Twp
Wood Twp
Clay/Battelle (WV/PA)
County—Greene
Parts:
Freeport Twp.
Gilmore Twp.
Springhill Twp.
Wayne Twp.
Coalport
Confluence
County—Somerset
Parts:
Addison Boro.
Addison Twp.
Casselman Boro.
Confluence Boro.
Lower Turkeyfoot Twp.
Upper Turkeyfoot Twp.
Ursina Boro.
Conneautville
County—Crawford
Parts:
Beaver Township
Conneaut Township
Conneautville Borough
Spring Township
Springboro Borough

**PRIMARY MEDICAL CARE: Pennsylvania**
*Service Area Listing*

*Service Area Name*

Summerhill Township
Coudersport
County—McKean
Parts:
Annin Twp
Ceres Twp
Eldred Boro
Eldred Twp
Keating Twp
Liberty Twp
Norwich Twp
Otto Twp
Port Allegany Boro
Smethport Boro
County—Potter
Parts:
Abbott Twp
Allegany Twp
Austin Boro
Bingham Twp
Clara Twp
Coudersport Boro
East Fork Dist
Eulalia Twp
Galeton Boro
Genesee Twp
Hebron Twp
Homer Twp
Keating Twp
Oswayo Boro
Oswayo Twp
Pike Twp
Pleasant Valley Twp
Portage Twp
Roulette Twp
Sharon Twp
Shinglehouse Boro
Stewardson Twp
Summit Twp
Sweden Twp
Sylvania Twp
Ulysses Boro
Ulysses Twp
West Branch Twp
Wharton Twp
County—Tioga
Parts:
Gaines Twp
Dayton/Rural Valley
County—Armstrong
Parts:
Atwood Boro
Cowanshannock Twp
Dayton Boro
Elderton Boro
Plumcreek Twp
Rural Valley Boro
Wayne Twp
County—Indiana
Parts:
Plumville Boro
South Mahoning Twp
Dry Run
County—Franklin
Parts:
Fannet Twp.
Metal Twp.
East Liverpool (OH/PA/WV)
County—Beaver
Parts:
Georgetown Boro
Glasgow Boro

**PRIMARY MEDICAL CARE: Pennsylvania**
*Service Area Listing*

*Service Area Name*

Greene Twp
Hookstown Boro
Ohioville Boro
Elkland (NY/PA)
County—Tioga
Parts:
Deerfield Twp.
Elkland Boro.
Elkland Twp.
Farmington Twp.
Knoxville Boro.
Nelson Twp.
Osceola Twp.
Greensboro
County—Fayette
Parts:
German Twp.
Masontown Boro.
Nicholson Twp.
Point Marion Boro.
Springhill Twp.
County—Greene
Parts:
Dunkard Twp.
Greene Twp.
Greensboro Boro.
Monongahela Twp.
Hancock (MD/PA/WV)
County—Fulton
Parts:
Bethel Twp.
Thompson Twp.
Union Twp.
Herndon
County—Northumberland
Parts:
Herndon Boro.
Jackson Twp.
Jordan Twp.
Washington Twp.
Homewood-Brushton
County—Allegheny
Parts:
C.T. 1207
C.T. 1301–1306
C.T. 5604
C.T. 5606
C.T. 5611–5612
Indian Lake
County—Somerset
Parts:
Central City Boro
Indian Lake Boro
Shade Twp
Shanksville Boro
Stonycreek Twp
Kiski Valley
County—Armstrong
Parts:
Apollo Boro
Bethel Twp
Burrell Twp
Gilpin Twp
Kiskiminetas Twp
Leechburg Boro
North Apollo Boro
Parks Twp
South Bend Twp
County—Westmoreland
Parts:
Allegheny Twp
Avonmore Boro

**PRIMARY MEDICAL CARE: Pennsylvania**
*Service Area Listing*

*Service Area Name*

Bell Twp
East Vandergrift Boro
Hyde Park Boro
Oklahoma Boro
Vandergrift Boro
Washington Twp
West Leechburg Boro
La Porte
County—Bradford
Parts:
Albany Twp
New Albany Boro
Overton Twp
Wilmot Twp
County—Sullivan
Parts:
Cherry Twp
Colley Twp
Davidson Twp
Dushore Boro
Eagles Mere Boro
Elkland Twp
Forks Twp
Forksville Boro
Hillsgrove Twp
La Porte Boro
La Porte Twp
Shrewsbury Twp
Mahaffey
County—Clearfield
Parts:
Bell Twp.
Burnside Boro.
Burnside Twp.
Ferguson Twp.
Greenwood Twp.
Mahaffey Boro.
New Washington Boro.
Newburg Boro.
Manchester
County—Allegheny
Parts:
C.T. 2107
C.T. 2503
C.T. 2507–2508
Mansfield
County—Tioga
Parts:
Jackson Twp
Lawrence Twp
Lawrenceville Boro
Mansfield Boro
Richmond Twp
Roseville Boro
Rutland Twp
Sullivan Twp
Tioga Boro
Tioga Twp
Marienville
County—Elk
Parts:
Millstone Twp.
County—Forest
Parts:
Barnett Twp.
Green Twp.
Howe Twp.
Jenks Twp.
Kingsley Twp.
Markleysburg
County—Fayette
Parts:

**PRIMARY MEDICAL CARE: Pennsylvania**
*Service Area Listing*

*Service Area Name*

Henry Clay Twp.
Markleysburg Boro.
Ohiopyle Boro.
Stewart Twp.
Wharton Twp.
McClure
County—Mifflin
Parts:
Decatur Twp.
County—Snyder
Parts:
Adams Twp.
McClure Boro.
Spring Twp.
West Beaver Twp.
McKees Rocks-Stowe
County—Allegheny
Parts:
C.T. 4621
C.T. 4626
C.T. 4639
C.T. 4644
Middleburg
County—Juniata
Parts:
Monroe Twp.
Susquehanna Twp.
County—Snyder
Parts:
Beaver Twp.
Beavertown Boro.
Centre Twp.
Chapman Twp.
Franklin Twp.
Freeburg Boro.
Middleburg Boro.
Perry Twp.
Union Twp.
Washington Twp.
West Perry Twp.
Millersburg
County—Dauphin
Parts:
Berrysburg Boro.
Elizabethville Boro.
Gratz Boro.
Halifax Boro.
Halifax Twp.
Jackson Twp.
Jefferson Twp.
Lykens Twp.
Lykens Boro.
Mifflin Twp.
Millersburg Boro.
Pillow Boro.
Reed Twp.
Rush Twp.
Upper Paxton Twp.
Washington Twp.
Wayne Twp.
Wiconisco Twp.
Williams Twp.
Williamstown Boro.
County—Northumberland
Parts:
Lower Mahanoy Twp.
Millerstown
County—Juniata
Parts:
Delaware Twp
Greenwood Twp
Thompsontown Boro

**PRIMARY MEDICAL CARE: Pennsylvania**
*Service Area Listing*

*Service Area Name*

County—Perry
Parts:
Buffalo Twp
Greenwood Twp
Howe Twp
Liverpool Boro
Liverpool Twp
Millerstown Boro
Newport Boro
Oliver Twp
Tuscarora Twp
Montrose
County—Susquehanna
Parts:
Auburn Twp.
Bridgewater Twp.
Brooklyn Twp.
Dimock Twp.
Forest Lake Twp.
Franklin Twp.
Harford Twp.
Hop Bottom Boro.
Jessup Twp.
Lathrop Twp.
Lenox Twp.
Liberty Twp.
Montrose Boro.
Rush Twp.
Silver Lake Twp.
Springville Twp.
Mount Pocono
County—Monroe
Parts:
Barrett Twp
Coolbaugh Twp
Mount Pocono Boro
Paradise Twp
Tobyhanna Twp
Tunkhannock Twp
Mt. Union
County—Huntingdon
Parts:
Mapleton Boro
Mill Creek Boro
Mount Union Boro
Shirley Twp
Shirleysburg Boro
Union Twp
County—Mifflin
Parts:
Bratton Twp
Kistler Boro
McVeytown Boro
Newton Hamilton Boro
Oliver Twp
Wayne Twp
Nanty-Glo
County—Cambria
Parts:
Barr Twp
Blacklick Twp
Jackson Twp (Vinco)
Nanty-Glo Boro
Vintondale Boro
County—Indiana
Parts:
Armagh Boro
Buffington Twp
East Wheatfield Twp
Pine Twp
West Wheatfield Twp
New Bethlehem/Hawthorn

**PRIMARY MEDICAL CARE: Pennsylvania**
*Service Area Listing*

*Service Area Name*

County—Armstrong
Parts:
Mahoning Twp
Redbank Twp
South Bethlehem Boro
County—Clarion
Parts:
Hawthorn Boro
New Bethlehem Boro
Porter Twp
Redbank Twp
North Braddock
County—Allegheny
Parts:
C.T. 5041
C.T. 5100
C.T. 5120
C.T. 5128–5129
C.T. 5138
C.T. 5140
C.T. 5151
C.T. 5153
North Indiana
County—Indiana
Parts:
Cherry Tree Boro.
East Mahoning Twp.
Grant Twp.
Green Twp.
Marion Center Boro.
Montgomery Twp.
Rayne Twp.
Northeast Butler
County—Armstrong
Parts:
Hovey Twp.
Parker City
County—Butler
Parts:
Allegheny Twp.
Bruin Boro.
Cherry Valley Boro.
Concord Twp.
Eau Claire Boro.
Fairview Boro.
Fairview Twp.
Karns City Boro.
Parker Twp.
Petrolia Boro.
Venango Twp.
Washington Twp.
Northern Wayne
County—Wayne
Parts:
Buckingham Twp.
Damascus Twp.
Lebanon Twp.
Manchester Twp.
Mt. Pleasant Twp.
Preston Twp.
Scott Twp.
Starrucca Boro.
Pennsport
County—Philadelphia
Parts:
C.T. 15
C.T. 18
C.T. 23–28
Pleasantville
County—Bedford
Parts:
East St. Clair Twp.
Kimmel Twp.
King Twp.
Lincoln Twp.
Pleasantville Boro.
Union Twp.
West St. Clair Twp.
County—Blair
Parts:
Greenfield Twp.
Punxsutawney
County—Indiana
Parts:
Banks Twp
Canoe Twp
Glen Campbell Boro
North Mahoning Twp
Smicksburg Boro
West Mahoning Twp
County—Jefferson
Parts:
Beaver Twp
Bell Twp
Big Run Boro
Gaskill Twp
Henderson Twp
McCalmont Twp
Oliver Twp
Perry Twp
Porter Twp
Punxsutawney Boro
Ringgold Twp
Timblin Boro
Worthville Boro
Young Twp
Renovo
County—Clinton
Parts:
Chapman Twp
East Keating Twp
Grugan Twp
Leidy Twp
Noyes Twp
Renovo Boro
South Renovo Boro
Republic
County—Fayette
Parts:
Brownsville Twp
Brownsville Boro
Luzerne Twp
Redstone Twp
Shamokin
County—Northumberland
Parts:
Coal Twp
East Cameron Twp
Herndon Boro
Jackson Twp
Jordan Twp
Little Mahanoy Twp
Shamokin City
Shamokin Twp
Upper Mahanoy Twp
Washington Twp
West Cameron Twp
Zerbe Twp
County—Schuylkill
Parts:
Eldred Twp
Hubley Twp
Upper Mahantongo Twp
Snow Shoe
County—Centre
Parts:
Boggs Twp
Burnside Twp
Curtin Twp
Howard Boro
Howard Twp
Liberty Twp
Snow Shoe Boro
Snow Shoe Twp
Union Twp
Unionville Boro
County—Clearfield
Parts:
Cooper Twp
Covington Twp
Karthaus Twp
County—Clinton
Parts:
Beech Creek Boro
Beech Creek Twp
West Keating Twp
South Braddock
County—Allegheny
Parts:
C.T. 4824
C.T. 4838
C.T. 4843
C.T. 4850
C.T. 4867–4869
C.T. 4882
South Monroe
County—Monroe
Parts:
Chestnuthill Twp
Eldred Twp
Polk Twp
Ross Twp
South Philadelphia
County—Philadelphia
Parts:
C.T. 13–14
C.T. 19–22
C.T. 30–34
C.T. 36
C.T. 46
Southern Erie
County—Erie
Parts:
Albion Borough
Conneaut Township
Cranesville Borough
Elk Creek Township
Platea Borough
Springfield Township
Stoneboro
County—Mercer
Parts:
Coolspring Twp
Deer Creek Twp
Fairview Twp
Fredonia Boro
French Creek Twp
Jackson Twp
Jackson Center Boro
Lake Twp
Mill Creek Twp
New Lebanon Boro
New Vernon Twp
Perry Twp
Sandy Lake Boro
Sandy Lake Twp

**PRIMARY MEDICAL CARE: Pennsylvania**
*Service Area Listing*

*Service Area Name*

Stoneboro Boro
Tafton
County—Pike
Parts:
Blooming Grove Twp.
Greene Twp.
Lackawaxen Twp.
Palmyra Twp.
Tionesta
County—Forest
Parts:
Harmony Twp
Hickory Twp
Tionesta Boro
Tionesta Twp
County—Venango
Parts:
President Twp
Upper N. Philadelphia
County—Philadelphia
Parts:
C.T. 170–176
C.T. 195–205
West End Pittsburgh
County—Allegheny
Parts:
C.T. 2004
C.T. 2017–2022
C.T. 2024
C.T. 2807–2808
C.T. 2814
C.T. 2816
Westfield
County—Potter
Parts:
Harrison Twp.
Hector Twp.
County—Tioga
Parts:
Brookfield Twp.
Chatham Twp.
Clymer Twp.
Westfield Boro.
Westfield Twp.
Fannet Twp
Parts:
Metal Twp
Woodland
County—Philadelphia
Parts:
C.T. 63
C.T. 65–67
C.T. 69–74
C.T. 76–78
York
County—York
Parts:
C.T. 1–3
C.T. 5
C.T. 7
C.T. 9–12
C.T. 15–16

**PRIMARY MEDICAL CARE: Pennsylvania**
*Population Group Listing*

*Population Group*

Inmates—FPC Allenwood 1
County—Union
Parts:
FPC Allenwood
Inmates—LSCI Allenwood

**PRIMARY MEDICAL CARE: Pennsylvania**
*Population Group Listing*

*Population Group*

County—Union
Parts:
LSCI Allenwood
Low Inc—Easton
County—Northampton
Parts:
C.T. 143–147
Low Inc—Hill District
County—Allegheny
Parts:
C.T. 305
C.T. 314
C.T. 501–502
C.T. 506
C.T. 508–511
Low Inc—Mckeesport
County—Allegheny
Parts:
C.T. 5010
C.T. 5509
C.T. 5512
C.T. 5519–5524
Low Inc—Philipsburg
County—Centre
Parts:
Philipsburg Boro
Rush Twp
South Philipsburg Boro
County—Clearfield
Parts:
Boggs Twp
Brisbin Boro
Chester Hill Boro
Decatur Twp
Graham Twp
Houtzdale Boro
Morris Twp
Osceola Mills Boro
Wallaceton Boro
Woodward Twp
Low Inc—Se Lancaster
County—Lancaster
Parts:
C.T. 1
C.T. 7–9
C.T. 14–16
Low Inc—Sharon/Farrell
County—Mercer
Parts:
C.T. 301–309
Low Inc—Union City (PA/NY)
County—Crawford
Parts:
Bloomfield Twp
Rockdale Twp
Sparta Twp
Spartansburg Boro
County—Erie
Parts:
C.T. 112.01
C.T. 118.01–118.02
C.T. 119
C.T. 120.01–120.02
C.T. 121
County—Warren
Parts:
Columbus Twp
Spring Creek Twp
Med Ind—Erie City
County—Erie
Parts:
C.T. 1–30

**PRIMARY MEDICAL CARE: Pennsylvania**
*Population Group Listing*

*Population Group*

Med Ind—Harrisburg
County—Dauphin
Parts:
C.T. 201–217
Med Ind—Titusville
County—Crawford
Parts:
Athens Twp
Centerville Boro
Hydetown Boro
Oil Creek Twp
Rome Twp
Steuben Twp
Titusville City
Townville Boro
Troy Twp
County—Venango
Parts:
Allegheny Twp
Cherrytree Twp
Oilcreek Twp
Pleasantville Boro
Plum Twp
County—Warren
Parts:
Eldred Twp
Southwest Twp
Med Ind—Welsh Mountain
County—Berks
Parts:
Brecknock Twp
Caernarvon Twp
County—Chester
Parts:
Honey Brook Boro
Honey Brook Twp
County—Lancaster
Parts:
Adamstown Boro
Akron Boro
Brecknock Twp
Caernarvon Twp
Christiana Boro
Denver Boro
Earl Twp
East Cocalico Twp
East Earl Twp
Ephrata Boro
Ephrata Twp
Leacock Twp
New Holland Boro
Paradise Twp
Sadsbury Twp
Salisbury Twp
Terre Hill Boro
Upper Leacock Twp
West Earl Twp
Medicaid—City Of Chester
County—Delaware
Parts:
C.T. 4047–4048
C.T. 4049.01–4049.02
C.T. 4050–4057
C.T. 4058.01–4058.02
C.T. 4059–4060
C.T. 4064.02
MFW—Adams/Franklin
County—Adams
Parts:
Migrant Farmworker
County—Franklin
Parts:

**PRIMARY MEDICAL CARE: Pennsylvania**
*Population Group Listing*

*Population Group*

Migrant Farmworker
Pov Pop—East Liberty
County—Allegheny
Parts:
C.T. 818
C.T. 1016–1017
C.T. 1102
C.T. 1106
C.T. 1111
C.T. 1113–1115
C.T. 1201–1204
C.T. 1208
Pov Pop—Western Greene
County—Greene
Parts:
Aleppo Twp.
Center Twp.
Franklin Twp.
Gray Twp.
Jackson Twp.
Morris Twp.
Richhill Twp.
Washington Twp.
Waynesburg Boro.

**PRIMARY MEDICAL CARE: Pennsylvania**
*Facility Listing*

*Facility Name*

FCI McKean
County—McKean
FCI Schuylkill
County—Schuylkill
MSCi Allenwood
County—Union
Sci Cresson
County—Cambria
USP Allenwood
County—Union
USP Lewisburg
County—Union

**PRIMARY MEDICAL CARE: Rhode Island**
*County Listing*

*County Name*

Newport
Population Group: Low Inc—Newport Co
Providence
Service Area: C Falls/N Pawtucket
Service Area: Northwest Providence
Service Area: Northwest Woonsocket
Population Group: Low Inc—Providence City
Washington
Population Group: Low Inc—West Washington

**PRIMARY MEDICAL CARE: Rhode Island**
*Service Area Listing*

*Service Area Name*

C Falls/N Pawtucket
County—Providence
Parts:
C.T. 108–111
C.T. 149
C.T. 151–153
C.T. 161
Northwest Providence
County—Providence
Parts:
Burrillville Town
Foster Town
Glocester Town
Northwest Woonsocket
County—Providence
Parts:
C.T. 172
C.T. 174
C.T. 176
C.T. 178–183

**PRIMARY MEDICAL CARE: Rhode Island**
*Population Group Listing*

*Population Group*

Low Inc—Newport Co
County—Newport
Parts:
Low Income
Low Inc—Providence City
County—Providence
Parts:
C.T. 1–23
C.T. 25–33
C.T. 35–37
Low Inc—West Washington
County—Washington
Parts:
Charlestown Town
Exeter Town
Hopkinton Town
Richmond Town

**PRIMARY MEDICAL CARE: South Carolina**
*County Listing*

*County Name*

*Abbeville
Aiken
Population Group: Low Inc—Aiken Co
*Allendale
Anderson
Population Group: Low Inc—Anderson Co
*Bamberg
*Barnwell
Berkeley
*Calhoun
Charleston
Service Area: Edisto Is
Service Area: Ravenel—Hollywood
Population Group: Low Inc—Sea Islands
Population Group: Pov Pop—Peninsula Charleston
*Chester
*Chesterfield
Service Area: Sandhills
Service Area: Society Hill
*Clarendon
*Colleton
*Darlington
Service Area: Lamar
Service Area: Society Hill
*Dillon
Dorchester
Service Area: St George
Edgefield
*Fairfield
Florence
Service Area: Johnsonville/Brittons Neck
Service Area: Lake City
Service Area: Olanta
*Georgetown
Service Area: Andrews
Greenville
Service Area: Slater-Marietta
Population Group: Pov Pop—Inner City Greenville
*Hampton (g)
Facility: FCI Estil
Horry
Service Area: Conway/Aynor
Service Area: Little River
*Jasper
*Lancaster
Service Area: Heath Springs
*Lee
Lexington
Service Area: Batesburg/Leesville
Service Area: Pelion-Swansea
*Marion
Service Area: Johnsonville/Brittons Neck
*Marlboro
*McCormick
*Oconee
Population Group: Low Inc—Oconee Co
*Orangeburg
Service Area: Eastern Orangeburg
Service Area: Western Orangeburg
Population Group: Med Ind—Orangeburg
Richland
Service Area: Eastover
Service Area: Hopkins
Population Group: Low Inc—Columbia
Facility: Manning Corr. I.
*Saluda
Spartanburg
Service Area: Woodruff/Enoree
Sumter
Service Area: Olanta
Service Area: Sumter
*Union
*Williamsburg
York
Population Group: Catawba Indian Nation
Population Group: Pov Pop—South Rock Hill

**PRIMARY MEDICAL CARE: South Carolina**
*Service Area Listing*

*Service Area Name*

Andrews
County—Georgetown
Parts:
Andrews CCD
Batesburg/Leesville
County—Lexington
Parts:
Batesburg/Leesville CCD
Gilbert CCD
Conway/Aynor
County—Horry
Parts:
Aynor CCD
Conway CCD
Floyds CCD
Loris CCD
Eastern Orangeburg
County—Orangeburg
Parts:
Bowman Division
Branchville Division
Elloree Division
Eutawville Division

**PRIMARY MEDICAL CARE: South Carolina**
*Service Area Listing*

*Service Area Name*

Holly Hill Division
Vance Division
Eastover
County—Richland
Parts:
Eastover Division
Edisto Is
County—Charleston
Parts:
C.T. 23.98
Heath Springs
County—Lancaster
Parts:
Heath Springs Division
Kershaw Division
Hopkins
County—Richland
Parts:
Hopkins Division
Johnsonville/Brittons Neck
County—Florence
Parts:
Johnsonville Division
County—Marion
Parts:
Brittons Neck Division
Centenary Division
Lake City
County—Florence
Parts:
C.T. 18
C.T. 20
C.T. 22.01–22.02
C.T. 23
Lamar
County—Darlington
Parts:
Lake Swamp CCD
Lamar CCD
Little River
County—Horry
Parts:
C.T. 301
C.T. 401–402
C.T. 603
Olanta
County—Florence
Parts:
Olanta Division
Sardis Division
County—Sumter
Parts:
Shiloh Division
Pelion-Swansea
County—Lexington
Parts:
Pelion CCD
Swansea CCD
Ravenel—Hollywood
County—Charleston
Parts:
C.T. 24.98
C.T. 25
Sandhills
County—Chesterfield
Parts:
Jefferson Division
McBee Division
Pageland Division
Slater-Marietta
County—Greenville
Parts:

**PRIMARY MEDICAL CARE: South Carolina**
*Service Area Listing*

*Service Area Name*

C.T. 24.01–24.02
C.T. 40–41
Society Hill
County—Chesterfield
Parts:
B.N.A. 9506 (S. 1/2)
County—Darlington
Parts:
C.T. 101
St George
County—Dorchester
Parts:
Harleyville CCD
Reevesville CCD
Ridgeville CCD
St George CCD
Sumter
County—Sumter
Parts:
Privateer CCD
Rembert CCD
Shaw-Horatio CCD
Sumter CCD
Sumter North CCD
Sumter Northeast CCD
Sumter Southeast CCD
Sumter Southwest CCD
Western Orangeburg
County—Orangeburg
Parts:
Neeses CCD
North CCD
Norway CCD
Springfield
Woodruff/Enoree
County—Spartanburg
Parts:
C.T. 235–237

**PRIMARY MEDICAL CARE: South Carolina**
*Population Group Listing*

*Population Group*

Catawba Indian Nation
County—York
Parts:
C.T. 612.02
Low Inc—Aiken Co
County—Aiken
Parts:
Low Income
Low Inc—Anderson Co
County—Anderson
Parts:
Low Income
Low Inc—Columbia
County—Richland
Parts:
C.T. 1–19
C.T. 20.01–20.02
C.T. 21–28
C.T. 105.01–105.02
C.T. 106
C.T. 107.01–107.03
C.T. 108.02–108.04
C.T. 109–110
C.T. 111.01–111.02
C.T. 112.01–112.02
C.T. 116.03–116.06
C.T. 117.01–117.02
Low Inc—Oconee Co
County—Oconee

**PRIMARY MEDICAL CARE: South Carolina**
*Population Group Listing*

*Population Group*

Parts:
Low Income
Low Inc—Sea Islands
County—Charleston
Parts:
C.T. 21.01–21.02
C.T. 22
Med Ind—Orangeburg
County—Orangeburg
Parts:
Cope CCD
Orangeburg CCD
Orangeburg West CCD
Pov Pop—Inner City Greenville
County—Greenville
Parts:
C.T. 1–10
C.T. 12.02
C.T. 13.01
C.T. 21.04–21.05
C.T. 21.08
C.T. 22.01–22.02
C.T. 23.03–23.04
Pov Pop—Peninsula Charleston
County—Charleston
Parts:
C.T. 1–18
C.T. 33–37
C.T. 41–45
Pov Pop—South Rock Hill
County—York
Parts:
C.T. 601.01–601.02
C.T. 602–603
C.T. 604.01–604.02
C.T. 605.01–605.02

**PRIMARY MEDICAL CARE: South Carolina**
*Facility Listing*

*Facility Name*

FCI Estil
County—Hampton
Manning Corr. I.
County—Richland

**PRIMARY MEDICAL CARE: South Dakota**
*County Listing*

*County Name*

*Aurora
Service Area: Corsica/Armour
Service Area: Wessington Springs
*Bon Homme
*Brookings
Service Area: Flandreau/Elkton
*Brown
Service Area: Ellendale/Edgeley (ND/SD)
*Buffalo
Service Area: Wessington Springs
*Butte
Service Area: Newell
*Campbell
*Charles Mix
*Clark
*Clay
Service Area: Beresford/Alcester
*Corson
Service Area: Isabel
Service Area: Lemmon (SD/ND)
Service Area: McLaughlin
*Custer

**PRIMARY MEDICAL CARE: South Dakota**
*County Listing*

*County Name*

Service Area: Custer/Hill
*Davison
Service Area: Corsica/Armour
*Day
*Deuel
*Dewey
Service Area: Eagle Butte
Service Area: Isabel
Douglas
Service Area: Corsica/Armour
*Edmunds
Service Area: Hoven
Service Area: Ipswich/Leola
*Fall River
*Faulk
*Grant
Service Area: Milbank
*Gregory
Service Area: Fairfax
*Hamlin
*Hanson
Service Area: Salem
*Harding
*Hyde
Service Area: Gettysburg
Service Area: Highmore
*Jackson
Jerauld
Service Area: Wessington Springs
*Jones
*Kingsbury
Lincoln
Service Area: Beresford/Alcester
*Lyman
McCook
Service Area: Salem
*Meade
Service Area: Faith
*Mellette
*Miner
Moody
Service Area: Flandreau/Elkton
*MCPherson
Service Area: Ipswich/Leola
Pennington
Service Area: Custer/Hill
Service Area: N. Rapid City
*Perkins
Service Area: Faith
Service Area: Lemmon (SD/ND)
*Potter
Service Area: Gettysburg
Service Area: Hoven
*Roberts
Service Area: Hankinson/Lidgerwood (ND/SD)
Service Area: Milbank
*Sanborn
Service Area: Wessington Springs
*Shannon
*Sully
Service Area: Gettysburg
*Todd
*Turner
*Union
Service Area: Beresford/Alcester
Service Area: Elk Point
*Walworth
Service Area: Hoven
*Ziebach
Service Area: Eagle Butte

**PRIMARY MEDICAL CARE: South Dakota**
*County Listing*

*County Name*

Service Area: Faith
Service Area: Isabel

**PRIMARY MEDICAL CARE: South Dakota**
*Service Area Listing*

*Service Area Name*

Beresford/Alcester
County—Clay
Parts:
Glenwood Twp
County—Lincoln
Parts:
Beresford City
Brooklyn Twp
Pleasant Twp
County—Union
Parts:
Alcester City
Alcester Twp
Beresford City
Big Springs Twp
Emmet Twp
Prairie Twp
Virginia Twp
Corsica/Armour
County—Aurora
Parts:
Aurora Township
Center Township
Truro Township
Washington Township
County—Davison
Parts:
Baker Township
County—Douglas
Custer/Hill
County—Custer
Parts:
Custer City
Pringle Town
West Custer Urorg
County—Pennington
Parts:
Hill City
West Pennington Unorg
Eagle Butte
County—Dewey
Parts:
Eagle Butte City
South Dewey Unorg.
County—Ziebach
Parts:
Eagle Butte City
South Ziebach Unorg.
Elk Point
County—Union
Parts:
Brule Twp.
Elk Point City
Elk Point Twp.
Richland Unorg.
Ellendale/Edgeley (ND/SD)
County—Brown
Parts:
Allison Township
Frederick Town
Frederick Township
Greenfield Township
Liberty Township
Osceola Township
Palmyra Township

**PRIMARY MEDICAL CARE: South Dakota**
*Service Area Listing*

*Service Area Name*

Richland Township
Savo Township
Fairfax
County—Gregory
Parts:
Bonesteel City
East Gregory Unorg
Fairfax Twp
Fairfax Town
Pleasant Valley Twp
Schriever Twp
Southeast Gregory Unorg
St Charles Twp
Star Valley Twp
Faith
County—Meade
Parts:
Eagle Twp.
Faith City
Howard Twp.
North Meade Unorg.
Union Twp.
Upper Red Owl Twp.
County—Perkins
Parts:
Ada Twp.
Antelope Twp.
Beck Twp.
Brushy Twp.
Chance Twp.
Chaudoin Twp.
Duell Twp.
Englewood Twp.
Foster Twp.
Hall Twp.
Highland Twp.
Lone Tree Twp.
Maltby Twp.
Martin Twp.
Moreau Twp.
S.W. Perkins Unorg.
South Perkins Unorg.
Vickers Twp.
Vrooman Twp.
Wells Twp.
West Central Perkins Unor
West Perkins Unorg.
Wyandotte Twp.
County—Ziebach
Parts:
Dupree Unorg.
Dupree City
Flandreau/Elkton
County—Brookings
Parts:
Elkton City
Elkton Twp.
County—Moody
Gettysburg
County—Hyde
Parts:
North Hyde Unorg.
County—Potter
Parts:
C. Potter Unorg.(S.1/2)
E. Potter Unorg.(S.1/2)
Gettysburg City
Lebanon Twn.
W. Potter Unorg.(S.1/2)
County—Sully
Parts:
Agar Twn.

**PRIMARY MEDICAL CARE: South Dakota**
*Service Area Listing*

*Service Area Name*

E. Sully Unorg.(N.1/2)
Onida City
W. Sully Unorg.(N.1/2)
Hankinson/Lidgerwood (ND/SD)
County—Roberts
Parts:
Lien Twp.
New Effington Twn.
Rosholt Twn.
Victor Twp.
White Rock Twn.
White Rock Twp.
Highmore
County—Hyde
Parts:
Central Hyde Unorg
Crow Creek Unorg
Dewey Twp
Highmore City
Valley Twp
William Hamilton Twp
Hoven
County—Edmunds
Parts:
Hillside Twp.
Hudson Twp.
Madison Twp.
County—Potter
Parts:
C. Potter Unorg.(N.1/2)
E. Potter Unorg.(N.1/2)
Hoven Twn.
Tolstoy Twn.
W. Potter Unorg.(N.1/2)
County—Walworth
Parts:
Akaska Twn.
E. Walworth Unorg.(S.1/4)
Lowry City
W. Walworth Unorg.(S.1/4)
Ipswich/Leola
County—Edmunds
Parts:
Adrian Twp
Belle Twp
Bryant Twp
Cleveland Twp
Fountain Twp
Harmony Unorg
Huntley Twp
Ipswich City
Ipswich Twp
Kent Twp
Liberty Twp
Montpelier Twp
North Bryant Twp
Powell Twp
Rosette Twp
Union Twp
Vermont Twp
County—MCPherson
Parts:
Carl Twp
Central MCPherson Unorg
Hoffman Twp
Leola City
Long Lake Town
Wachter Twp
Wacker Twp
Weber Twp
Wetonka Town
Isabel

**PRIMARY MEDICAL CARE: South Dakota**
*Service Area Listing*

*Service Area Name*

County—Corson
Parts:
Pleasant Ridge Township
County—Dewey
Parts:
Isabel City
North Dewey Unorg.
Timber Lake City
County—Ziebach
Parts:
North Ziebach Unorg.
Lemmon (SD/ND)
County—Corson
Parts:
Custer Twp
Delaney Twp
Grand Valley Twp
Lake Twp
Lemon No. 2 Unorg
McIntosh City
Morristown Town
Pioneer Twp
Prairie View Twp
Riverside Twp
Rolling Green Twp
Sherman Twp
Twin Butte Twp
Watauga Twp
West Corson Unorg
County—Perkins
Parts:
Anderson Twp
Barrett Twp
Bison Town
Bison Twp
Burdick Twp
Cash Twp
Castle Butte Twp
Clark Twp
De Witt Twp
Duck Creek Unorg
East Perkins Unorg
Flat Creek Twp
Fredlund Twp
Glendo Twp
Grand River Twp
Horse Creek Twp
Independence Unorg
Lemmon City
Liberty Twp
Lincoln Twp
Lodgepole Twp
Marshfield Twp
Meadow Twp
Plateau Twp
Pleasant Valley Twp
Rainbow Twp
Rockford Twp
Scotch Cap Twp
Sidney Twp
Strool Twp
Trail Twp
Vail Twp
Viking Twp
White Butte Twp

**PRIMARY MEDICAL CARE: South Dakota**
*Service Area Listing*

White Hill Twp
Wilson Twp
McLaughlin

**PRIMARY MEDICAL CARE: South Dakota**
*Service Area Listing*

County—Corson
Parts:
Cadillac Township
Central Corson Unorg.
Lincoln Township
Mahto Township
McLaughlin City
Mission Township
Northeast Corson Unorg.
Ridgeland Township
Wakpala Township
Walker Township
Milbank
County—Grant
Parts:
Adams Twp
Alban Twp
Albee Town
Blooming Valley Twp
Farmington Twp
Georgia Twp
Grant Center Twp
Kilborn Twp
La Bolt Town
Lura Twp
Madison Twp
Marvin Town
Mazeppa Twp
Melrose Twp
Milbank City
Osceola Twp
Revillo Town
Stockholm Town
Stockholm Twp
Strandburg Town
Troy Twp
Twin Brooks Town
Twin Brooks Twp
Vernon Twp
County—Roberts
Parts:
Garfield Twp
Geneseo Twp
N. Rapid City
County—Pennington
Parts:
C.T. 101–105
C.T. 114–115
Newell
County—Butte
Parts:
East Butte Unorg
Newell City
Union Twp
Vale Twp
Salem
County—Hanson
Parts:
Edgerton Twp
Emery Town
Farmer Town
Spring Lake Twp
Taylor Twp
County—McCook
Wessington Springs
County—Aurora
Parts:
Belford Twp
Bristol Twp
Cooper Twp
Crystal Lake Twp
Eureka Twp
Firesteel Twp

**PRIMARY MEDICAL CARE: South Dakota**
*Service Area Listing*

Gales Twp
Hopper Twp
Lake Twp
Palatine Twp
Patten Twp
Plankinton City
Plankinton Twp
Pleasant Lake Twp
Pleasant Valley Twp
White Lake City
White Lake Twp
County—Buffalo
Parts:
Elvira Twp
Southeast Buffalo Unorg
County—Sanborn
Parts:
Floyd Twp
Jackson Twp
Logan Twp
Oneida Twp
Silver Creek Twp
Twin Lake Twp
Union Twp
Warren Twp
Woonsocket City
Woonsocket Twp

**PRIMARY MEDICAL CARE: Tennessee**
*County Listing*

*County Name*

Anderson
Service Area: Briceville- Lake City
*Benton
Bledsoe
Service Area: Dayton/Pikeville/Decatur
Blount
Service Area: Tallassee
*Campbell
Carter
Service Area: Roan Mountain
*Claiborne
*Crockett
*Cumberland
Davidson
Population Group: Low Inc—Waverly-Belmont
Population Group: Low Inc—N Nashville
Population Group: Low Inc—E Nashville
Facility: Metro General Hosp
*Decatur
Dickson
Service Area: Vanleer/Shiloh
Fayette
*Fentress
Population Group: Low Inc—Fentress Co
*Giles
Grainger
*Greene
Service Area: Baileyton
*Grundy
Hamilton
Population Group: Med Ind—Chattanooga
*Hancock
*Hardeman
*Hardin
Hawkins
*Haywood
*Henderson
*Henry
Population Group: Low Inc—Henry Co
*Hickman

**PRIMARY MEDICAL CARE: Tennessee**
*County Listing*

*County Name*

*Johnson
*Lake
*Lauderdale
*Lewis
*Lincoln
Service Area: Cash Point—Blanche
Madison
Service Area: E Jackson
*McNairy
Meigs
Service Area: Dayton/Pikeville/Decatur
*Monroe
Population Group: Low Inc—Monroe Co
Montgomery
Service Area: Vanleer/Shiloh
*Moore
*Morgan
*Obion
Service Area: Hornbeak/Samburg
*Overton
Population Group: Low Inc—Overton Co
*Pickett
*Polk
*Putnam
Population Group: Low Inc—Putnam Co
Rhea
Service Area: Dayton/Pikeville/Decatur
*Roane
Rutherford
Service Area: Eagleville
*Scott
Sevier
Shelby
Population Group: Low Inc—Central Memphis
Population Group: Low Inc—Sw Memphis
Population Group: Low Inc—Nw Memphis
Facility: FCI Memphis
*Stewart
*Trousdale
Union
*Van Buren
*Wayne
*Weakley
Service Area: Dresden
*White

**PRIMARY MEDICAL CARE: Tennessee**
*Service Area Listing*

*Service Area Name*

Baileyton
County—Greene
Parts:
Baileyton Division
Briceville- Lake City
County—Anderson
Parts:
Lake City West CCD
Lake City East CCD
New River CCD
Cash Point—Blanche
County—Lincoln
Parts:
Cash Point-Blanche Division
Dayton/Pikeville/Decatur
County—Rhea
Dresden
County—Weakley
Parts:
Chestnut Glade-Dukedom
Dresden CCD

**PRIMARY MEDICAL CARE: Tennessee**
*Service Area Listing*

*Service Area Name*

Gleason CCD
Palmersville CCD
E Jackson
County—Madison
Parts:
C.T. 5
C.T. 8–12
Eagleville
County—Rutherford
Parts:
Eagleville Division
Hornbeak/Samburg
County—Obion
Parts:
Hornbeak-Samburg Division
Roan Mountain
County—Carter
Parts:
Laurel Fork CCD
Roan Mountain CCD
Tiger Valley CCD
Tallassee
County—Blount
Parts:
Lanier Division
Vanleer/Shiloh
County—Dickson
Parts:
Vanleer Division
County—Montgomery
Parts:
Palmyra-Shiloh Division

**PRIMARY MEDICAL CARE: Tennessee**
*Population Group Listing*

*Population Group*

Low Inc—Central Memphis
County—Shelby
Parts:
C.T. 13–15
C.T. 28
C.T. 30
Low Inc—E Nashville
County—Davidson
Parts:
C.T. 112–126
Low Inc—Fentress Co
County—Fentress
Parts:
Low Income
Low Inc—Henry Co
County—Henry
Parts:
Low Income
Low Inc—Monroe Co
County—Monroe
Parts:
Low Income
Low Inc—N Nashville
County—Davidson
Parts:
C.T. 133
C.T. 135–144
Low Inc—Nw Memphis
County—Shelby
Parts:
C.T. 1–10
C.T. 18–24
C.T. 90
Low Inc—Overton Co
County—Overton

**PRIMARY MEDICAL CARE: Tennessee**
*Population Group Listing*

*Population Group*

Parts:
Low Income
Low Inc—Putnam Co
County—Putnam
Parts:
Low Income
Low Inc—Sw Memphis
County—Shelby
Parts:
C.T. 40–69
C.T. 75
C.T. 78.10
C.T. 78.20
Low Inc—Waverly-Belmont
County—Davidson
Parts:
C.T. 161–163
C.T. 170–171
Med Ind—Chattanooga
County—Hamilton
Parts:
C.T. 1–16
C.T. 18–21
C.T. 23–27
C.T. 31
C.T. 115

**PRIMARY MEDICAL CARE: Tennessee**
*Facility Listing*

*Facility Name*

FCI Memphis
County—Shelby
Metro General Hosp
County—Davidson

**PRIMARY MEDICAL CARE: Texas**
*County Listing*

*County Name*

*Anderson
Facility: Beto Prs
Facility: Coffield Prs
Facility: Michael Prs
*Andrews
Population Group: Med Ind—Andrews Co
*Aransas
Archer
*Armstrong
*Atascosa
*Bandera
Bastrop (g)
Facility: FCI Bastrop
*Baylor
*Bee
Bexar
Service Area: San Antonio (West Side)
Service Area: San Antonio (Southside)
Service Area: San Antonio (Eastside)
*Blanco
*Borden
Bowie
Service Area: Dekalb
Brazoria
Facility: Clemens Prs
*Brooks
*Burleson
Caldwell
Cameron
Population Group: Low Inc—Cameron Co
Facility: Corazones Unidos Clinic
Facility: Port Isabel INS Health Facility

**PRIMARY MEDICAL CARE: Texas**
*County Listing*

*County Name*

*Carson
*Castro
*Chambers
*Cherokee
Population Group: Low Inc—Cherokee Co
*Cochran
*Coke
*Coleman
*Collingsworth
Comal
Population Group: Low Inc—New Braunfels
Coryell (g)
Facility: Hilltop Prs
Facility: Hughes Prs
*Crane
*Crockett
*Crosby
*Culberson
Dallas
Service Area: Lisbon
Service Area: South Dallas
Facility: Parkland Mem Hosp Outpt Cl (C.T. 100)
*Deaf Smith
*Delta
Denton
Population Group: Low Inc—N Denton
Dickens
Service Area: Dickens-King
Dimmit
Service Area: Dimmit-Zavala
*Donley
*Duval
El Paso
Service Area: Lower Valley—El Paso
Service Area: South El Paso
Service Area: Southeast El Paso
Facility: FCI La Tuna
Facility: Tx Tech Med. Ambulatory Cl
*Falls (g)
Facility: Hobby Prs
*Fisher
*Foard
*Gaines
*Glasscock
*Goliad
*Gonzales
Population Group: Low Inc—Gonzales Co
*Grimes
Population Group: Inmates—FPC Bryan
Facility: Pack II Prs
*Hale
Population Group: Low Inc/MFW—Hale Co
*Hansford
Hardin
Harris
Service Area: Acres Home
Service Area: Casa De Amigos
Service Area: Galena Park/Jacinto City
Service Area: Ripley
Service Area: Settegast
*Hartley
*Henderson
Population Group: Low Inc—Henderson Co
Hidalgo
Population Group: Low Inc—Hildalgo Co
*Hockley
*Howard
Population Group: Inmates—FCI Big Spring
*Hudspeth

**PRIMARY MEDICAL CARE: Texas**
*County Listing*

*County Name*

*Hunt
Population Group: Low Inc—Hunt Co
*Irion
*Jackson
Jeff Davis
Service Area: Jeff Davis/Marfa
Jefferson
Service Area: Beaumont Inner City
Service Area: Port Arthur Inner City
*Jim Wells
Johnson
*Jones
*Karnes
*Kendall
Population Group: Low Inc—Kendall Co
*Kenedy
*Kent
*Kerr
Population Group: Low Inc—Kerr Co
King
Service Area: Dickens-King
*Kinney
*Knox
*La Salle
*Lamb
*Lampasas
*Lee
Leon
Service Area: Leon/Madison
*Limestone
*Lipscomb
*Live Oak (g)
Facility: FCI Three Rivers
*Loving
Lubbock
Service Area: East Lubbock
Facility: Tx Tech Univ Pc Clinics
*Lynn
Madison
Service Area: Leon/Madison
Facility: Ferguson Prs
*Marion
*Mason
*Maverick
*McMullen
*Medina
*Menard
*Milam
*Mills
*Mitchell
*Moore
Population Group: Low Inc—Moore Co
*Morris
*Motley
*Nacogdoches
Population Group: Low Inc—Nacogdoches Co
*Newton
*Oldham
*Palo Pinto
Population Group: Low Inc—Palo Pinto Co
*Panola
Parker
*Parmer
*Pecos
Population Group: Low Inc—Pecos Co
*Polk
*Presidio
Service Area: Jeff Davis/Marfa
*Rains
*Reagan
*Real

**PRIMARY MEDICAL CARE: Texas**
*County Listing*

*County Name*

*Red River
*Reeves
*Refugio
*Roberts
*Robertson
*Sabine
*San Augustine
*San Jacinto
*San Saba
*Sherman
Smith
  Service Area: Troup
*Starr
*Stephens
*Sterling
*Sutton
*Swisher
Tarrant
  Service Area: Diamond Hill
  Service Area: Poly/Stop Six
*Terrell
*Throckmorton
Travis
  Service Area: Dove Springs
  Service Area: East Austin
  Service Area: South Austin
*Trinity
*Uvalde
  Population Group: Low Inc—Uvalde Co
*Val Verde
*Van Zandt
*Walker
  Facility: Ellis I Prs
  Facility: Goree Prs
  Facility: Wynne Prs
Waller
*Ward
Webb
*Wheeler
  Population Group: Low Inc—Wheeler Co
*Willacy
Wilson
*Winkler
*Wise
*Yoakum
*Zapata
Zavala
  Service Area: Dimmit-Zavala

**PRIMARY MEDICAL CARE: Texas**
*Service Area Listing*

*Service Area Name*

Acres Home
  County—Harris
    Parts:
      C.T. 524
      C.T. 525.02–525.04
      C.T. 530.02
      C.T. 531.01
      C.T. 531.03
Beaumont Inner City
  County—Jefferson
    Parts:
      C.T. 1.03
      C.T. 6–10
      C.T. 15–19
Casa De Amigos
  County—Harris
    Parts:
      C.T. 502
      C.T. 503.01–503.02

**PRIMARY MEDICAL CARE: Texas**
*Service Area Listing*

*Service Area Name*

      C.T. 504
      C.T. 505.01–505.02
      C.T. 506.01–506.02
      C.T. 507.01–507.02
      C.T. 508
      C.T. 509.02–509.03
      C.T. 512
      C.T. 514.01–514.02
      C.T. 515.02
Dekalb
  County—Bowie
    Parts:
      C.T. 116–117
Diamond Hill
  County—Tarrant
    Parts:
      C.T. 1001.02
      C.T. 1002.01–1002.02
      C.T. 1003–1004
      C.T. 1008–1011
      C.T. 1050.01
      C.T. 1050.06
Dickens-King
  County—Dickens
  County—King
Dimmit-Zavala
  County—Dimmit
  County—Zavala
Dove Springs
  County—Travis
    Parts:
      C.T. 24.11–24.13
East Austin
  County—Travis
    Parts:
      C.T. 4.02
      C.T. 8.01–8.04
      C.T. 9.01–9.02
      C.T. 10
      C.T. 18.11–18.12
      C.T. 21.04–21.13
      C.T. 22.01–22.02
      C.T. 22.05
East Lubbock
  County—Lubbock
    Parts:
      C.T. 1
      C.T. 2.01–2.02
      C.T. 3.01–3.02
      C.T. 6.03–6.06
      C.T. 7–14
      C.T. 23–25
Galena Park/Jacinto City
  County—Harris
    Parts:
      C.T. 211–212
Jeff Davis/Marfa
  County—Jeff Davis
  County—Presidio
    Parts:
      Marfa Division
Leon/Madison
  County—Leon
  County—Madison
Lisbon
  County—Dallas
    Parts:
      C.T. 56–57
      C.T. 59.01–59.02
      C.T. 87.01
      C.T. 87.03–87.05
      C.T. 88.01–88.02

**PRIMARY MEDICAL CARE: Texas**
*Service Area Listing*

*Service Area Name*

Lower Valley—El Paso
  County—El Paso
    Parts:
      C.T. 35
      C.T. 37.01–37.02
      C.T. 38.01–38.02
      C.T. 41.03–41.07
      C.T. 42.01–42.02
Poly/Stop Six
  County—Tarrant
    Parts:
      C.T. 1035
      C.T. 1036.01
      C.T. 1037.01–1037.02
      C.T. 1046.01
      C.T. 1046.04
      C.T. 1062.01–1062.02
      C.T. 1063
Port Arthur Inner City
  County—Jefferson
    Parts:
      C.T. 51–65
Ripley
  County—Harris
    Parts:
      C.T. 300.22–300.23
      C.T. 301.01–301.02
      C.T. 302
      C.T. 308.20
      C.T. 309.01–309.03
      C.T. 310–312
      C.T. 313.01–313.02
      C.T. 314.02
      C.T. 319.01
      C.T. 321.01–321.02
San Antonio (Eastside)
  County—Bexar
    Parts:
      C.T. 1101–1104
      C.T. 1109–1110
      C.T. 1301–1306
      C.T. 1307.85
      C.T. 1308–1313
      C.T. 1401
San Antonio (Southside)
  County—Bexar
    Parts:
      C.T. 1402–1412
      C.T. 1416–1418
      C.T. 1501–1522
      C.T. 1609
      C.T. 1610.85
      C.T. 1611–1612
      C.T. 1619–1620
San Antonio (West Side)
  County—Bexar
    Parts:
      C.T. 1105–1108
      C.T. 1601–1606
      C.T. 1607.85
      C.T. 1616
      C.T. 1701–1716
      C.T. 1901–1902
Settegast
  County—Harris
    Parts:
      C.T. 207.01–207.02
      C.T. 208.01
      C.T. 215.01–215.03
      C.T. 216.01–216.02
      C.T. 217.01–217.02
      C.T. 218.03–218.04

**PRIMARY MEDICAL CARE: Texas**
*Service Area Listing*

*Service Area Name*

C.T. 225.03–225.04
C.T. 227
South Austin
County—Travis
Parts:
C.T. 23.04
C.T. 23.10–23.12
C.T. 24.16
South Dallas
County—Dallas
Parts:
C.T. 25
C.T. 27.01–27.02
C.T. 28–29
C.T. 33–38
C.T. 39.01–39.02
C.T. 40
C.T. 93.03–93.04
C.T. 115
C.T. 116.01
South El Paso
County—El Paso
Parts:
C.T. 17–21
C.T. 28–29
Southeast El Paso
County—El Paso
Parts:
C.T. 39.01–39.03
C.T. 40.01–40.02
C.T. 103.10
C.T. 104.01–104.04
C.T. 105
Troup
County—Smith
Parts:
C.T. 21

**PRIMARY MEDICAL CARE: Texas**
*Population Group Listing*

*Population Group*

Inmates—FCI Big Spring
County—Howard
Parts:
FCI Big Spring
Inmates—FPC Bryan
County—Grimes
Parts:
FPC Bryan
Low Inc—Cameron Co
County—Cameron
Parts:
Low Income
Low Inc—Cherokee Co
County—Cherokee
Parts:
Low Income
Low Inc—Gonzales Co
County—Gonzales
Parts:
Low Income
Low Inc—Henderson Co
County—Henderson
Parts:
Low Income
Low Inc—Hildalgo Co
County—Hidalgo
Parts:
Low Income
Low Inc—Hunt Co
County—Hunt

**PRIMARY MEDICAL CARE: Texas**
*Population Group Listing*

*Population Group*

Parts:
Low Income
Low Inc—Kendall Co
County—Kendall
Parts:
Low Income
Low Inc—Kerr Co
County—Kerr
Parts:
Low Income
Low Inc—Moore Co
County—Moore
Parts:
Low Income
Low Inc—N Denton
County—Denton
Parts:
Denton CCD
Pilot Point—Aubrey CCD
Sanger CCD
Low Inc—Nacogdoches Co
County—Nacogdoches
Parts:
Low Income
Low Inc—New Braunfels
County—Comal
Parts:
C.T. 3101–3103
C.T. 3104.01–3104.02
C.T. 3105
C.T. 3106.02
C.T. 3108–3109
Low Inc—Palo Pinto Co
County—Palo Pinto
Parts:
Low Income
Low Inc—Pecos Co
County—Pecos
Parts:
Low Income
Low Inc—Uvalde Co
County—Uvalde
Parts:
Low Income
Low Inc—Wheeler Co
County—Wheeler
Parts:
Low Income
Low Inc/MFW—Hale Co
County—Hale
Parts:
Low Income
MFW
Med Ind—Andrews Co
County—Andrews
Parts:
Medically Indigent

**PRIMARY MEDICAL CARE: Texas**
*Facility Listing*

*Facility Name*

Beto Prs
County—Anderson
Clemens Prs
County—Brazoria
Coffield Prs
County—Anderson
Corazones Unidos Clinic
County—Cameron
Ellis I Prs
County—Walker

**PRIMARY MEDICAL CARE: Texas**
*Facility Listing*

*Facility Name*

Ferguson Prs
County—Madison
FCI Bastrop
County—Bastrop
FCI La Tuna
County—El Paso
FCI Three Rivers
County—Live Oak
Goree Prs
County—Walker
Hilltop Prs
County—Coryell
Hobby Prs
County—Falls
Hughes Prs
County—Coryell
Michael Prs
County—Anderson
Pack II Prs
County—Grimes
Parkland Mem Hosp Outpt Cl (C.T. 100)
County—Dallas
Port Isabel INS Health Facility
County—Cameron
Tx Tech Med. Ambulatory Cl
County—El Paso
Tx Tech Univ Pc Clinics
County—Lubbock
Wynne Prs
County—Walker

**PRIMARY MEDICAL CARE: Utah**
*County Listing*

*County Name*

*Beaver
Population Group: Low Inc—Beaver Co
*Box Elder
Service Area: West Box Elder
*Carbon
Population Group: Low Inc—Carbon Co
*Daggett
Duchesne
Population Group: Low Inc—Duchesne Co
*Emery
*Garfield
Service Area: Panguitch
*Grand
*Iron
Service Area: Enterprise
Service Area: Parowan
*Juab
*Kane
Service Area: Kanab/Fredonia (UT/AZ)
*Millard
*Piute
*Rich
Salt Lake
Population Group: Pov Pop—Kearns
Population Group: Pov Pop—Central City
Population Group: Pov/Homeless—Nw Salt Lake
Facility: Utah State Prison
*San Juan
Service Area: Blanding/Monticello
Service Area: Montezuma Creek
*Sanpete (g)
Facility: Central Utah Corr Fac
*Sevier
*Summit
Service Area: Coalville/Kamas
*Tooele

**PRIMARY MEDICAL CARE: Utah**
*County Listing*

*County Name*

*Uintah
Utah
  Population Group: Low Inc/Mig—Utah Co
*Wasatch
*Washington
  Service Area: Enterprise
  Service Area: Hurricane/Mohave North (UT/AZ)
*Wayne
Weber
  Population Group: Pov Pop—Central & West Ogden

**PRIMARY MEDICAL CARE: Utah**
*Service Area Listing*

*Service Area Name*

Blanding/Monticello
  County—San Juan
    Parts:
      Blanding CCD
      Monticello CCD
Coalville/Kamas
  County—Summit
    Parts:
      Coalville CCD
      Kamas CCD
Enterprise
  County—Iron
    Parts:
      Beryl-Newcastle Division
  County—Washington
    Parts:
      Enterprise Division
Hurricane/Mohave North (UT/AZ)
  County—Washington
    Parts:
      Hurricane CCD
Kanab/Fredonia (UT/AZ)
  County—Kane
Montezuma Creek
  County—San Juan
    Parts:
      Oljato CCD
      Red Mesa CCD
Panguitch
  County—Garfield
    Parts:
      Escalante CCD
      Panguitch CCD
      Tropic CCD
Parowan
  County—Iron
    Parts:
      Parowan CCD
West Box Elder
  County—Box Elder
    Parts:
      West Box Elder CCD

**PRIMARY MEDICAL CARE: Utah**
*Population Group Listing*

*Population Group*

Low Inc—Beaver Co
  County—Beaver
    Parts:
      Low Income
Low Inc—Carbon Co
  County—Carbon
    Parts:
      Low Income

**PRIMARY MEDICAL CARE: Utah**
*Population Group Listing*

*Population Group*

Low Inc—Duchesne Co
  County—Duchesne
    Parts:
      Low Income
Low Inc/Mig—Utah Co
  County—Utah
    Parts:
      Low Income
Pov Pop—Central & West Ogden
  County—Weber
    Parts:
      C.T. 2002–2005
      C.T. 2008–2009
      C.T. 2011–2013
      C.T. 2018–2019
Pov Pop—Central City
  County—Salt Lake
    Parts:
      C.T. 1014–1021
      C.T. 1023
Pov Pop—Kearns
  County—Salt Lake
    Parts:
      C.T. 1135.05
      C.T. 1135.17
      C.T. 1136–1137
      C.T. 1138.01–1138.03
Pov/Homeless—Nw Salt Lake
  County—Salt Lake
    Parts:
      C.T. 1001
      C.T. 1003.03–1003.04
      C.T. 1004–1006
      C.T. 1024–1027

**PRIMARY MEDICAL CARE: Utah**
*Facility Listing*

*Facility Name*

Central Utah Corr Fac
  County—Sanpete
Utah State Prison
  County—Salt Lake

**PRIMARY MEDICAL CARE: Vermont**
*County Listing*

*County Name*

*Addison
  Service Area: Route 100
*Bennington
  Population Group: Med Ind—Bennington
*Caledonia
  Service Area: Hardwick
  Service Area: Haverhill/Wells River (NH/VT)
  Service Area: Peacham-Barnet
*Essex
  Service Area: Island Pond
  Service Area: Upper Connecticut Valley (NH/VT)
Franklin
  Service Area: Richford-Enosburg
*Lamoille
  Service Area: Hardwick
*Orange
  Service Area: Chelsea
  Service Area: Haverhill/Wells River (NH/VT)
*Orleans
  Service Area: Hardwick
  Service Area: Island Pond

**PRIMARY MEDICAL CARE: Vermont**
*County Listing*

*County Name*

*Rutland
  Service Area: Black River Valley
  Service Area: Pawlet/Granville (VT/NY)
  Service Area: Route 100
*Washington
  Service Area: Hardwick
  Service Area: Mad River Valley
*Windsor
  Service Area: Black River Valley
  Service Area: Route 100

**PRIMARY MEDICAL CARE: Vermont**
*Service Area Listing*

*Service Area Name*

Black River Valley
  County—Rutland
    Parts:
      Mt Holly Town
  County—Windsor
    Parts:
      Cavendish Town
      Ludlow Town
      Plymouth Town
      Reading Town
Chelsea
  County—Orange
    Parts:
      Chelsea Twn.
      Corinth Twn.
      Strafford Twn.
      Tunbridge Twn.
      Vershire Twn.
      Washington Twn.
Hardwick
  County—Caledonia
    Parts:
      Hardwick Twn.
      Walden Twn.
  County—Lamoille
    Parts:
      Wolcott Twn.
  County—Orleans
    Parts:
      Craftsbury Twn.
      Greensboro Twn.
  County—Washington
    Parts:
      Woodbury Twn.
Haverhill/Wells River (NH/VT)
  County—Caledonia
    Parts:
      Groton Twn.
      Ryegate Twn.
  County—Orange
    Parts:
      Newbury Twn.
      Topsham Twn.
Island Pond
  County—Essex
    Parts:
      Avery's Gore
      Brighton Town
      Ferdinand Town
      Lewis Town
      Norton Town
      Warner's Grant
      Warren's Gore
  County—Orleans
    Parts:
      Charleston Town
      Morgan Town

**PRIMARY MEDICAL CARE: Vermont**
*Service Area Listing*

*Service Area Name*

Mad River Valley
County—Washington
Parts:
Fayston Town
Moretown Town
Waitsfield Town
Warren Town
Pawlet/Granville (VT/NY)
County—Rutland
Parts:
Danby Town
Middletown Springs To
Mount Tabor Town
Pawlet Town
Poultney Town
Tinmouth Town
Wells Town
Peacham-Barnet
County—Caledonia
Parts:
Barnet Town
Peacham Town
Richford-Enosburg
County—Franklin
Parts:
Bakersfield Town
Berkshire Town
Enosburg Town
Fairfield Town
Franklin Town
Montgomery Town
Richford Town
Sheldon Town
Route 100
County—Addison
Parts:
Granville Twn.
Hancock Twn.
County—Rutland
Parts:
Pittsfield Twn.
County—Windsor
Parts:
Rochester Twn.
Stockbridge Twn.
Upper Connecticut Valley (NH/VT)
County—Essex
Parts:
Averill Town
Bloomfield Town
Brunswick Town
Canaan Town
Lemington Town

**PRIMARY MEDICAL CARE: Vermont**
*Population Group Listing*

*Population Group*

Med Ind—Bennington
County—Bennington
Parts:
Med Ind Pop

**PRIMARY MEDICAL CARE: Virginia**
*County Listing*

*County Name*

*Accomack
Service Area: Accomack/Northampton
*Alleghany
Service Area: Alleghany
*Amelia

**PRIMARY MEDICAL CARE: Virginia**
*County Listing*

*County Name*

*Appomattox
Bedford
Service Area: Big Island
*Bland
Botetourt
Service Area: Northern Botetourt
*Brunswick
*Buchanan
Population Group: Med Ind Pop—Buchanan Co
Buckingham
Service Area: Tri-County(Buck/Fluv/Cumb)
Campbell/Lynchburg
Service Area: Altavista/Chatham
*Caroline
*Carroll
Service Area: Laurel Fork
Charles City
Service Area: Harrison/Tyler
*Charlotte
Chesapeake
Service Area: South Norfolk
Clifton Forge City (Indep)
Service Area: Alleghany
Covington City (Indep)
Service Area: Alleghany
Cumberland
Service Area: Tri-County(Buck/Fluv/Cumb)
*Dickenson
Dinwiddie/Petersburg
Facility: FCI Petersburg
Fluvanna
Service Area: Tri-County(Buck/Fluv/Cumb)
*Franklin
Goochland
Service Area: Goochland/Fife
*Grayson/Galax
Service Area: Fries
Service Area: Trout Dale/Independence
Halifax
Service Area: Halifax/South Boston
*Halifax/S. Boston
Service Area: Halifax/South Boston
Hanover
Service Area: Beaverdam
*Highland
King George
*Lee
Service Area: Western Lee
Population Group: Med Ind—Eastern Lee
*Louisa
Service Area: Beaverdam
*Lunenburg
Mecklenburg
Service Area: Chase City
*Nelson
New Kent
*Northampton
Service Area: Accomack/Northampton
*Northumberland
*Page
Pittsylvania/Danville
Service Area: Altavista/Chatham
Portsmouth City
Service Area: Downtown Portsmouth
*Richmond
Richmond City
Service Area: East End Richmond
Service Area: Old South Richmond
*Rockbridge/Buena Vista
Service Area: Big Island
*Russell

**PRIMARY MEDICAL CARE: Virginia**
*County Listing*

*County Name*

*Smyth
Service Area: Saltville
South Boston City (Indep)
Service Area: Halifax/South Boston
Spotsylvania/Fredericksbg
Service Area: Beaverdam
*Surry
*Sussex
Washington/Bristol
Service Area: Saltville
*Westmoreland

**PRIMARY MEDICAL CARE: Virginia**
*Service Area Listing*

*Service Area Name*

Accomack/Northampton
County—Northampton
Alleghany
County—Covington City (Indep)
Altavista/Chatham
County—Campbell/Lynchburg
Parts:
C.T. 204.98
C.T. 205–209
County—Pittsylvania/Danville
Parts:
C.T. 101–107
Beaverdam
County—Hanover
Parts:
C.T. 3201–3202
County—Louisa
Parts:
C.T. 9501
C.T. 9505
County—Spotsylvania/Fredericksbg
Parts:
C.T. 204.01
Big Island
County—Bedford
Parts:
Peaks Dist
County—Rockbridge/Buena Vista
Parts:
Natural Bridge Dist
Chase City
County—Mecklenburg
Parts:
Bluestone District
Boydton District
Buckhorn District
Chase City District
Clarksville District
Downtown Portsmouth
County—Portsmouth City
Parts:
C.T. 2107
C.T. 2110–2111
C.T. 2113–2114
C.T. 2117–2121
East End Richmond
County—Richmond City
Parts:
C.T. 201–212
Fries
County—Grayson/Galax
Parts:
Providence Dist.
Goochland/Fife
County—Goochland
Parts:

**PRIMARY MEDICAL CARE: Virginia**
*Service Area Listing*

*Service Area Name*

C.T. 4002–4005
Halifax/South Boston
County—South Boston City (Indep)
Harrison/Tyler
County—Charles City
Parts:
Harrison Dist.
Tyler Dist.
Laurel Fork
County—Carroll
Parts:
Laurel Fork Dist
Northern Botetourt
County—Botetourt
Parts:
C.T. 401–402
Old South Richmond
County—Richmond City
Parts:
C.T. 601–605
C.T. 607.98
C.T. 608.98
Saltville
County—Smyth
Parts:
North Fork Dist
Saltville Dist
County—Washington/Bristol
Parts:
Jefferson Dist
South Norfolk
County—Chesapeake
Parts:
C.T. 201–204
C.T. 205.01–205.02
C.T. 206–207
Tri-County(Buck/Fluv/Cumb)
County—Buckingham
County—Cumberland
County—Fluvanna
Trout Dale/Independence
County—Grayson/Galax
Parts:
Elk Creek District
Wilson Creek District
Western Lee
County—Lee
Parts:
Rose Hill Dist
White Shoals Dist

**PRIMARY MEDICAL CARE: Virginia**
*Population Group Listing*

*Population Group*

Med Ind—Eastern Lee
County—Lee
Parts:
Jonesville Dist
Rocky Station Dist
Yokum Station Dist
Med Ind Pop—Buchanan Co
County—Buchanan
Parts:
Medically Indigent

**PRIMARY MEDICAL CARE: Virginia**
*Facility Listing*

*Facility Name*

FCI Petersburg
County—Dinwiddie/Petersburg

**PRIMARY MEDICAL CARE: Washington**
*County Listing*

*County Name*

*Adams
Facility: Columbia Basin Health Association
Benton
Population Group: MSFW—Benton/Franklin
*Chelan
Population Group: MFW—Chelan/Douglas
*Clallam
Service Area: Clallam Bay-Neah Bay
Population Group: Lower Elwha Indian Tribe
Clark
Population Group: Pov/Homeless/MFW—Vancouver
*Cowlitz
Population Group: Low Inc—Cowlitz Co
*Douglas
Service Area: Grand Coulee
Population Group: MFW—Chelan/Douglas
*Ferry
Service Area: Republic
Population Group: Am In—Colville Res
Franklin
Population Group: MSFW—Benton/Franklin
Facility: Coyote Ridge Corr Inst
*Garfield
*Grant
Service Area: Grand Coulee
Service Area: Royal City
Population Group: Low Inc/MFW—Central Grant Co
Facility: Quincy Valley Hosp.—C.H. Clinic
*Grays Harbor
Service Area: Copalis Beach
Service Area: Neilton
Service Area: Westport
*Jefferson
Service Area: Clallam Bay-Neah Bay
Service Area: Quilcene Bay
King
Population Group: Pov/Homeless—S King Co
Kitsap
Population Group: Low Inc—Bremerton
*Lewis
Service Area: Morton
Population Group: Low Inc—Sw Lewis Co
*Lincoln
Service Area: Grand Coulee
Service Area: Odessa
*Mason (g)
Facility: Wa Corr/Reception Ctr
*Okanogan
Service Area: Twisp/Winthrop
Population Group: Am In—Colville Res
Population Group: MSFW—C Okanogan Co
*Pacific
Service Area: Long Beach
*Pend Oreille
Service Area: Ione/Metaline Falls
Service Area: Newport/Cusick
Pierce
Service Area: Longbranch
Population Group: Low Inc—Eastside Tacoma
Population Group: Low Inc—Lakewood (Sw Pierce Co)
Facility: McNeil Island Corr. C.
*Skagit
Service Area: Concrete

**PRIMARY MEDICAL CARE: Washington**
*County Listing*

*County Name*

Population Group: MSFW—Skagit Co
*Skamania
Snohomish
Service Area: Darrington
Population Group: Low Inc/MFW—W Snohomish Co
Population Group: MSFW—Snohomish
Population Group: Stillaguamish Ind. Tribe
Facility: Twin Rivers Corr C
Spokane
Service Area: Deer Park
Service Area: Rockford
Population Group: Am In—Spokane
*Stevens
Service Area: Chewelah
Service Area: Deer Park
Service Area: Northport
Thurston
Population Group: Low Inc—Thurston South Div
*Wahkiakum
Population Group: Low Inc—Wahkiakum Co
*Walla Walla
Population Group: Low Inc/MFW—Walla Walla
Facility: Wa State Pen
Whatcom
Population Group: MSFW—Whatcom Co
*Whitman
Service Area: Northeast Whitman
Service Area: Rock Lake/La Crosse
Yakima

**PRIMARY MEDICAL CARE: Washington**
*Service Area Listing*

*Service Area Name*

Chewelah
County—Stevens
Parts:
Chewelah CCD
Columbia CCD
Springdale CCD
Clallam Bay-Neah Bay
County—Clallam
Parts:
Clallam Bay-Neah Bay CCD
Forks CCD
County—Jefferson
Parts:
West End CCD
Concrete
County—Skagit
Parts:
Upper Skagit CCD
Copalis Beach
County—Grays Harbor
Parts:
North Beach Division
Darrington
County—Snohomish
Parts:
Cascade Division
Deer Park
County—Spokane
Parts:
Deer Park CCD
County—Stevens
Parts:
Loon Lake CCD
Grand Coulee

**PRIMARY MEDICAL CARE: Washington**
*Service Area Listing*

*Service Area Name*

County—Douglas
Parts:
Bridgeport CCD
County—Grant
Parts:
Coulee City CCD
Grand Coulee CCD
County—Lincoln
Parts:
Wilbur CCD
Ione/Metaline Falls
County—Pend Oreille
Parts:
Ione/Metaline Falls CCD
Long Beach
County—Pacific
Parts:
Peninsula CCD
Longbranch
County—Pierce
Parts:
Lower Peninsula CCD (C.T.)
Morton
County—Lewis
Parts:
Big Bottom CCD
Mineral CCD
Morton CCD
Mossyrock CCD
Neilton
County—Grays Harbor
Parts:
Humptulips CCD
Lake Quinalt CCD
Newport/Cusick
County—Pend Oreille
Parts:
Newport CCD
Northeast Whitman
County—Whitman
Parts:
Rosalia CCD
Steptoe CCD
Tekoa CCD
Northport
County—Stevens
Parts:
Kettle Falls CCD
Odessa
County—Lincoln
Parts:
Odessa CCD
Quilcene Bay
County—Jefferson
Parts:
Quilcene Bay CCD
Republic
County—Ferry
Parts:
Curlew CCD
Orient Sherman CCD
Republic CCD
Rock Lake/La Crosse
County—Whitman
Parts:
La Crosse CCD
Rock Lake CCD
Rockford
County—Spokane
Parts:
Rockford CCD
Royal City

**PRIMARY MEDICAL CARE: Washington**
*Service Area Listing*

*Service Area Name*

County—Grant
Parts:
Southern Slopes Division
Twisp/Winthrop
County—Okanogan
Parts:
Early Winters Division
Methow Valley Division
Westport
County—Grays Harbor
Parts:
South Shore Div.

**PRIMARY MEDICAL CARE: Washington**
*Population Group Listing*

*Population Group*

Am In—Colville Res
County—Ferry
Parts:
Colville Res CCD
County—Okanogan
Parts:
Colville Res CCD
Am In—Spokane
County—Spokane
Parts:
American Indian
Low Inc—Bremerton
County—Kitsap
Parts:
C.T. 805–806
C.T. 810–813
Low Inc—Cowlitz Co
County—Cowlitz
Parts:
Low Income
Low Inc—Eastside Tacoma
County—Pierce
Parts:
C.T. 618–627
C.T. 628.01–628.02
C.T. 629–635
Low Inc—Lakewood (Sw Pierce Co)
County—Pierce
Parts:
C.T. 714.03–714.05
C.T. 715.01
C.T. 715.03–715.04
C.T. 717.01–717.02
C.T. 718.02–718.04
C.T. 719.01–719.02
C.T. 720
C.T. 721.05–721.08
C.T. 723.06
C.T. 723.08
Low Inc—Sw Lewis Co
County—Lewis
Parts:
Boistfort CCD
Ethel CCD
Olequa CCD
Low Inc—Thurston South Div
County—Thurston
Parts:
Low Income
Low Inc—Wahkiakum Co
County—Wahkiakum
Parts:
Low Income
Low Inc/MFW—Central Grant Co
County—Grant

**PRIMARY MEDICAL CARE: Washington**
*Population Group Listing*

*Population Group*

Parts:
Ephrata—Soap Lake CCD
George CCD
Gloyd CCD
Moses Lake CCD
Quincy CCD
Warden CCD
Wilson Creek CCD
Low Inc/MFW—W Snohomish Co
County—Snohomish
Parts:
Arlington CCD
Edmunds CCD
Everett CCD
Granite Falls CCD
Lake Stevens CCD
Maltby CCD
Marysville CCD
Monroe CCD
MFW
Skykomish CCD
Snohomish CCD
Stanwood CCD
Tulalip CCD
Low Inc/MFW—Walla Walla
County—Walla Walla
Parts:
Low Income
MFW
Lower Elwha Indian Tribe
County—Clallam
Parts:
Agnew-Carlsborg CCD
Crescent CCD
Forks CCD
Port Angeles CCD
Sequim CCD
MFW—Chelan/Douglas
County—Chelan
Parts:
MFW
County—Douglas
Parts:
MFW
MSFW—Benton/Franklin
County—Benton
Parts:
MSFW
County—Franklin
Parts:
MSFW
MSFW—C Okanogan Co
County—Okanogan
Parts:
MSFW
MSFW—Skagit Co
County—Skagit
Parts:
Anacortes CCD
Bayview CCD
Bow CCD
Burlington CCD
Cavanaugh CCD
Clear Lake CCD
Conway CCD
La Conner CCD
Lyman-Hamilton CCD
Mount Vernon CCD
Samish CCD
Sedro-Woolley CCD
MSFW—Snohomish
County—Snohomish

**PRIMARY MEDICAL CARE: Washington**
*Population Group Listing*

*Population Group*

Parts:
Arlington CCD
Granite Falls CCD
Lake Stevens CCD
Maltby CCD
Marysville CCD
Monroe CCD
Skykomish CCD
Snohomish CCD
Stanwood CCD
MSFW—Whatcom Co
County—Whatcom
Parts:
MSFW
Pov/Homeless—S King Co
County—King
Parts:
C.T. 252–254
C.T. 259
C.T. 291
C.T. 292.01–292.02
C.T. 295.01–295.02
C.T. 296–297
C.T. 298.01
C.T. 305.01–305.02
C.T. 306–308
Pov/Homeless/MFW—Vancouver
County—Clark
Parts:
Battle Ground CCD
Camas CCD
La Center CCD
Orchards CCD
Ridgefield CCD
Vancouver CCD
Stillaguamish Ind. Tribe
County—Snohomish
Parts:
C.T. 531–532
C.T. 534

**PRIMARY MEDICAL CARE: Washington**
*Facility Listing*

*Facility Name*

Columbia Basin Health Association
County—Adams
Coyote Ridge Corr Inst
County—Franklin
McNeil Island Corr. C.
County—Pierce
Quincy Valley Hosp.—C.H. Clinic
County—Grant
Twin Rivers Corr C
County—Snohomish
Wa Corr/Reception Ctr
County—Mason
Wa State Pen
County—Walla Walla

**PRIMARY MEDICAL CARE: West Virginia**
*County Listing*

*County Name*

*Barbour
Berkeley
Population Group: Pov/MSFW—Shenandoah
*Boone
*Braxton
Cabell
Service Area: Guyandotte

**PRIMARY MEDICAL CARE: West Virginia**
*County Listing*

*County Name*

*Calhoun
*Clay
Doddridge
Service Area: Doddridge/Salem
*Fayette
Service Area: New Haven
*Gilmer
*Grant
Service Area: Mt Storm
*Greenbrier
Service Area: Greenbrier
Service Area: Rainelle
*Hampshire
Hancock
Service Area: East Liverpool (OH/PA/WV)
*Hardy
Service Area: Baker
*Harrison
Service Area: Doddridge/Salem
*Jackson
Jefferson
Population Group: Pov/MSFW—Shenandoah
Kanawha
Service Area: Cabin Creek
Service Area: Clendenin
Service Area: Pocatalico
*Lewis
*Lincoln
Marshall
Service Area: Cameron
Facility: West Virginia Pen.
*McDowell
*Mercer
Service Area: Matoaka
*Mingo
Service Area: Gilbert
Service Area: Kermit
Service Area: Matewan
*Monongalia
Service Area: Clay/Battelle (WV/PA)
Facility: FCI—Morgantown
*Monroe
Population Group: Inmates—FPC Alderson
*Morgan
Service Area: Hancock (MD/PA/WV)
Service Area: Paw Paw
*Nicholas
Service Area: Rainelle
Service Area: Richwood
*Pendleton
*Pocahontas
Service Area: Marlington
*Preston
Service Area: Bruceton Mills
Service Area: Rowlesburg/Eglon
*Raleigh
Service Area: Northwest Raleigh
*Randolph
Service Area: Huttonsville
Facility: Huttonsville Corr Ctr
*Ritchie
*Roane
*Taylor
*Tucker
*Upshur
Service Area: Rock Cave
Wayne
Service Area: Wayne/Fort Gay
*Webster
*Wetzel
Service Area: Clay/Battelle (WV/PA)

**PRIMARY MEDICAL CARE: West Virginia**
*County Listing*

*County Name*

*Wirt
*Wyoming

**PRIMARY MEDICAL CARE: West Virginia**
*Service Area Listing*

*Service Area Name*

Baker
County—Hardy
Parts:
Capon Dist.
Lost River Dist.
Bruceton Mills
County—Preston
Parts:
Grant Dist.
Cabin Creek
County—Kanawha
Parts:
C.T. 121–122
Cameron
County—Marshall
Parts:
C.T. 208
Clay/Battelle (WV/PA)
County—Monongalia
Parts:
C.T. 114
County—Wetzel
Parts:
C.T. 304
Clendenin
County—Kanawha
Parts:
C.T. 112
Doddridge/Salem
County—Harrison
Parts:
C.T. 316
East Liverpool (OH/PA/WV)
County—Hancock
Parts:
Grant Dist
Gilbert
County—Mingo
Parts:
Stafford Dist.
Greenbrier
County—Greenbrier
Parts:
Anthony Creek Dist
Falling Spring Dist
Frankford Dist
Williamsburg Dist
Guyandotte
County—Cabell
Parts:
C.T. 2
Hancock (MD/PA/WV)
County—Morgan
Parts:
B.N.A. 9707
B.N.A. 9708
Huttonsville
County—Randolph
Parts:
Huttonsville Dist
Middle Fork Dist
Mingo Dist
Valley Bend Dist
Kermit
County—Mingo

**PRIMARY MEDICAL CARE: West Virginia**
*Service Area Listing*

*Service Area Name*

Parts:
Harvey District
Kermit District
Marlington
County—Pocahontas
Parts:
Edray Dist.
Huntersville Dist.
Marlington Twn.
Matewan
County—Mingo
Parts:
Magnolia Dist.
Matoaka
County—Mercer
Parts:
C.T. 9509
C.T. 9516
Mt Storm
County—Grant
Parts:
Union Dist.
New Haven
County—Fayette
Parts:
C.T. 210–211
Northwest Raleigh
County—Raleigh
Parts:
C.T. 111–112
Paw Paw
County—Morgan
Parts:
C.T. 9709–9710
Pocatalico
County—Kanawha
Parts:
C.T. 108.01–108.02
Rainelle
County—Greenbrier
Parts:
Meadow Bluff Dist.
County—Nicholas
Richwood
County—Nicholas
Parts:
Beaver Dist.
Kentucky Dist.
Wilderness Dist.
Rock Cave
County—Upshur
Parts:
Banks Dist.
Meade Dist.
Rowlesburg/Eglon
County—Preston
Parts:
Reno Dist.
Union Dist.
Wayne/Fort Gay
County—Wayne
Parts:
Butler Dist.
Stonewall Dist.
Union Dist.

**PRIMARY MEDICAL CARE: West Virginia**
*Population Group Listing*

*Population Group*

Inmates—FPC Alderson
County—Monroe

**PRIMARY MEDICAL CARE: West Virginia**
*Population Group Listing*

*Population Group*

Parts:
FPC Alderson
Pov/MSFW—Shenandoah
County—Berkeley
Parts:
MSFW
Pov. Pop.
County—Jefferson
Parts:
Pov Pop

**PRIMARY MEDICAL CARE: West Virginia**
*Facility Listing*

*Facility Name*

FCI—Morgantown
County—Monongalia
Huttonsville Corr Ctr
County—Randolph
West Virginia Pen.
County—Marshall

**PRIMARY MEDICAL CARE: Wisconsin**
*County Listing*

*County Name*

*Adams (g)
Facility: FCI Oxford
*Barron
Service Area: Chetek/Colfax
*Bayfield
Service Area: Hayward/Radisson
Service Area: Washburn/Bayfield
Brown
Service Area: Pulaski
Facility: Green Bay Maximum Security Inst
*Buffalo
Service Area: Arcadia
Service Area: Durand
Service Area: Mondovi
*Burnett
Calumet
*Clark
*Columbia (g)
Facility: Columbia Maximum Security Inst
*Crawford
Service Area: Boscobel
*Dodge
Facility: Dodge Corr Inst
Facility: Fox Lake Medium Security Inst
Facility: Waupun Maximum Security Inst
*Door
Service Area: Sister Bay/Washington Island
Service Area: Sturgeon Bay
Douglas
Service Area: Minong/Solon Springs
*Dunn
Service Area: Chetek/Colfax
Service Area: Durand
Eau Claire
Service Area: Osseo
*Florence
*Fond Du Lac
Facility: Kettle Moraine Medium Security Inst
*Forest
*Grant
Service Area: Boscobel
Service Area: Lancaster/Fennimore
Service Area: Platteville/Cuba City
*Green Lake

**PRIMARY MEDICAL CARE: Wisconsin**
*County Listing*

*County Name*

Service Area: Markesan/Kingston
*Iowa
Service Area: Dodgeville/Mineral Point
Service Area: Platteville/Cuba City
*Iron
Service Area: Ironwood/Hurley (MI/WI)
*Jackson
Service Area: Osseo
*Juneau
Service Area: Hillsboro
Kenosha
Service Area: Kenosha
*Kewaunee
Service Area: Kewaunee City/Algoma
La Crosse
Service Area: Coon Valley/Chaseburg
*Lafayette
Service Area: Darlington/Shullsburg
Service Area: Platteville/Cuba City
*Langlade
Service Area: Elcho
Service Area: Mountain/White Lake
*Lincoln
Service Area: Tomahawk
Marathon
Service Area: Athens/Edgar
Service Area: Tigerton/Birnamwood
Population Group: Low Inc—City Of Wausau
*Marinette
Service Area: E. Marinette/S. Menominee(MI/WI)
Service Area: W. Marinette
*Marquette
Service Area: Montello
*Menominee
Milwaukee
Service Area: Capitol Drive (Milwaukee)
Service Area: Inner City West
Service Area: Inner City South
Service Area: Inner City North (Milwaukee)
Service Area: Juneautown
*Monroe
Service Area: Hillsboro
Service Area: Sparta
*Oconto
Service Area: Mountain/White Lake
Service Area: Oconto/Oconto Falls
Service Area: Pulaski
*Oneida
Service Area: Elcho
Service Area: Tomahawk
Outagamie
Service Area: Clintonville/Marion
*Pepin
Service Area: Durand
Service Area: Mondovi
Pierce
Service Area: Durand
*Polk
Service Area: Frederic/Luck
*Price
Racine
Facility: Racine Medium Security Inst
*Richland
Service Area: Hillsboro
Service Area: Spring Green/Plain
Rock
Service Area: Central Beloit
*Sauk
Service Area: Hillsboro
Service Area: Spring Green/Plain

**PRIMARY MEDICAL CARE: Wisconsin**
*County Listing*

*County Name*

*Sawyer
Service Area: Hayward/Radisson
*Shawano
Service Area: Clintonville/Marion
Service Area: Oconto/Oconto Falls
Service Area: Pulaski
Service Area: Tigerton/Birnamwood
St Croix
Service Area: Baldwin
*Taylor
*Trempealeau
Service Area: Arcadia
Service Area: Galesville/Trempealeau
Service Area: Osseo
*Vernon
Service Area: Coon Valley/Chaseburg
Service Area: Genoa
Service Area: Hillsboro
*Vilas
Service Area: Land O'Lakes/Presque Isle
*Washburn
Service Area: Hayward/Radisson
Service Area: Minong/Solon Springs
Service Area: Spooner/Shell Lake
*Waupaca
Service Area: Clintonville/Marion
Service Area: Tigerton/Birnamwood
*Waushara
Service Area: Wautoma/Plainfield/Wild Rose
Winnebago
Facility: Oshkosh Medium Security Inst

**PRIMARY MEDICAL CARE: Wisconsin**
*Service Area Listing*

*Service Area Name*

Arcadia
County—Buffalo
Parts:
Buffalo Twn.
Cross Twn.
Fountain City
Glencoe Twn.
Milton Twn.
Montana Twn.
Waumandee Twn.
County—Trempealeau
Parts:
Arcadia City
Arcadia Twn.
Dodge Twn.
Athens/Edgar
County—Marathon
Parts:
Athens Vil.
Bern Twn.
Edgar Vil.
Fenwood Vil.
Frankfort Twn.
Halsey Twn.
Johnson Twn.
Rietbrock Town
Wien Town
Baldwin
County—St Croix
Parts:
Baldwin Twn.
Baldwin Vil.
Cady Twn.
Eau Galle Twn.
Emerald Twn.

**PRIMARY MEDICAL CARE: Wisconsin**
*Service Area Listing*

*Service Area Name*

Glenwood City
Glenwood Twn.
Hammond Twn.
Hammond Vil.
Pleasant Valley Twn.
Rush River Twn.
Springfield Twn.
Wilson Vil.
Woodville Vil.
Boscobel
County—Crawford
Parts:
Haney Twn.
Marietta Twn.
Scott Twn.
Steuben Vil.
Wauzeka Twn.
Wauzeka Vil.
County—Grant
Parts:
Bagley Vil.
Blue River Vil.
Boscobel City
Boscobel Twn.
Castle Rock Twn.
Hickory Grove Twn.
Marion Twn.
Millville Twn.
Mount Hope Twn.
Mount Ida Twn.
Muscoda Twn.
Muscoda Vil.
Patch Grove Twn.
Patch Grove Vil.
Watterstown Twn.
Woodman Twn.
Woodman Vil.
Wyalusing Twn.
Capitol Drive (Milwaukee)
County—Milwaukee
Parts:
C.T. 23–28
C.T. 36
C.T. 38–49
C.T. 60–61
C.T. 63–65
Central Beloit
County—Rock
Parts:
C.T. 15–19
Chetek/Colfax
County—Barron
Parts:
Arland Town
Chetek Town
Chetek City
Dallas Town
Dallas Vil
Dovre Town
Maple Grove Town
Prairie Farm Town
Prairie Lake Town
Prairie Farm Vil
Sioux Creek Town
Sumner Town
Turtle Lake Town
Turtle Lake Vil
Vance Creek Town
County—Dunn
Parts:
Boyceville Vil
Colfax Town

**PRIMARY MEDICAL CARE: Wisconsin**
*Service Area Listing*

*Service Area Name*

Colfax Vil
Downing Vil
Grant Town
Hay River Town
Knapp Vil
New Haven Town
Otter Creek Town
Ridgeland Vil
Sand Creek Town
Sheridan Town
Sherman Town
Stanton Town
Tainter Town
Tiffany Town
Wheeler Vil
Wilson Town
Clintonville/Marion
County—Outagamie
Parts:
Bear Creek Vil
Deer Creek Town
Maine Town
County—Shawano
Parts:
Grant Town
Pella Town
County—Waupaca
Parts:
Bear Creek Town
Clintonville City
Dupont Town
Embarrass Vil
Larrabee Town
Marion City
Matteson Town
Union Town
Coon Valley/Chaseburg
County—La Crosse
Parts:
Washington Town
County—Vernon
Parts:
Chaseburg Vil
Coon Town
Coon Valley Vil
Hamburg Town
Darlington/Shullsburg
County—Lafayette
Parts:
Argyle Town
Argyle Vil
Blanchard Town
Blanchardville Vil
Darlington City
Darlington Town
Fayette Town
Gratiot Town
Gratiot Vil
Kendall Town
Lamont Town
Monticello Town
Seymour Town
Shullsburg City
Shullsburg Town
South Wayne Vil
Wayne Town
White Oak Springs Town
Willow Springs Town
Wiota Town
Dodgeville/Mineral Point
County—Iowa
Parts:

**PRIMARY MEDICAL CARE: Wisconsin**
*Service Area Listing*

*Service Area Name*

Arena Twn.
Arena Vil.
Avoca Vil.
Barneveld Vil.
Blanchardville Vil.
Brigham Twn.
Clyde Twn.
Cobb Vil.
Dodgeville Twn.
Dodgeville City
Eden Twn.
Highland Twn.
Highland Vil.
Hollandale Vil.
Linden Twn.
Linden Vil.
Livingston Vil.
Mineral Point Twn.
Mineral Point City
Montfort Vil.
Moscow Twn.
Muscoda Vil.
Pulaski Twn.
Ridgeway Twn.
Ridgeway Vil.
Waldwick Twn.
Wyoming Twn.
Durand
County—Buffalo
Parts:
Maxville Town
Nelson Town
County—Dunn
Parts:
Dunn Town
Eau Galle Town
Peru Town
Rock Creek Town
Spring Brook Town
Weston Town
County—Pepin
Parts:
Durand Town
Durand City
Frankfort Town
Lima Town
Pepin Town
Pepin Vil
Stockholm Town
Stockholm Vil
Waterville Town
Waubeck Town
County—Pierce
Parts:
El Paso Town
Elmwood Vil
Gilman Town
Maiden Rock Town
Maiden Rock Vil
Plum City Vil
Prescott City
Rock Elm Town
Salem Town
Spring Valley Vil
Spring Lake Town
Union Town
E. Marinette/S. Menominee(MI/WI)
County—Marinette
Parts:
Grover Twn.
Marinette City
Peshtigo Twn.
Peshtigo City
Porterfield Twn.
Wagner Twn.
Elcho
County—Langlade
Parts:
Ainsworth Twn.
Elcho Twn.
Parrish Twn.
Summit Twn.
Upham Twn.
County—Oneida
Parts:
Enterprise Twn.
Schoepke Twn.
Frederic/Luck
County—Polk
Parts:
Bone Lake Town
Clam Falls Town
Frederic Vil
Georgetown Town
Laketown Town
Lorain Town
Luck Town
Luck Vil
McKinley Town
West Sweden Town
Galesville/Trempealeau
County—Trempealeau
Parts:
Caledonia Town
Ettrick Vil
Ettrick Town
Gale Town
Galesville City
Trempealeau Town
Trempealeau Vil
Genoa
County—Vernon
Parts:
Bergen Twn.
De Soto Vil.
Genoa Twn.
Genoa Vil.
Harmony Twn.
Sterling Twn.
Wheatland Twn.
Hayward/Radisson
County—Bayfield
Parts:
Barnes Town
Cable Town
Drummond Town
Grand View Town
Namakagon Town
County—Sawyer
Parts:
Bass Lake Town
Couderay Town
Couderay Vil
Edgewater Town
Exeland Vil
Hayward City
Hayward Town
Hunter Town
Lenroot Town
Meadowbrook Town
Meteor Town
Ojibwa Town
Radisson Town
Radisson Vil
Round Lake Town
Sand Lake Town
Spider Lake Town
Weirgor Town
Winter Town
Winter Vil
County—Washburn
Parts:
Bass Lake Town
Stinnett Town
Stone Lake Town
Hillsboro
County—Juneau
Parts:
Union Center Village
Wonewoc Town
Wonewoc Village
County—Monroe
Parts:
Glendale Town
Kendall Village
Sheldon Town
Wellington Town
County—Richland
Parts:
Bloom Town
Cazenovia Village
Henrietta Town
Westford Town
Yuba Village
County—Sauk
Parts:
Woodland Town
County—Vernon
Parts:
Forest Town
Greenwood Town
Hillsboro City
Hillsboro Town
Ontario Village
Union Town
Whitestown Town
Inner City North (Milwaukee)
County—Milwaukee
Parts:
C.T. 44
C.T. 66–72
C.T. 79–86
C.T. 101–107
C.T. 114–118
C.T. 139–142
C.T. 145–147
C.T. 151
Inner City South
County—Milwaukee
Parts:
C.T. 155–159
C.T. 162–169
C.T. 174–177
C.T. 178.98
C.T. 179
C.T. 180.97–180.98
Inner City West
County—Milwaukee
Parts:
C.T. 62
C.T. 87–90
C.T. 96–100
C.T. 119–123
C.T. 133–138
C.T. 148–149
Ironwood/Hurley (MI/WI)

**PRIMARY MEDICAL CARE: Wisconsin**
*Service Area Listing*

*Service Area Name*

County—Iron
Parts:
Anderson Town
Carey Town
Gurney Town
Hurley City
Kimball Town
Knight Town
Mercer Town
Montreal City
Oma Town
Pence Town
Saxon Town
Juneautown
County—Milwaukee
Parts:
C.T. 108
C.T. 110–113
Kenosha
County—Kenosha
Parts:
C.T. 7–12
C.T. 16
Kewaunee City/Algoma
County—Kewaunee
Parts:
Ahnapee Twn.
Algoma City
Carlton Twn.
Casco Twn.
Casco Vil.
Kewaunee City City
Lincoln Twn.
Pierce Twn.
W. Kewaunee Twn.
Lancaster/Fennimore
County—Grant
Parts:
Beetown Twn.
Bloomington Twn.
Bloomington Vil.
Cassville Twn.
Cassville Vil.
Fennimore City
Fennimore Twn.
Glen Haven Twn.
Lancaster City
Liberty Twn.
Little Grant Twn.
Montfort Vil
North Lancaster Twn.
Potosi Twn.
Potosi Vil.
South Lancaster Twn.
Waterloo Twn.
Wingville Twn.
Land O'Lakes/Presque Isle
County—Vilas
Parts:
Land O'Lakes Town
Presque Isle Town
Winchester Town
Markesan/Kingston
County—Green Lake
Parts:
Kingston Vil
Kingston Town
Mackford Town
Manchester Town
Markesan City
Marquette City
Marquette Town

**PRIMARY MEDICAL CARE: Wisconsin**
*Service Area Listing*

*Service Area Name*

Minong/Solon Springs
County—Douglas
Parts:
Bennett Twn.
Dairyland Twn.
Gordon Twn.
Highland Twn.
Oakland Twn.
Solon Springs Twn.
Solon Springs Vil.
Wascott Twn.
County—Washburn
Parts:
Brooklyn Twn.
Chicog Twn.
Frog Creek Twn.
Gull Lake Twn.
Minong Twn.
Minong Vil.
Mondovi
County—Buffalo
Parts:
Alma City
Alma Town
Belvidere Town
Buffalo City
Canton Town
Cochrane Vil
Dover Town
Gilmanton Town
Lincoln Town
Modena Town
Mondovi City
Mondovi Town
Naples Town
County—Pepin
Parts:
Albany Town
Montello
County—Marquette
Parts:
Crystal Lake Town
Harris Town
Mecan Town
Montello City
Montello Town
Neshkoro Town
Neshkoro Vil
Newton Town
Oxford Town
Oxford Vil
Packwaukee Town
Shields Town
Springfield Town
Westfield Town
Westfield Vil
Mountain/White Lake
County—Langlade
Parts:
Evergreen Town
Langlade Town
White Lake Vil
Wolf River Town
County—Oconto
Parts:
Armstrong Town
Bagley Town
Brazeau Town
Breed Town
Doty Town
Lakewood Town
Riverview Town

**PRIMARY MEDICAL CARE: Wisconsin**
*Service Area Listing*

*Service Area Name*

Townsend Town
Oconto/Oconto Falls
County—Oconto
Parts:
Abrams Twn.
Gillett City
Gillett Twn.
How Twn.
Lena Twn.
Lena Vil.
Little River Twn.
Maple Valley Twn.
Morgan Twn.
Oconto Falls Twn.
Oconto Falls City
Oconto Twn.
Oconto City
Pensaukee Twn.
Spruce Twn.
Stiles Twn.
Suring Vil.
Underhill Twn.
County—Shawano
Parts:
Green Valley Twn.
Osseo
County—Eau Claire
Parts:
Augusta City
Bridge Creek Twn.
Clear Creek Twn.
Fairchild Twn.
Fairchild Vil.
Otter Creek Twn.
County—Jackson
Parts:
Cleveland Twn.
Garfield Twn.
Northfield Twn.
County—Trempealeau
Parts:
Hale Twn.
Osseo City
Strum Vil.
Sumner Twn.
Unity Twn.
Platteville/Cuba City
County—Grant
Parts:
Clifton Town
Cuba City City
Dickeyville Vil
Ellenboro Town
Harrison Town
Hazel Green Town
Hazel Green Vil
Lima Town
Livingston Vil
Paris Town
Platteville City
Platteville Town
Smelser Town
County—Iowa
Parts:
Mifflin Town
Rewey Vil
County—Lafayette
Parts:
Belmont Town
Belmont Vil
Benton Town
Benton Vil

**PRIMARY MEDICAL CARE: Wisconsin**
*Service Area Listing*

*Service Area Name*

Elk Grove Town
New Diggings Town
Pulaski
County—Brown
Parts:
Pittsfield Town
Pulaski Vil
County—Oconto
Parts:
Chase Town
County—Shawano
Parts:
Angelica Town
Maple Grove Town
Sister Bay/Washington Island
County—Door
Parts:
Baileys Harbor Town
Ephraim Vil
Gibraltar Town
Liberty Grove Town
Sister Bay Vil
Washington Town
Sparta
County—Monroe
Parts:
Angelo Town
Cashton Vil
Jefferson Town
Lafayette Town
Leon Town
Little Falls Town
Melvina Vil
New Lyme Town
Norwalk Vil
Portland Town
Ridgeville Town
Sparta City
Sparta Town
Wells Town
Spooner/Shell Lake
County—Washburn
Parts:
Barronett Twn.
Bashaw Twn.
Beaver Brook Twn.
Birchwood Twn.
Birchwood Vil.
Casey Twn.
Crystal Twn.
Evergreen Twn.
Long Lake Twn.
Madge Twn.
Sarona Twn.
Shell Lake City
Spooner Twn.
Spooner City
Springbrook Twn.
Trego Twn.
Spring Green/Plain
County—Richland
Parts:
Buena Vista Twn.
Lone Rock Vil.
County—Sauk
Parts:
Bear Creek Twn.
Franklin Twn.
Honey Creek Twn.
Plain Vil.
Spring Green Vil.
Spring Green Twn.

**PRIMARY MEDICAL CARE: Wisconsin**
*Service Area Listing*

*Service Area Name*

Troy Twn.
Sturgeon Bay
County—Door
Parts:
Brussels Town
Claybanks Town
Egg Harbor Town
Egg Harbor Vil
Forestville Town
Forestville Vil
Gardner Town
Jacksonport Town
Nasewaupee Town
Sevastopol Town
Sturgeon Bay City
Sturgeon Bay Town
Union Town
Tigerton/Birnamwood
County—Marathon
Parts:
Elderon Town
Elderon Vil
Franzen Town
Hatley Vil
Norrie Town
Plover Town
County—Shawano
Parts:
Almon Town
Aniwa Town
Aniwa Vil
Birnamwood Town
Birnamwood Vil
Bowler Vil
Eland Vil
Fairbanks Town
Germania Town
Hutchins Town
Mattoon Vil
Morris Town
Tigerton Vil
Wittenberg Town
Wittenberg Vil
County—Waupaca
Parts:
Big Falls Vil
Harrison Town
Wyoming Town
Tomahawk
County—Lincoln
Parts:
Bradley Town
Harrison Town
King Town
Skanawan Town
Somo Town
Tomahawk City
Tomahawk Town
Wilson Town
County—Oneida
Parts:
Little Rice Town
Lynne Town
Nokomis Town
W. Marinette
County—Marinette
Parts:
Amberg Town
Athelstane Town
Beaver Town
Coleman Vil
Crivitz Vil

**PRIMARY MEDICAL CARE: Wisconsin**
*Service Area Listing*

*Service Area Name*

Dunbar Town
Goodman Town
Lake Town
Middle Inlet Town
Pound Town
Pound Vil
Silver Cliff Town
Stephenson Town
Wausaukee Town
Wausaukee Vil
Washburn/Bayfield
County—Bayfield
Parts:
Barksdale Town
Bayfield Town
Bayfield City
Bayview Town
Bell Town
Clover Town
Delta Town
Eileen Town
Hughes Town
Iron River Town
Kelly Town
Keystone Town
Lincoln Town
Mason Town
Mason Vil
Orienta Town
Oulu Town
Pilsen Town
Port Wing Town
Russell Town
Tripp Town
Washburn City
Washburn Town
Wautoma/Plainfield/Wild Rose
County—Waushara
Parts:
Coloma Town
Coloma Vil
Dakota Town
Deerfield Town
Hancock Town
Hancock Vil
Marion Town
Mount Morris Town
Oasis Town
Plainfield Town
Plainfield Vil
Richford Town
Rose Town
Springwater Town
Wautoma City
Wautoma Town
Wild Rose Vil

**PRIMARY MEDICAL CARE: Wisconsin**
*Population Group Listing*

*Population Group*

Low Inc—City Of Wausau
County—Marathon
Parts:
C.T. 1–2
C.T. 4–5
C.T. 6.01–6.02
C.T. 7

**PRIMARY MEDICAL CARE: Wisconsin**
*Facility Listing*

*Facility Name*

Columbia Maximum Security Inst
County—Columbia
Dodge Corr Inst
County—Dodge
Fox Lake Medium Security Inst
County—Dodge
FCI Oxford
County—Adams
Green Bay Maximum Security Inst
County—Brown
Kettle Moraine Medium Security Inst
County—Fond Du Lac
Oshkosh Medium Security Inst
County—Winnebago
Racine Medium Security Inst
County—Racine
Waupun Maximum Security Inst
County—Dodge

**PRIMARY MEDICAL CARE: Wyoming**
*County Listing*

*County Name*

*Albany
Service Area: Rock River
*Big Horn
Service Area: Greybull/Basin
Service Area: Lovell
*Carbon
*Converse
*Crook
*Johnson
Service Area: Kaycee
Laramie
Service Area: Pine Bluffs
*Lincoln
Service Area: Kemmerer/Cokeville
Natrona
Service Area: Midwest/Edgerton
*Niobrara
*Park
Service Area: Gardiner/Yellowstone (MT/WY)
Service Area: Meeteetse
*Platte
Service Area: Chugwater
Service Area: Glendo
Service Area: Guernsey
*Sublette
*Sweetwater
*Teton
Service Area: Gardiner/Yellowstone (MT/WY)
*Uinta
Service Area: Lyman
*Washakie
*Weston

**PRIMARY MEDICAL CARE: Wyoming**
*Service Area Listing*

*Service Area Name*

Chugwater
County—Platte
Parts:
Chugwater Division
Gardiner/Yellowstone (MT/WY)
County—Park
Parts:
Yellowstone National Park Divisi
County—Teton
Parts:
Yellowstone National Park Divisi
Glendo
County—Platte
Parts:
Glendo Division
Greybull/Basin
County—Big Horn
Parts:
Big Horn Central CCD
Big Horn South CCD
Guernsey
County—Platte
Parts:
Guernsey Division
Kaycee
County—Johnson
Parts:
Kaycee CCD
Kemmerer/Cokeville
County—Lincoln
Parts:
Kemmerer East CCD
Kemmerer West CCD
Lovell
County—Big Horn
Parts:
Big Horn North CCD
Lyman
County—Uinta
Parts:
Bridger Valley CCD
Meeteetse
County—Park
Parts:
Meeteetse CCD
Midwest/Edgerton
County—Natrona
Parts:
Casper North CCD
Pine Bluffs
County—Laramie
Parts:
Pine Bluffs CCD
Rock River
County—Albany
Parts:
Rock River Division

**PRIMARY MEDICAL CARE: American Samoa**
*County Listing*

*County Name*

Eastern District
Service Area: Terr. Of American Samoa
Manu'A District
Service Area: Terr. Of American Samoa
Rose Island
Service Area: Terr. Of American Samoa
Swains Island
Service Area: Terr. Of American Samoa
Western District
Service Area: Terr. Of American Samoa

**PRIMARY MEDICAL CARE: American Samoa**
*Service Area Listing*

*Service Area Name*

Terr. Of American Samoa
County—Eastern District
County—Manu'A District
County—Rose Island
County—Swains Island
County—Western District

**PRIMARY MEDICAL CARE: Fed Ste Micronesia**
*County Listing*

*County Name*

*Chuuk State
*Kosrae State
*Pohnpei State
*Yap State

**PRIMARY MEDICAL CARE: Guam**
*County Listing*

*County Name*

*Guam

**PRIMARY MEDICAL CARE: Marshall Islands**
*County Listing*

*County Name*

Ailinginae
Service Area: Marshall Islands
Ailinglaplap
Service Area: Marshall Islands
Ailuk
Service Area: Marshall Islands
Arno
Service Area: Marshall Islands
Aur
Service Area: Marshall Islands
Bikar
Service Area: Marshall Islands
Bikini
Service Area: Marshall Islands
Bokak
Service Area: Marshall Islands
Ebon
Service Area: Marshall Islands
Enewetak
Service Area: Marshall Islands
Erikub
Service Area: Marshall Islands
Jabat
Service Area: Marshall Islands
Jaluit
Service Area: Marshall Islands
Jemo Island
Service Area: Marshall Islands
Kili
Service Area: Marshall Islands
Kwajalein
Service Area: Marshall Islands
Lae
Service Area: Marshall Islands
Lib
Service Area: Marshall Islands
Likiep
Service Area: Marshall Islands
Majuro
Service Area: Marshall Islands
Maloelap
Service Area: Marshall Islands
Mejit
Service Area: Marshall Islands
Mili
Service Area: Marshall Islands

**PRIMARY MEDICAL CARE: Marshall Islands**
*County Listing*

*County Name*

Namorik
Service Area: Marshall Islands
Namu
Service Area: Marshall Islands
Rongelap
Service Area: Marshall Islands
Rongrik
Service Area: Marshall Islands
Taka
Service Area: Marshall Islands
Ujae
Service Area: Marshall Islands
Ujelang
Service Area: Marshall Islands
Utrik
Service Area: Marshall Islands
Wotho
Service Area: Marshall Islands
Wotje
Service Area: Marshall Islands

**PRIMARY MEDICAL CARE: Marshall Islands**
*Service Area Listing*

*Service Area Name*

Marshall Islands
County—Ailinginae
County—Ailinglaplap
County—Ailuk
County—Arno
County—Aur
County—Bikar
County—Bikini
County—Bokak
County—Ebon
County—Enewetak
County—Erikub
County—Jabat
County—Jaluit
County—Jemo Island
County—Kili
County—Kwajalein
County—Lae
County—Lib
County—Likiep
County—Majuro
County—Maloelap
County—Mejit
County—Mili
County—Namorik
County—Namu
County—Rongelap
County—Rongrik
County—Taka
County—Ujae
County—Ujelang
County—Utrik
County—Wotho
County—Wotje

**PRIMARY MEDICAL CARE: N. Mariana Islands**
*County Listing*

*County Name*

Northern Islands
Service Area: Northern Mariana
Rota
Service Area: Northern Mariana
Saipan
Service Area: Northern Mariana
Tinian
Service Area: Northern Mariana

**PRIMARY MEDICAL CARE: N. Mariana Islands**
*Service Area Listing*

*Service Area Name*

Northern Mariana
County—Northern Islands
County—Rota
County—Saipan
County—Tinian

**PRIMARY MEDICAL CARE: Republic of Palau**
*County Listing*

*County Name*

*Republic Of Palau

**PRIMARY MEDICAL CARE: Puerto Rico**
*County Listing*

*County Name*

*Adjuntas
Population Group: Pov Pop—Adjuntas
Aguada
Population Group: Pov Pop—Subregion 4A
Aguadilla
Population Group: Pov Pop—Subregion 4A
*Aguas Buenas
Population Group: Pov Pop—Subregion 6B
*Aibonito
Population Group: Pov Pop—Subregion 6B
Anasco
Population Group: Pov Pop—Subregion 4B
*Arroyo
Population Group: Pov Pop—Subregion 5C
*Barranquitas
Population Group: Pov Pop—Barranquitas
*Cabo Rojo
Population Group: Pov Pop—Subregion 4C
*Caguas
Population Group: Pov Pop—Caguas
*Canovanas
Population Group: Pov Pop—Subregion 1B
*Carolina
Population Group: Pov Pop—Subregion 1B
*Catano
Population Group: Pov Pop—Subregion 2A
*Cayey
Population Group: Pov Pop—Subregion 6B
*Ceiba
Population Group: Pov Pop—Subregion 1A
*Cidra
Population Group: Pov Pop—Subregion 6B
*Coamo
Population Group: Pov Pop—Subregion 5B
*Dorado
Population Group: Pov Pop—Subregion 2A
*Fajardo
Population Group: Pov Pop—Subregion 1A
*Guanica
Population Group: Pov Pop—Subregion 5A
*Guayama
Population Group: Pov Pop—Subregion 5C
Guayanilla
Population Group: Pov Pop—Subregion 5A
*Guaynabo
Population Group: Inmates—MDC Guaynabo
Population Group: Pov. Pop.—Guaynabo
*Gurabo
Population Group: Pov. Pop.—Subregion 6C
Hormigueros
Population Group: Pov Pop—Subregion 4C
*Humacao
Population Group: Pov. Pop.—Subregion 6A
*Isabela
Population Group: Pov Pop—Subregion 4A
Juana Diaz
Population Group: Pov Pop—Subregion 5B
*Juncos
Population Group: Pov. Pop.—Subregion 6C
*Lajas
Population Group: Pov Pop—Subregion 4C
*Lares
Population Group: Pov. Pop.—Subregion 3A
*Las Marias
Population Group: Pov. Pop.—Las Marias
*Las Peidras
Population Group: Pov. Pop.—Subregion 6A
*Loiza
Population Group: Pov Pop—Subregion 1B
*Luquillo
Population Group: Pov Pop—Subregion 1A
*Maunabo
Population Group: Pov. Pop.—Subregion 6A
Mayaguez
Population Group: Pov. Pop.—Mayaguez
Moca
Population Group: Pov Pop—Subregion 4A
*Naguabo
Population Group: Pov. Pop.—Subregion 6A
*Patillas
Population Group: Pov Pop—Subregion 5C
Penuelas
Population Group: Pov Pop—Subregion 5A
*Rincon
Population Group: Pov Pop—Subregion 4B
*Rio Grande
Population Group: Pov Pop—Subregion 1A
Sabana Grande
Population Group: Pov Pop—Subregion 4C
*Salinas
Population Group: Pov Pop—Subregion 5C
San German
Population Group: Pov Pop—Subregion 4C
*San Juan
Population Group: Pov Pop—San Juan
*San Lorenzo
Population Group: Pov. Pop.—Subregion 6C
*San Sebastian
Population Group: Pov Pop—Subregion 4A
*Santa Isabel
Population Group: Pov Pop—Subregion 5B
*Toa Alta
Population Group: Pov Pop—Subregion 2A
*Toa Baja
Population Group: Pov Pop—Subregion 2A
*Trujillo Alto
Population Group: Pov Pop—Subregion 1B
*Utuado

**PRIMARY MEDICAL CARE: Puerto Rico**
*County Listing*

*County Name*

Population Group: Pov. Pop.—Subregion 3A
*Vega Alta
Population Group: Pov Pop—Subregion 2A
*Vega Baja
Population Group: Pov Pop—Vega Baja
Villalba
Population Group: Pov Pop—Subregion 5B
*Yabucoa
Population Group: Pov. Pop.—Subregion 6A
Yauco
Population Group: Pov Pop—Subregion 5A

**PRIMARY MEDICAL CARE: Puerto Rico**
*Population Group Listing*

*Population Group*

Inmates—MDC Guaynabo
County—Guaynabo
Parts:
MDC Guaynabo
Pov Pop—Adjuntas
County—Adjuntas
Parts:
Pov. Pop.
Pov Pop—Barranquitas
County—Barranquitas
Parts:
Pov. Pop.—Barranquitas
Pov Pop—Caguas
County—Caguas
Parts:
Pov. Pop.
Pov Pop—San Juan
County—San Juan
Parts:
Pov. Pop.
Pov Pop—Subregion 1A
County—Ceiba
Parts:
Pov. Pop.
County—Fajardo
Parts:
Pov. Pop.
County—Luquillo
Parts:
Pov. Pop.
County—Rio Grande
Parts:
Pov. Pop.
Pov Pop—Subregion 1B
County—Canovanas
Parts:
Pov. Pop.
County—Carolina
Parts:
Pov. Pop.
County—Loiza
Parts:
Pov. Pop.
County—Trujillo Alto
Parts:
Pov. Pop.
Pov Pop—Subregion 2A
County—Catano
Parts:
Pov. Pop.
County—Dorado
Parts:
Pov. Pop.
County—Toa Alta

**PRIMARY MEDICAL CARE: Puerto Rico**
*Population Group Listing*

*Population Group*

Parts:
Pov. Pop.
County—Toa Baja
Parts:
Pov. Pop.
County—Vega Alta
Parts:
Pov. Pop.
Pov Pop—Subregion 4B
County—Anasco
Parts:
Pov. Pop.
County—Rincon
Parts:
Pov. Pop.
Pov Pop—Subregion 4C
County—Cabo Rojo
Parts:
Pov. Pop.
County—Hormigueros
Parts:
Pov. Pop.
County—Lajas
Parts:
Pov. Pop.
County—Sabana Grande
Parts:
Pov. Pop.
County—San German
Parts:
Pov. Pop.
Pov Pop—Subregion 4A
County—Aguada
Parts:
Pov. Pop.
County—Aguadilla
Parts:
Pov. Pop.
County—Isabela
Parts:
Pov. Pop.
County—Moca
Parts:
Pov. Pop.
County—San Sebastian
Parts:
Pov. Pop.
Pov Pop—Subregion 5C
County—Arroyo
Parts:
Pov. Pop.
County—Guayama
Parts:
Pov. Pop.
County—Patillas
Parts:
Pov. Pop.
County—Salinas
Parts:
Pov. Pop.
Pov Pop—Subregion 5B
County—Coamo
Parts:
Pov. Pop.
County—Juana Diaz
Parts:
Pov. Pop.
County—Santa Isabel
Parts:
Pov. Pop.
County—Villalba
Parts:

**PRIMARY MEDICAL CARE: Puerto Rico**
*Population Group Listing*

*Population Group*

Pov. Pop.
Pov Pop—Subregion 5A
County—Guanica
Parts:
Pov. Pop.
County—Guayanilla
Parts:
Pov. Pop.
County—Penuelas
Parts:
Pov. Pop.
County—Yauco
Parts:
Pov. Pop.
Pov Pop—Subregion 6B
County—Aguas Buenas
Parts:
Pov. Pop.
County—Aibonito
Parts:
Pov. Pop.
County—Cayey
Parts:
Pov. Pop.
County—Cidra
Parts:
Pov. Pop.
Pov Pop—Vega Baja
County—Vega Baja
Parts:
Pov. Pop.—Vega Baja
Pov. Pop.—Guaynabo
County—Guaynabo
Parts:
Pov. Pop.
Pov. Pop.—Las Marias
County—Las Marias
Parts:
Pov. Pop.
Pov. Pop.—Mayaguez
County—Mayaguez
Pov. Pop.—Subregion 6C
County—Gurabo
Parts:
Pov. Pop.
County—Juncos
Parts:
Pov. Pop.
County—San Lorenzo
Parts:
Pov. Pop.
Pov. Pop.—Subregion 3A
County—Lares
Parts:
Pov. Pop.
County—Utuado
Parts:
Pov. Pop.
Pov. Pop.—Subregion 6A
County—Humacao
Parts:
Pov. Pop.
County—Las Peidras
Parts:
Pov. Pop.
County—Maunabo
Parts:
Pov. Pop.
County—Naguabo
Parts:
Pov. Pop.
County—Yabucoa

**PRIMARY MEDICAL CARE: Puerto Rico**
*Population Group Listing*

*Population Group*

Parts:
Pov. Pop.

**PRIMARY MEDICAL CARE: Virgin Islands**
*County Listing*

*County Name*

*St. Thomas
Service Area: East End St. Thomas

**PRIMARY MEDICAL CARE: Virgin Islands**
*Service Area Listing*

*Service Area Name*

East End St. Thomas
County—St. Thomas
Parts:
East End
Southside
Tutu

**MENTAL HEALTH: Alabama**
*County Listing*

*County Name*

Autauga
Service Area: Catchment Area M–14
Baldwin
Service Area: Catchment Area M–21
Barbour
Service Area: Catchment Area M–19
Bibb
Service Area: Catchment Area M–8
Bullock
Service Area: Catchment Area M–15
Butler
Service Area: Catchment Area M–18
Calhoun
Service Area: Catchment Area M–7
Chambers
Service Area: Catchment Area M–12
Cherokee
Service Area: Catchment Area M–6
Chilton
Service Area: Catchment Area M–11
Choctaw
Service Area: Catchment Area M–10
Clarke
Service Area: Catchment Area M–17
Clay
Service Area: Catchment Area M–9
Cleburne
Service Area: Catchment Area M–7
Coffee
Service Area: Catchment Area M–18
Colbert
Service Area: Catchment Area M–1
Conecuh
Service Area: Catchment Area M–17
Coosa
Service Area: Catchment Area M–9
Covington
Service Area: Catchment Area M–18
Crenshaw
Service Area: Catchment Area M–18
Cullman
Service Area: Catchment Area M–22
Dale
Service Area: Catchment Area M–19
Dallas
Service Area: Catchment Area M–13
De Kalb

**MENTAL HEALTH: Alabama**
*County Listing*

*County Name*

Service Area: Catchment Area M–6
Elmore
Service Area: Catchment Area M–14
Escambia
Service Area: Catchment Area M–17
Etowah
Service Area: Catchment Area M–6
Fayette
Service Area: Catchment Area M–4
Franklin
Service Area: Catchment Area M–1
*Geneva
Service Area: Catchment Area M–19
Greene
Service Area: Catchment Area M–10
Hale
Service Area: Catchment Area M–10
*Henry
Service Area: Catchment Area M–19
Houston
Service Area: Catchment Area M–19
Jackson
Service Area: Catchment Area M–20
Lamar
Service Area: Catchment Area M–4
Lauderdale
Service Area: Catchment Area M–1
Lawrence
Service Area: Catchment Area M–2
Lee
Service Area: Catchment Area M–12
Limestone
Service Area: Catchment Area M–2
Lowndes
Service Area: Catchment Area M–14
Macon
Service Area: Catchment Area M–15
Madison
Service Area: Catchment Area M–3
Marengo
Service Area: Catchment Area M–10
Marion
Service Area: Catchment Area M–4
Marshall
Service Area: Catchment Area M–20
Mobile
Service Area: Catchment Area M–16
Monroe
Service Area: Catchment Area M–17
Montgomery
Service Area: Catchment Area M–14
Morgan
Service Area: Catchment Area M–2
Perry
Service Area: Catchment Area M–13
Pickens
Service Area: Catchment Area M–8
Pike
Service Area: Catchment Area M–15
Randolph
Service Area: Catchment Area M–9
Russell
Service Area: Catchment Area M–12
Shelby
Service Area: Catchment Area M–11
Sumter
Service Area: Catchment Area M–10
Talladega
Service Area: Catchment Area M–9
Tallapoosa
Service Area: Catchment Area M–12
Tuscaloosa

**MENTAL HEALTH: Alabama**
*County Listing*

*County Name*

Service Area: Catchment Area M–8
*Walker
Service Area: Catchment Area M–4
Washington
Service Area: Catchment Area M–16
Wilcox
Service Area: Catchment Area M–13
Winston
Service Area: Catchment Area M–4

**MENTAL HEALTH: Alabama**
*Service Area Listing*

*Service Area Name*

Catchment Area M–1
County—Colbert
County—Franklin
County—Lauderdale
Catchment Area M–10
County—Choctaw
County—Greene
County—Hale
County—Marengo
County—Sumter
Catchment Area M–11
County—Chilton
County—Shelby
Catchment Area M–12
County—Chambers
County—Lee
County—Russell
County—Tallapoosa
Catchment Area M–13
County—Dallas
County—Perry
County—Wilcox
Catchment Area M–14
County—Autauga
County—Elmore
County—Lowndes
County—Montgomery
Catchment Area M–15
County—Bullock
County—Macon
County—Pike
Catchment Area M–16
County—Mobile
County—Washington
Catchment Area M–17
County—Clarke
County—Conecuh
County—Escambia
County—Monroe
Catchment Area M–18
County—Butler
County—Coffee
County—Covington
County—Crenshaw
Catchment Area M–19
County—Barbour
County—Dale
County—Geneva
County—Henry
County—Houston
Catchment Area M–2
County—Lawrence
County—Limestone
County—Morgan
Catchment Area M–20
County—Jackson
County—Marshall
Catchment Area M–21

**MENTAL HEALTH: Alabama**
*Service Area Listing*

*Service Area Name*

County—Baldwin
Catchment Area M–22
County—Cullman
Catchment Area M–3
County—Madison
Catchment Area M–4
County—Fayette
County—Lamar
County—Marion
County—Walker
County—Winston
Catchment Area M–6
County—Cherokee
County—De Kalb
County—Etowah
Catchment Area M–7
County—Calhoun
County—Cleburne
Catchment Area M–8
County—Bibb
County—Pickens
County—Tuscaloosa
Catchment Area M–9
County—Clay
County—Coosa
County—Randolph
County—Talladega

**MENTAL HEALTH: Arizona**
*County Listing*

*County Name*

Apache
Service Area: N. Arizona Mental Hlth Catch Area
Cochise
Service Area: Southeastern Arizona
Coconino
Service Area: N. Arizona Mental Hlth Catch Area
*Gila
Graham
Service Area: Southeastern Arizona
Greenlee
Service Area: Southeastern Arizona
*La Paz
Mohave
Service Area: N. Arizona Mental Hlth Catch Area
Navajo
Service Area: N. Arizona Mental Hlth Catch Area
Pinal
Santa Cruz
Service Area: Southeastern Arizona
Yavapai
Service Area: N. Arizona Mental Hlth Catch Area
Yuma

**MENTAL HEALTH: Arizona**
*Service Area Listing*

*Service Area Name*

N. Arizona Mental Hlth Catch Area
County—Apache
County—Coconino
County—Mohave
County—Navajo
County—Yavapai
Southeastern Arizona
County—Cochise

**MENTAL HEALTH: Arizona**
*Service Area Listing*

*Service Area Name*

County—Graham
County—Greenlee
County—Santa Cruz

**MENTAL HEALTH: Arkansas**
*County Listing*

*County Name*

Arkansas
Service Area: Pine Bluff C.A.
Ashley
Service Area: Monticello C.A.
Baxter
Service Area: Mountain Home C.A.
Benton
Facility: Benton Detox/Mh Ctr
Boone
Service Area: Mountain Home C.A.
Bradley
Service Area: Monticello C.A.
Calhoun
Service Area: El Dorado
Chicot
Service Area: Monticello C.A.
Clay
Service Area: Jonesboro
Cleburne
Service Area: Batesville
Cleveland
Service Area: Pine Bluff C.A.
Columbia
Service Area: El Dorado
Conway
Service Area: Russellville C.A.
Craighead
Service Area: Jonesboro
Crittenden
Service Area: Helena
Cross
Service Area: Helena
Dallas
Service Area: El Dorado
Desha
Service Area: Monticello C.A.
Drew
Service Area: Monticello C.A.
Faulkner
Service Area: Russellville C.A.
Fulton
Service Area: Batesville
Grant
Service Area: Pine Bluff C.A.
Greene
Service Area: Jonesboro
Hempstead
Service Area: Texarkana C.A.
Howard
Service Area: Texarkana C.A.
Independence
Service Area: Batesville
Izard
Service Area: Batesville
Jackson
Service Area: Batesville
Jefferson
Service Area: Pine Bluff C.A.
Johnson
Service Area: Russellville C.A.
Lafayette
Service Area: Texarkana C.A.
Lawrence
Service Area: Jonesboro

**MENTAL HEALTH: Arkansas**
*County Listing*

*County Name*

Lee
Service Area: Helena
Lincoln
Service Area: Pine Bluff C.A.
Little River
Service Area: Texarkana C.A.
Marion
Service Area: Mountain Home C.A.
Miller
Service Area: Texarkana C.A.
Mississippi
Service Area: Jonesboro
Monroe
Service Area: Helena
Nevada
Service Area: El Dorado
Newton
Service Area: Mountain Home C.A.
Ouachita
Service Area: El Dorado
Perry
Service Area: Russellville C.A.
Phillips
Service Area: Helena
Poinsett
Service Area: Jonesboro
Pope
Service Area: Russellville C.A.
*Prairie
Randolph
Service Area: Jonesboro
Searcy
Service Area: Mountain Home C.A.
Sevier
Service Area: Texarkana C.A.
Sharp
Service Area: Batesville
St. Francis
Service Area: Helena
Stone
Service Area: Batesville
Union
Service Area: El Dorado
Van Buren
Service Area: Batesville
White
Service Area: Batesville
Woodruff
Service Area: Batesville
Yell
Service Area: Russellville C.A.

**MENTAL HEALTH: Arkansas**
*Service Area Listing*

*Service Area Name*

Batesville
County—Cleburne
County—Fulton
County—Independence
County—Izard
County—Jackson
County—Sharp
County—Stone
County—Van Buren
County—White
County—Woodruff
El Dorado
County—Calhoun
County—Columbia
County—Dallas
County—Nevada

**MENTAL HEALTH: Arkansas**
*Service Area Listing*

*Service Area Name*

County—Ouachita
County—Union
Helena
County—Crittenden
County—Cross
County—Lee
County—Monroe
County—Phillips
County—St. Francis
Jonesboro
County—Clay
County—Craighead
County—Greene
County—Lawrence
County—Mississippi
County—Poinsett
County—Randolph
Monticello C.A.
County—Ashley
County—Bradley
County—Chicot
County—Desha
County—Drew
Mountain Home C.A.
County—Baxter
County—Boone
County—Marion
County—Newton
County—Searcy
Pine Bluff C.A.
County—Arkansas
County—Cleveland
County—Grant
County—Jefferson
County—Lincoln
Russellville C.A.
County—Conway
County—Faulkner
County—Johnson
County—Perry
County—Pope
County—Yell
Texarkana C.A.
County—Hempstead
County—Howard
County—Lafayette
County—Little River
County—Miller
County—Sevier

**MENTAL HEALTH: Arkansas**
*Facility Listing*

*Facility Name*

Benton Detox/Mh Ctr
County—Benton

**MENTAL HEALTH: California**
*County Listing*

*County Name*

Fresno
Service Area: West Side Fresno
*Imperial
Kern
Population Group: Low Inc—Arvin/Lamont
Merced
*Tehama

**MENTAL HEALTH: California**
*Service Area Listing*

*Service Area Name*

West Side Fresno
County—Fresno
Parts:
C.T. 78
C.T. 79.98
C.T. 80–83
C.T. 84.01–84.02

**MENTAL HEALTH: California**
*Population Group Listing*

*Population Group*

Low Inc—Arvin/Lamont 3
County—Kern
Parts:
C.T. 62–64

**MENTAL HEALTH: Colorado**
*County Listing*

*County Name*

*Archuleta
Service Area: Southwest Colorado
Baca
Service Area: Southeast Mh Reg
*Bent
Service Area: Southeast Mh Reg
Chaffee
Service Area: West Central Mh Reg
Cheyenne
Service Area: Northeast/East Central Mh Reg
Crowley
Service Area: Southeast Mh Reg
*Custer
Service Area: West Central Mh Reg
Delta
Service Area: Midwestern Mh Reg
*Dolores
Service Area: Southwest Colorado
Elbert
Service Area: Northeast/East Central Mh Reg
Fremont
Service Area: West Central Mh Reg
Gunnison
Service Area: Midwestern Mh Reg
Hinsdale
Service Area: Midwestern Mh Reg
Huerfano
Service Area: Mh Reg 7
Kiowa
Service Area: Southeast Mh Reg
Kit Carson
Service Area: Northeast/East Central Mh Reg
*La Plata
Service Area: Southwest Colorado
Lake
Service Area: West Central Mh Reg
Las Animas
Service Area: Mh Reg 7
Lincoln
Service Area: Northeast/East Central Mh Reg
Logan
Service Area: Northeast/East Central Mh Reg
*Montezuma
Service Area: Southwest Colorado
Montrose
Service Area: Midwestern Mh Reg

**MENTAL HEALTH: Colorado**
*County Listing*

*County Name*

Morgan
Service Area: Northeast/East Central Mh Reg
Otero
Service Area: Southeast Mh Reg
Ouray
Service Area: Midwestern Mh Reg
Phillips
Service Area: Northeast/East Central Mh Reg
Prowers
Service Area: Southeast Mh Reg
Pueblo
Service Area: Mh Reg 7
*San Juan
Service Area: Southwest Colorado
San Miguel
Service Area: Midwestern Mh Reg
*Sedgwick
Service Area: Northeast/East Central Mh Reg
Washington
Service Area: Northeast/East Central Mh Reg
Yuma
Service Area: Northeast/East Central Mh Reg

**MENTAL HEALTH: Colorado**
*Service Area Listing*

*Service Area Name*

Mh Reg 7
County—Huerfano
County—Las Animas
County—Pueblo
Midwestern Mh Reg
County—Delta
County—Gunnison
County—Hinsdale
County—Montrose
County—Ouray
County—San Miguel
Northeast/East Central Mh Reg
County—Cheyenne
County—Elbert
County—Kit Carson
County—Lincoln
County—Logan
County—Morgan
County—Phillips
County—Sedgwick
County—Washington
County—Yuma
Southeast Mh Reg
County—Baca
County—Bent
County—Crowley
County—Kiowa
County—Otero
County—Prowers
Southwest Colorado
County—Archuleta
County—Dolores
County—La Plata
County—Montezuma
County—San Juan
West Central Mh Reg
County—Chaffee
County—Custer
County—Fremont
County—Lake

**MENTAL HEALTH: Connecticut**
*County Listing*

*County Name*

Hartford
Service Area: Charter Oak Terrace/ Rice Heights

**MENTAL HEALTH: Connecticut**
*Service Area Listing*

*Service Area Name*

Charter Oak Terrace/ Rice Heights
County—Hartford
Parts:
C.T. 5001–5002
C.T. 5019
C.T. 5027–5030
C.T. 5043
C.T. 5045–5046
C.T. 5049

**MENTAL HEALTH: Delaware**
*County Listing*

*County Name*

Kent
*Sussex

**MENTAL HEALTH: District Of Columbia**
*County Listing*

*County Name*

The District
Service Area: Region Iv—Anacostia

**MENTAL HEALTH: District Of Columbia**
*Service Area Listing*

*Service Area Name*

Region Iv—Anacostia
County—The District
Parts:
C.T. 73.01–73.02
C.T. 73.04
C.T. 73.08
C.T. 74.01
C.T. 74.04
C.T. 74.06–74.09
C.T. 74.30
C.T. 75.02–75.04
C.T. 76.01
C.T. 76.03–76.05
C.T. 77.03
C.T. 77.07–77.09
C.T. 97
C.T. 98.03–98.10
C.T. 98.20
C.T. 99.01–99.07

**MENTAL HEALTH: Florida**
*County Listing*

*County Name*

Bradford
Facility: Florida State Prs
Broward
Facility: Broward Corr Inst
*Citrus
*Columbia
Dade
Service Area: Model Cities
*Dixie
*Gilchrist
*Glades
*Hamilton
*Hendry

**MENTAL HEALTH: Florida**
*County Listing*

*County Name*

Hernando
*Highlands
*Holmes
*Jackson
Facility: Apalachee Corr Inst
*Lafayette
*Lake
*Levy
Manatee
Population Group: Low Inc—Manatee Cty
Palm Beach
Service Area: Belle Glade/Pahokee
Santa Rosa
*Sumter
*Suwannee
*Union
Volusia
Facility: Tomoka Corr Inst
*Washington

**MENTAL HEALTH: Florida**
*Service Area Listing*

*Service Area Name*

Belle Glade/Pahokee
County—Palm Beach
Parts:
Belle Glade/Pahokee CCD
Model Cities
County—Dade
Parts:
C.T. 4.08
C.T. 8.01–8.02
C.T. 9.01–9.03
C.T. 10.01–10.04
C.T. 11.03
C.T. 15.01–15.02
C.T. 16.01–16.02
C.T. 17.01–17.02
C.T. 18.01–18.03
C.T. 19.01
C.T. 19.03–19.04
C.T. 23

**MENTAL HEALTH: Florida**
*Population Group Listing*

*Population Group*

Low Inc—Manatee Cty
County—Manatee
Parts:
Low Inc Pop

**MENTAL HEALTH: Florida**
*Facility Listing*

*Facility Name*

Apalachee Corr Inst
County—Jackson
Broward Corr Inst
County—Broward
Florida State Prs
County—Bradford
Tomoka Corr Inst
County—Volusia

**MENTAL HEALTH: Georgia**
*County Listing*

*County Name*

*Baker
Service Area: Albany Catchment Area

**MENTAL HEALTH: Georgia**
*County Listing*

*County Name*

Banks
Service Area: Georgia Mountains
Bartow
Service Area: Coosa Valley
*Ben Hill
Service Area: Valdosta-Lowndes
*Berrien
Service Area: Valdosta-Lowndes
*Brooks
Service Area: Valdosta-Lowndes
Bryan
Service Area: Gateway Catchment Area
*Butts
Service Area: McIntosh Trail Catchment Area
*Calhoun
Service Area: Albany Catchment Area
Camden
Service Area: Gateway Catchment Area
Carroll
Service Area: Chattahoochee-Flint
Catoosa
Service Area: Mhca 1
*Chatooga
Service Area: Mhca 1
Cherokee
Service Area: Georgia Highlands
Colquitt
Service Area: Thomas Trail
*Cook
Service Area: Valdosta-Lowndes
Coweta
Service Area: Chattahoochee-Flint
Dade
Service Area: Mhca 1
Dawson
Service Area: Georgia Mountains
De Kalb
Facility: Georgia Regional Hosp
Decatur
Service Area: Thomas Trail
Dougherty
Service Area: Albany Catchment Area
*Early
Service Area: Albany Catchment Area
*Echols
Service Area: Valdosta-Lowndes
Fannin
Service Area: Georgia Highlands
Fayette
Service Area: McIntosh Trail Catchment Area
Floyd
Service Area: Coosa Valley
Forsyth
Service Area: Georgia Mountains
Franklin
Service Area: Georgia Mountains
Fulton
Service Area: South Central Fulton
Service Area: West Fulton Trail
Gilmer
Service Area: Georgia Highlands
Glynn
Service Area: Gateway Catchment Area
Gordon
Service Area: Coosa Valley
Grady
Service Area: Thomas Trail
Habersham
Service Area: Georgia Mountains
Hall

**MENTAL HEALTH: Georgia**
*County Listing*

*County Name*

Service Area: Georgia Mountains
Haralson
Service Area: Coosa Valley
Hart
Service Area: Georgia Mountains
Heard
Service Area: Chattahoochee-Flint
Henry
Service Area: McIntosh Trail Catchment Area
*Irwin
Service Area: Valdosta-Lowndes
Lamar
Service Area: McIntosh Trail Catchment Area
Lanier
Service Area: Valdosta-Lowndes
Lee
Service Area: Albany Catchment Area
Liberty
Service Area: Gateway Catchment Area
Long
Service Area: Gateway Catchment Area
*Lowndes
Service Area: Valdosta-Lowndes
Lumpkin
Service Area: Georgia Mountains
McIntosh
Service Area: Gateway Catchment Area
Meriwether
Service Area: Chattahoochee-Flint
*Miller
Service Area: Albany Catchment Area
Mitchell
Service Area: Thomas Trail
Murray
Service Area: Georgia Highlands
Paulding
Service Area: Coosa Valley
Pickens
Service Area: Georgia Highlands
Pike
Service Area: McIntosh Trail Catchment Area
Polk
Service Area: Coosa Valley
Rabun
Service Area: Georgia Mountains
Seminole
Service Area: Thomas Trail
Spalding
Service Area: McIntosh Trail Catchment Area
Stephens
Service Area: Georgia Mountains
*Terrell
Service Area: Albany Catchment Area
Thomas
Service Area: Thomas Trail
*Tift
Service Area: Valdosta-Lowndes
Towns
Service Area: Georgia Mountains
Troup
Service Area: Chattahoochee-Flint
*Turner
Service Area: Valdosta-Lowndes
Union
Service Area: Georgia Mountains
Upson
Service Area: McIntosh Trail Catchment Area

**MENTAL HEALTH: Georgia**
*County Listing*

*County Name*

Walker
Service Area: Mhca 1
White
Service Area: Georgia Mountains
Whitfield
Service Area: Georgia Highlands
*Worth
Service Area: Albany Catchment Area

**MENTAL HEALTH: Georgia**
*Service Area Listing*

*Service Area Name*

Albany Catchment Area
County—Baker
Parts:
Baker
County—Calhoun
Parts:
Calhoun
County—Dougherty
Parts:
Dougherty
County—Early
Parts:
Early
County—Lee
Parts:
Lee
County—Miller
Parts:
Miller
County—Terrell
Parts:
Terrell
County—Worth
Parts:
Worth
Chattahoochee-Flint
County—Carroll
County—Coweta
County—Heard
County—Meriwether
County—Troup
Coosa Valley
County—Bartow
County—Floyd
County—Gordon
County—Haralson
County—Paulding
County—Polk
Gateway Catchment Area
County—Bryan
County—Camden
County—Glynn
County—Liberty
County—Long
County—McIntosh
Georgia Highlands
County—Cherokee
County—Fannin
County—Gilmer
County—Murray
County—Pickens
County—Whitfield
Georgia Mountains
County—Banks
County—Dawson
County—Forsyth
County—Franklin
County—Habersham
County—Hall

**MENTAL HEALTH: Georgia**
*Service Area Listing*

*Service Area Name*

County—Hart
County—Lumpkin
County—Rabun
County—Stephens
County—Towns
County—Union
County—White
McIntosh Trail Catchment Area
County—Butts
County—Fayette
County—Henry
County—Lamar
County—Pike
County—Spalding
County—Upson
Mhca 1
County—Catoosa
County—Chatooga
County—Dade
County—Walker
Pineland
County—Appling
County—Bulloch
County—Candler
County—Evans
County—Jeff Davis
County—Tattnall
County—Toombs
County—Wayne
South Central Fulton
County—Fulton
Parts:
C.T. 44
C.T. 46.95
C.T. 48
C.T. 49.95
C.T. 50
C.T. 52–53
C.T. 55.01–55.02
C.T. 56–58
C.T. 63–64
C.T. 67
C.T. 68.01–68.02
C.T. 69–73
Thomas Trail
County—Colquitt
County—Decatur
County—Grady
County—Mitchell
County—Seminole
County—Thomas
Valdosta-Lowndes
County—Ben Hill
County—Berrien
County—Brooks
County—Cook
County—Echols
County—Irwin
County—Lanier
County—Lowndes
County—Tift
County—Turner
West Fulton Trail
County—Fulton
Parts:
C.T. 60–62
C.T. 77.01–77.02
C.T. 78.02–78.04
C.T. 79–80
C.T. 81.01–81.02
C.T. 82.01–82.02
C.T. 83.01–83.02

**MENTAL HEALTH: Georgia**
*Service Area Listing*

*Service Area Name*

C.T. 84–85
C.T. 86.01–86.02
C.T. 87.01–87.02
C.T. 88
C.T. 103.01–103.02

**MENTAL HEALTH: Georgia**
*Facility Listing*

*Facility Name*

Georgia Regional Hosp
County—De Kalb

**MENTAL HEALTH: Idaho**
*County Listing*

*County Name*

Adams
Service Area: Mental Hlth Region III
Bonneville
Service Area: Mh Region Vii
Butte
Service Area: Mh Region Vii
Canyon
Service Area: Mental Hlth Region III
Clark
Service Area: Mh Region Vii
Custer
Service Area: Mh Region Vii
Fremont
Service Area: Mh Region Vii
Gem
Service Area: Mental Hlth Region III
Jefferson
Service Area: Mh Region Vii
Lemhi
Service Area: Mh Region Vii
Madison
Service Area: Mh Region Vii
Owyhee
Service Area: Mental Hlth Region III
Payette
Service Area: Mental Hlth Region III
Teton
Service Area: Mh Region Vii
Washington
Service Area: Mental Hlth Region III

**MENTAL HEALTH: Idaho**
*Service Area Listing*

*Service Area Name*

Mental Hlth Region III
County—Adams
County—Canyon
County—Gem
County—Owyhee
County—Payette
County—Washington
Mh Region Vii
County—Bonneville
County—Butte
County—Clark
County—Custer
County—Fremont
County—Jefferson
County—Lemhi
County—Madison
County—Teton

**MENTAL HEALTH: Illinois**
*County Listing*

*County Name*

Adams
Service Area: Quincy/Mt Sterling (Ca 30101)
*Alexander
*Bond
Brown
Service Area: Quincy/Mt Sterling (Ca 30101)
*Cass
*Clark
*Clay
Cook
Service Area: Ashbum/Beverly/Mount Greenwood/Morgan Pa
Service Area: Auburn Gresham/Washington Heights
Service Area: Roseland/Pullman/Riverdale
Service Area: South Chicago
Service Area: South Shore/Chatham/Avalon Park/Burnside
Population Group: Hmlss—Uptown/Near North Side/Loop
*Crawford
*Edwards
*Effingham
*Fayette
*Franklin
*Gallatin
*Hamilton
Hancock
Service Area: Quincy/Mt Sterling (Ca 30101)
*Hardin
*Jackson
*Jasper
*Jefferson
*Johnson
*La Salle
*Lawrence
*Massac
Monroe
*Morgan
*Perry
Pike
Service Area: Quincy/Mt Sterling (Ca 30101)
*Pope
*Pulaski
*Randolph
*Richland
*Saline
Schuyler
Service Area: Quincy/Mt Sterling (Ca 30101)
*Scott
*Union
*Wabash
*Washington
*Wayne
*White
*Williamson

**MENTAL HEALTH: Illinois**
*Service Area Listing*

*Service Area Name*

Ashbum/Beverly/Mount Greenwood/Morgan Pa
County—Cook
Parts:
C.T. 7001–7005
C.T. 7201–7207

**MENTAL HEALTH: Illinois**
*Service Area Listing*

*Service Area Name*

C.T. 7401–7404
C.T. 7501–7506
Auburn Gresham/Washington Heights
County—Cook
Parts:
C.T. 7101–7115
C.T. 7301–7307
Quincy/Mt Sterling (Ca 30101)
County—Adams
County—Brown
County—Hancock
County—Pike
County—Schuyler
Roseland/Pullman/Riverdale
County—Cook
Parts:
C.T. 4901–4914
C.T. 5001–5003
C.T. 5301–5306
C.T. 5401
South Chicago
County—Cook
Parts:
C.T. 4601–4610
C.T. 4801–4805
C.T. 5101–5105
C.T. 5201–5206
C.T. 5501–5502
South Shore/Chatham/Avalon Park/Burnside
County—Cook
Parts:
C.T. 4301–4314
C.T. 4401–4409
C.T. 4501–4503
C.T. 4701
C.T. 6901–6915

**MENTAL HEALTH: Illinois**
*Population Group Listing*

*Population Group*

Hmlss—Uptown/Near North Side/Loop
County—Cook
Parts:
Edgewater (C.T. 301–309)
Lakeview (C.T. 601–634)
Lincoln Park (C.T. 701–720
Loop (C.T. 3201–3206)
Near N Side (C.T. 801–819
Uptown (C.T. 310–321)

**MENTAL HEALTH: Indiana**
*County Listing*

*County Name*

Crawford
*Crawford
Service Area: Southern Indiana Catchment Area
Service Area: Southern Indiana Catchment Area
Dubois
*Dubois
Service Area: Southern Indiana Catchment Area
Service Area: Southern Indiana Catchment Area
Huntington
Service Area: Warsaw
Kosciusko
Service Area: Warsaw
Lake

**MENTAL HEALTH: Indiana**
*County Listing*

*County Name*

Service Area: Gary
Marshall
Service Area: Warsaw
Orange
*Orange
Service Area: Southern Indiana Catchment Area
Service Area: Southern Indiana Catchment Area
Perry
*Perry
Service Area: Southern Indiana Catchment Area
Service Area: Southern Indiana Catchment Area
Spencer
*Spencer
Service Area: Southern Indiana Catchment Area
Service Area: Southern Indiana Catchment Area
Wabash
Service Area: Warsaw
Whitley
Service Area: Warsaw

**MENTAL HEALTH: Indiana**
*Service Area Listing*

*Service Area Name*

Gary
County—Lake
Parts:
C.T. 101
C.T. 102.98–103.00
C.T. 104–134
C.T. 411–412
C.T. 413.01
Southern Indiana Catchment Area
County—Crawford
County—Dubois
County—Orange
County—Perry
County—Spencer
County—Spencer
Warsaw
County—Huntington
County—Kosciusko
County—Marshall
County—Wabash
County—Whitley

**MENTAL HEALTH: Iowa**
*County Listing*

*County Name*

Adair
Service Area: Catchment Area 13
Allamakee
Service Area: Catchment Area 3
*Appanoose
Audubon
Service Area: Catchment Area 13
Bremer
Service Area: Catchment Area 3
Buchanan
Service Area: Catchment Area 3
Buena Vista
Service Area: Mhca 1
Butler
Service Area: Catchment Area 3
*Carroll

**MENTAL HEALTH: Iowa**
*County Listing*

*County Name*

Cass
Service Area: Catchment Area 13
*Cerro Gordo
Cherokee
Service Area: Mhca 1
Chickasaw
Service Area: Catchment Area 3
Clay
Service Area: Mhca 1
Clayton
Service Area: Catchment Area 3
Clinton
Service Area: Clinton/Jackson
*Crawford
*Dallas
Service Area: Catchment Area 13
*Davis
*Decatur
Dickinson
Service Area: Mhca 1
Emmet
Service Area: Mhca 1
Fayette
Service Area: Catchment Area 3
*Floyd
*Franklin
Guthrie
Service Area: Catchment Area 13
*Hancock
Howard
Service Area: Catchment Area 3
Ida
Service Area: Mhca 1
Jackson
Service Area: Clinton/Jackson
*Jasper
*Kossuth
*Lucas
Lyon
Service Area: Mhca 1
Madison
Service Area: Catchment Area 13
*Mitchell
*Monroe
O'Brien
Service Area: Mhca 1
Osceola
Service Area: Mhca 1
Palo Alto
Service Area: Mhca 1
Plymouth
*Plymouth
Service Area: Mhca 1
Service Area: Mhca 1
Pocahontas
Service Area: Mhca 1
*Poweshiek
*Sac
Shelby
Service Area: Catchment Area 13
Sioux
Service Area: Mhca 1
*Wapello
*Wayne
*Winnebago
Winneshiek
Service Area: Catchment Area 3
*Worth
*Wright

**MENTAL HEALTH: Iowa**
*Service Area Listing*

*Service Area Name*

Catchment Area 13
County—Dallas
Parts:
Dallas Twp.
Lincoln Twp.
Linn Twp.
Spring Valley Twp.
Union Twp.
Washington Twp.
County—Adair
County—Audubon
County—Cass
County—Guthrie
County—Madison
County—Montgomery
County—Page
County—Shelby
Catchment Area 3
County—Winneshiek
Clinton/Jackson
County—Jackson
Mhca 1
County—Sioux

**MENTAL HEALTH: Kansas**
*County Listing*

*County Name*

*Barber
*Barton
Butler
*Chase
*Cheyenne
*Clark
*Clay
*Cloud
*Coffey
*Comanche
*Cowley
*Decatur
*Dickinson
*Edwards
*Ellis
*Ellsworth
*Finney
*Ford
*Geary
*Gove
*Graham
*Grant
*Gray
*Greeley
*Greenwood
*Hamilton
*Harper
*Haskell
*Hodgeman
*Jewell
*Kearny
*Kingman
*Kiowa
*Lane
*Lincoln
*Logan
*Lyon
*Marshall
*Meade
*Mitchell
*Morris
*Morton
*Ness
*Norton

**MENTAL HEALTH: Kansas**
*County Listing*

*County Name*

*Osage
*Osborne
*Ottawa
*Pawnee
*Phillips
*Pottawatomie
*Pratt
*Rawlins
*Reno
*Republic
*Rice
*Riley
*Rooks
*Saline
*Scott
*Seward
*Sheridan
*Sherman
*Smith
*Stafford
*Stanton
*Stevens
*Sumner
*Thomas
*Trego
*Wabaunsee
*Wallace
*Washington
*Wichita

**MENTAL HEALTH: Kentucky**
*County Listing*

*County Name*

Adair
Service Area: Lake Cumberland Catchment Area
Allen
Service Area: Barren River Catchment Area
*Anderson
Barren
Service Area: Barren River Catchment Area
Bath
Service Area: Gateway
Bell
Service Area: Cumberland River B
Boyd
Service Area: Fivco Catchment Area
Boyle
Service Area: Danville
Bracken
Service Area: Buffalo Trace
Breathitt
Service Area: Upper Kentucky River
Breckinridge
Service Area: North Central
Butler
Service Area: Barren River Catchment Area
Caldwell
Service Area: Pennroyal
Carroll
Service Area: Northern Kentucky
Carter
Service Area: Fivco Catchment Area
Casey
Service Area: Lake Cumberland Catchment Area
Christian
Service Area: Pennroyal

**MENTAL HEALTH: Kentucky**
*County Listing*

*County Name*

Clay
Service Area: Cumberland River A
Clinton
Service Area: Lake Cumberland Catchment Area
Crittenden
Service Area: Pennroyal
Cumberland
Service Area: Lake Cumberland Catchment Area
Daviess
Service Area: Green River
Edmonson
Service Area: Barren River Catchment Area
Elliott
Service Area: Fivco Catchment Area
*Estill
Fleming
Service Area: Buffalo Trace
Floyd
Service Area: Mountain
*Franklin
Gallatin
Service Area: Northern Kentucky
Garrard
Service Area: Danville
Grant
Service Area: Northern Kentucky
Grayson
Service Area: North Central
Green
Service Area: Lake Cumberland Catchment Area
Greenup
Service Area: Fivco Catchment Area
Hancock
Service Area: Green River
Hardin
Service Area: North Central
Harlan
Service Area: Cumberland River B
*Harrison
Hart
Service Area: Barren River Catchment Area
Henderson
Service Area: Green River
*Henry
Hopkins
Service Area: Pennroyal
Jackson
Service Area: Cumberland River A
Johnson
Service Area: Mountain
Knott
Service Area: Upper Kentucky River
Knox
Service Area: Cumberland River B
Larue
Service Area: North Central
Laurel
Service Area: Cumberland River A
Lawrence
Service Area: Fivco Catchment Area
Lee
Service Area: Upper Kentucky River
Leslie
Service Area: Upper Kentucky River
Letcher
Service Area: Upper Kentucky River
Lewis

**MENTAL HEALTH: Kentucky**
*County Listing*

*County Name*

Service Area: Buffalo Trace
Lincoln
Service Area: Danville
Livingston
Service Area: Pennroyal
Logan
Service Area: Barren River Catchment Area
Lyon
Service Area: Pennroyal
Madison
Magoffin
Service Area: Mountain
Marion
Service Area: North Central
Martin
Service Area: Mountain
Mason
Service Area: Buffalo Trace
Mc Creary
Service Area: Lake Cumberland Catchment Area
Mc Lean
Service Area: Green River
Meade
Service Area: North Central
Menifee
Service Area: Gateway
Mercer
Service Area: Danville
Metcalfe
Service Area: Barren River Catchment Area
Monroe
Service Area: Barren River Catchment Area
Montgomery
Service Area: Gateway
Morgan
Service Area: Gateway
Muhlenberg
Service Area: Pennroyal
Nelson
Service Area: North Central
*Nicholas
Ohio
Service Area: Green River
Owen
Service Area: Northern Kentucky
Owsley
Service Area: Upper Kentucky River
Perry
Service Area: Upper Kentucky River
Pike
Service Area: Mountain
*Powell
Pulaski
Service Area: Lake Cumberland Catchment Area
Robertson
Service Area: Buffalo Trace
Rockcastle
Service Area: Cumberland River A
Rowan
Service Area: Gateway
Russell
Service Area: Lake Cumberland Catchment Area
Simpson
Service Area: Barren River Catchment Area
*Spencer

**MENTAL HEALTH: Kentucky**
*County Listing*

*County Name*

Taylor
  Service Area: Lake Cumberland Catchment Area
Todd
  Service Area: Pennroyal
Trigg
  Service Area: Pennroyal
*Trimble
Union
  Service Area: Green River
Warren
  Service Area: Barren River Catchment Area
Washington
  Service Area: North Central
Wayne
  Service Area: Lake Cumberland Catchment Area
Webster
  Service Area: Green River
Whitley
  Service Area: Cumberland River A
Wolfe
  Service Area: Upper Kentucky River

**MENTAL HEALTH: Kentucky**
*Service Area Listing*

*Service Area Name*

Barren River Catchment Area
  County—Allen
  County—Barren
  County—Butler
  County—Edmonson
  County—Hart
  County—Logan
  County—Metcalfe
  County—Monroe
  County—Simpson
  County—Warren
Buffalo Trace
  County—Bracken
  County—Fleming
  County—Lewis
  County—Mason
  County—Robertson
Cumberland River A
  County—Clay
  County—Jackson
  County—Laurel
  County—Rockcastle
  County—Whitley
Cumberland River B
  County—Bell
  County—Harlan
  County—Knox
Danville
  County—Boyle
  County—Garrard
  County—Lincoln
  County—Mercer
Fivco Catchment Area
  County—Boyd
  County—Carter
  County—Elliott
  County—Greenup
  County—Lawrence
Gateway
  County—Bath
  County—Menifee
  County—Montgomery
  County—Morgan

**MENTAL HEALTH: Kentucky**
*Service Area Listing*

*Service Area Name*

  County—Rowan
Green River
  County—Daviess
  County—Hancock
  County—Henderson
  County—Mc Lean
  County—Ohio
  County—Union
  County—Webster
Lake Cumberland Catchment Area
  County—Adair
  County—Casey
  County—Clinton
  County—Cumberland
  County—Green
  County—Mc Creary
  County—Pulaski
  County—Russell
  County—Taylor
  County—Wayne
Mountain
  County—Floyd
  County—Johnson
  County—Magoffin
  County—Martin
  County—Pike
North Central
  County—Breckinridge
  County—Grayson
  County—Hardin
  County—Larue
  County—Marion
  County—Meade
  County—Nelson
  County—Washington
Northern Kentucky
  County—Carroll
  County—Gallatin
  County—Grant
  County—Owen
Pennroyal
  County—Caldwell
  County—Christian
  County—Crittenden
  County—Hopkins
  County—Livingston
  County—Lyon
  County—Muhlenberg
  County—Todd
  County—Trigg
Upper Kentucky River
  County—Breathitt
  County—Knott
  County—Lee
  County—Leslie
  County—Letcher
  County—Owsley
  County—Perry
  County—Wolfe

**MENTAL HEALTH: Louisiana**
*Parish Listing*

*Parish Name*

Acadia
*Allen
*Beauregard
*Caldwell
*Cameron
*De Soto
*East Carroll
*East Feliciana

**MENTAL HEALTH: Louisiana**
*Parish Listing*

*Parish Name*

  Facility: East Louisiana State Hospital
*Evangeline
*Franklin
*Jackson
*Jefferson Davis
Lafourche
*Lincoln
*Madison
*Morehouse
*Natchitoches
Orleans
  Service Area: Desire Florida/Lower 9Th Ward
Ouachita
*Red River
*Richland
*Sabine
*St. Mary
*Tensas
*Union
*Vermilion
*West Carroll

**MENTAL HEALTH: Louisiana**
*Service Area Listing*

*Service Area Name*

Desire Florida/Lower 9Th Ward
  Parish—Orleans
    Parts:
      C.T. 7.01
      C.T. 9.01–9.04
      C.T. 11 (N. Of Derbigny)
      C.T. 14.01–14.02
      C.T. 15–16
      C.T. 17.03
      C.T. 17.14

**MENTAL HEALTH: Louisiana**
*Facility Listing*

*Facility Name*

East Louisiana State Hospital
  Parish—East Feliciana

**MENTAL HEALTH: Maine**
*County Listing*

*County Name*

Aroostook
  Service Area: Mental Health Catchment Area #1
*Franklin
  Service Area: Farmington/Rumford
*Oxford
  Service Area: Farmington/Rumford
Penobscot
  Service Area: Mental Health Catchment Area#1
  Service Area: Piscataquis/N. Penobscot
Piscataquis
  Service Area: Piscataquis/N. Penobscot
*Somerset
*Washington
  Service Area: Greater Washington
  Service Area: Mental Health Catchment Area#1

**MENTAL HEALTH: Maine**
*Service Area Listing*

*Service Area Name*

Farmington/Rumford

**MENTAL HEALTH: Maine**
*Service Area Listing*

*Service Area Name*

County—Oxford
Parts:
Andover Town
Bethel Town
Buckfield Town
Byron Town
Canton Town
Dixfield Town
Gilead Town
Greenwood Town
Hanover Town
Hartford Town
Hebron Town
Lincoln Plt
Magalloway Plt
Mexico Town
Milton Unorg
N Oxford Unorg
Newry Town
Norway Town
Otisfield Town
Oxford Town
Paris Town
Peru Town
Roxbury Town
Rumford Town
S Oxford Unorg
Sumner Town
Upton Town
W Paris Twn
Waterford Town
Woodstock Town
Greater Washington
County—Washington
Parts:
Addison Town
Alexander Town
Baileyville Town
Baring Town
Beals Town
Beddington Town
Calais City
Centerville Town
Charlotte Town
Cherryfield Town
Codyville Plantation
Columbia Falls Town
Columbia Town
Cooper Town
Crawford Town
Cutler Town
Deblois Town
Dennysville Town
East Central Washington Unorg.
East Machias Town
Eastport City
Grand Lake Stream Plantation
Harrington Town
Jonesboro Town
Jonesport Town
Lubec Town
Machias Town
Machiasport Town
Marshfield Town
Meddybemps Town
Milbridge Town
North Washington Unorg.
Northfield Town
Passamaquoddy Indian Township Re
Passamaquoddy Pleasant Point Res
Pembroke Town
Perry Town

**MENTAL HEALTH: Maine**
*Service Area Listing*

*Service Area Name*

Princeton Town
Robbinston Town
Roque Bluffs Town
Steuben Town
Talmadge Town
Topsfield Town
Vanceboro Town
Waite Town
Wesley Town
Whiting Town
Whitneyville Town
Mental Health Catchment Area#1
County—Penobscot
Parts:
Mt. Chase Twn
Patten Twn
Stacyville Twn
County—Washington
Parts:
Danforth
Piscataquis/N. Penobscot
County—Penobscot
Parts:
Carroll Plt.
Chester Twn.
Drew Plt.
E. Millinocket Twn.
Kingman—Unorg.
Lakeville Plt.
Lee Twn.
Lincoln Twn.
Mattawamkeag Twn.
Medway Twn.
Millinocket Twn.
Prentiss Plt.
Springfield Twn.
Webster Plt.
Winn Twn.
Woodville Twn.
County—Piscataquis

**MENTAL HEALTH: Maryland**
*County Listing*

*County Name*

Caroline
Service Area: Eastern Shore
Cecil
*Dorchester
Service Area: Eastern Shore
Kent
Service Area: Northeastern Shore
Queen Anne's
Service Area: Northeastern Shore
*Somerset
Service Area: Southeastern Shore
Talbot
Service Area: Eastern Shore
*Worcester
Service Area: Southeastern Shore

**MENTAL HEALTH: Maryland**
*Service Area Listing*

*Service Area Name*

Eastern Shore
County—Caroline
County—Dorchester
County—Talbot
Northeastern Shore
County—Kent
County—Queen Anne's

**MENTAL HEALTH: Maryland**
*Service Area Listing*

*Service Area Name*

Southeastern Shore
County—Somerset
County—Worcester

**MENTAL HEALTH: Massachusetts**
*County Listing*

*County Name*

Suffolk
Service Area: E Boston—Homeless
Worcester
Population Group: Low Inc—Worcester

**MENTAL HEALTH: Massachusetts**
*Service Area Listing*

*Service Area Name*

E Boston—Homeless
County—Suffolk
Parts:
C.T. 501–512
C.T. 1801–1805

**MENTAL HEALTH: Massachusetts**
*Population Group Listing*

*Population Group*

Low Inc—Worcester 3
County—Worcester
Parts:
Worcester City

**MENTAL HEALTH: Michigan**
*County Listing*

*County Name*

*Arenac
Service Area: Bay/Arenac
Baraga
Service Area: Copper Country
Bay
Service Area: Bay/Arenac
Benzie
Service Area: Manistee
*Charlevoix
*Cheboygan
Chippewa
Service Area: Eastern/Upper Peninsula
Crawford
Service Area: North Central
*Delta
Dickinson
Service Area: Iron Mountain
Gogebic
Service Area: Gogebic
Houghton
Service Area: Copper Country
*Huron
Iosco
Service Area: Au Sable Valley
Iron
Service Area: Iron Mountain
Keweenaw
Service Area: Copper Country
*Lake
Service Area: Lake/Mason/Oceana
*Leelanau
*Lenawee
Mackinac
Service Area: Eastern/Upper Peninsula
Manistee
Service Area: Manistee

**MENTAL HEALTH: Michigan**
*County Listing*

*County Name*

*Mason
Service Area: Lake/Mason/Oceana
Missaukee
Service Area: North Central
*Oceana
Service Area: Lake/Mason/Oceana
Ogemaw
Service Area: Au Sable Valley
Ontonagon
Service Area: Copper Country
Oscoda
Service Area: Au Sable Valley
*Otsego
Roscommon
Service Area: North Central
*St. Joseph
*Tuscola
Facility: Caro Regional Mhc
Wayne
Service Area: East Detroit
Service Area: Northwest Detroit
Population Group: Low Inc—Southwest Detroit
Wexford
Service Area: North Central

**MENTAL HEALTH: Michigan**
*Service Area Listing*

*Service Area Name*

Au Sable Valley
County—Iosco
County—Ogemaw
County—Oscoda
Bay/Arenac
County—Arenac
County—Bay
Copper Country
County—Baraga
County—Houghton
County—Keweenaw
County—Ontonagon
East Detroit
County—Wayne
Parts:
C.T. 5004–5005
C.T. 5013
C.T. 5020
C.T. 5039–5045
C.T. 5121–5124
C.T. 5126
C.T. 5129
C.T. 5132–5136
C.T. 5139–5143
C.T. 5145–5157
C.T. 5161–5164
C.T. 5166–5169
Eastern/Upper Peninsula
County—Chippewa
County—Mackinac
Gogebic
County—Gogebic
Iron Mountain
County—Dickinson
County—Iron
Lake/Mason/Oceana
County—Lake
County—Mason
County—Oceana
Manistee
County—Benzie
County—Manistee

**MENTAL HEALTH: Michigan**
*Service Area Listing*

*Service Area Name*

North Central
County—Crawford
County—Missaukee
County—Roscommon
County—Wexford
Northwest Detroit
County—Wayne
Parts:
C.T. 5341–5347
C.T. 5350–5357
C.T. 5366–5367
C.T. 5371–5373
C.T. 5377–5378
C.T. 5423–5426
C.T. 5451–5454

**MENTAL HEALTH: Michigan**
*Population Group Listing*

*Population Group*

Low Inc—Southwest Detroit
County—Wayne
Parts:
C.T. 5209
C.T. 5211–5215
C.T. 5220–5222
C.T. 5231–5238
C.T. 5240–5243
C.T. 5251–5258
C.T. 5260–5265

**MENTAL HEALTH: Michigan**
*Facility Listing*

*Facility Name*

Caro Regional Mhc
County—Tuscola

**MENTAL HEALTH: Minnesota**
*County Listing*

*County Name*

*Beltrami
*Clearwater
*Crow Wing
Facility: Brainerd Reg Human Serv Ctr
*Hubbard
*Itasca
Service Area: Itasca/Koochiching
*Kittson
*Koochiching
Service Area: Itasca/Koochiching
*Lake Of The Woods
*Mahnomen
*Marshall
*Norman
*Pennington
*Polk
*Red Lake
*Roseau

**MENTAL HEALTH: Minnesota**
*Service Area Listing*

*Service Area Name*

Itasca/Koochiching
County—Itasca
County—Koochiching

**MENTAL HEALTH: Minnesota**
*Facility Listing*

*Facility Name*

Brainerd Reg Human Serv Ctr
County—Crow Wing
Fergus Falls Reg Treat Ctr

**MENTAL HEALTH: Mississippi**
*County Listing*

*County Name*

Adams
Service Area: Catchment Area #11
Alcorn
Service Area: Catchment Area #4
Amite
Service Area: Catchment Area #11
Attala
Service Area: Catchment Area #6
Benton
Service Area: Catchment Area #3
Bolivar
Service Area: Catchment Area #5
Calhoun
Service Area: Catchment Area #2
Carroll
Service Area: Catchment Area #6
Chickasaw
Service Area: Catchment Area #3
Choctaw
Service Area: Catchment Area #7
Claiborne
Service Area: Catchment Area #11
Clarke
Service Area: Catchment Area #10
Clay
Service Area: Catchment Area #7
Coahoma
Service Area: Catchment Area #1
*Copiah
Covington
Service Area: Catchment Area #12
De Soto
Service Area: Catchment Area #2
Forrest
Service Area: Catchment Area #12
Franklin
Service Area: Catchment Area #11
George
Service Area: Catchment Area #14
Greene
Service Area: Catchment Area #12
Grenada
Service Area: Catchment Area #6
Holmes
Service Area: Catchment Area #6
Humphreys
Service Area: Catchment Area #6
Issaquena
Service Area: Catchment Area #5
Itawamba
Service Area: Catchment Area #3
Jackson
Service Area: Catchment Area #14
Jasper
Service Area: Catchment Area #10
Jefferson
Jefferson Davis
Service Area: Catchment Area #11
Service Area: Catchment Area #12
Jones
Service Area: Catchment Area #12
Kemper
Service Area: Catchment Area #10
Lafayette

**MENTAL HEALTH: Mississippi**
*County Listing*

*County Name*

Service Area: Catchment Area #2
Lamar
Service Area: Catchment Area #12
Lauderdale
Service Area: Catchment Area #10
Lawrence
Service Area: Catchment Area #11
Leake
Service Area: Catchment Area #10
Lee
Service Area: Catchment Area #3
Leflore
Service Area: Catchment Area #6
Lincoln
Service Area: Catchment Area #11
Lowndes
Service Area: Catchment Area #7
Madison
Marion
Service Area: Catchment Area #12
Marshall
Service Area: Catchment Area #2
Monroe
Service Area: Catchment Area #3
Montgomery
Service Area: Catchment Area #6
Neshoba
Service Area: Catchment Area #10
Newton
Service Area: Catchment Area #10
Noxubee
Service Area: Catchment Area #7
Oktibbeha
Service Area: Catchment Area #7
Panola
Service Area: Catchment Area #2
Perry
Service Area: Catchment Area #12
Pike
Service Area: Catchment Area #11
Pontotoc
Service Area: Catchment Area #3
Prentiss
Service Area: Catchment Area #4
Quitman
Service Area: Catchment Area #1
Scott
Service Area: Catchment Area #10
Sharkey
Service Area: Catchment Area #5
*Simpson
Smith
Service Area: Catchment Area #10
Sunflower
Service Area: Catchment Area #6
Facility: Mississippi State Pen.
Tallahatchie
Service Area: Catchment Area #1
Tate
Service Area: Catchment Area #2
Tippah
Service Area: Catchment Area #4
Tishomingo
Service Area: Catchment Area #4
Tunica
Service Area: Catchment Area #1
Union
Service Area: Catchment Area #3
Walthall
Service Area: Catchment Area #11
Warren
Service Area: Catchment Area #15

**MENTAL HEALTH: Mississippi**
*County Listing*

*County Name*

Washington
Service Area: Catchment Area #5
Wayne
Service Area: Catchment Area #12
Webster
Service Area: Catchment Area #7
Wilkinson
Service Area: Catchment Area #11
Winston
Service Area: Catchment Area #7
Yalobusha
Service Area: Catchment Area #2
Yazoo
Service Area: Catchment Area #15

**MENTAL HEALTH: Mississippi**
*Service Area Listing*

*Service Area Name*

Catchment Area #1
County—Coahoma
County—Quitman
County—Tallahatchie
County—Tunica
Catchment Area #10
County—Clarke
County—Jasper
County—Kemper
County—Lauderdale
County—Leake
County—Neshoba
County—Newton
County—Scott
County—Smith
Catchment Area #11
County—Adams
County—Amite
County—Claiborne
County—Franklin
County—Jefferson
County—Lawrence
County—Lincoln
County—Pike
County—Walthall
County—Wilkinson
Catchment Area #12
County—Covington
County—Forrest
County—Greene
County—Jefferson Davis
County—Jones
County—Lamar
County—Marion
County—Perry
County—Wayne
Catchment Area #14
County—George
County—Jackson
Catchment Area #15
County—Warren
County—Yazoo
Catchment Area #2
County—Calhoun
County—De Soto
County—Lafayette
County—Marshall
County—Panola
County—Tate
County—Yalobusha
Catchment Area #3
County—Benton
County—Chickasaw

**MENTAL HEALTH: Mississippi**
*Service Area Listing*

*Service Area Name*

County—Itawamba
County—Lee
County—Monroe
County—Pontotoc
County—Union
Catchment Area #4
County—Alcorn
County—Prentiss
County—Tippah
County—Tishomingo
Catchment Area #5
County—Bolivar
County—Issaquena
County—Sharkey
County—Washington
Catchment Area #6
County—Attala
County—Carroll
County—Grenada
County—Holmes
County—Humphreys
County—Leflore
County—Montgomery
County—Sunflower
Catchment Area #7
County—Choctaw
County—Clay
County—Lowndes
County—Noxubee
County—Oktibbeha
County—Webster
County—Winston

**MENTAL HEALTH: Mississippi**
*Facility Listing*

*Facility Name*

Mississippi State Pen.
County—Sunflower

**MENTAL HEALTH: Missouri**
*County Listing*

*County Name*

Adair
Service Area: Hannibal
Andrew
Service Area: St Joseph
Atchison
Service Area: St Joseph
Audrain
Service Area: Mexico
Barry
Service Area: Nevada
Barton
Service Area: Joplin
Bates
Service Area: Nevada
Benton
Service Area: Nevada
Bollinger
Service Area: Cape Girardeau
Boone
Buchanan
Service Area: St Joseph
Butler
Service Area: Poplar Bluff
Caldwell
Service Area: Chillicothe
Callaway
Service Area: Mexico
Camden

**MENTAL HEALTH: Missouri**
*County Listing*

*County Name*

Service Area: Jefferson City
Cape Girardeau
Service Area: Cape Girardeau
*Carroll
Carter
Service Area: Poplar Bluff
Cass
Service Area: Warrensburg
Cedar
Service Area: Nevada
*Chariton
Clark
Service Area: Hannibal
Clinton
Service Area: St Joseph
Cole
Service Area: Jefferson City
*Cooper
Crawford
Service Area: Rolla
Dade
*Dade
Service Area: Nevada
Davies
Service Area: Chillicothe
Dekalb
Service Area: St Joseph
Dent
Service Area: Rolla
Douglas
Service Area: West Plains
Dunklin
Service Area: Poplar Bluff
Gasconade
Service Area: Rolla
Gentry
Service Area: St Joseph
Grundy
Service Area: Chillicothe
Harrison
Service Area: Chillicothe
Henry
Service Area: Nevada
Hickory
Service Area: Nevada
Holt
Service Area: St Joseph
*Howard
Howell
Service Area: West Plains
Iron
Service Area: Rolla
Jasper
Service Area: Joplin
Jefferson
Service Area: Cape Girardeau
Johnson
Service Area: Warrensburg
Knox
Service Area: Hannibal
Laclede
Service Area: Jefferson City
Lafayette
Service Area: Warrensburg
Lawrence
Service Area: Nevada
Lewis
Service Area: Hannibal
Linn
Service Area: Chillicothe
Livingston
Service Area: Chillicothe

**MENTAL HEALTH: Missouri**
*County Listing*

*County Name*

Macon
Service Area: Hannibal
Madison
Service Area: Cape Girardeau
Maries
Service Area: Rolla
Marion
Service Area: Hannibal
McDonald
Service Area: Joplin
Mercer
Service Area: Chillicothe
Miller
Service Area: Jefferson City
Mississippi
Service Area: Sikeston
*Moniteau
Monroe
Service Area: Mexico
Montgomery
Service Area: Mexico
*Morgan
New Madrid
Service Area: Sikeston
Newton
Service Area: Joplin
Nodaway
Service Area: St Joseph
Oregon
Service Area: West Plains
Osage
Service Area: Jefferson City
Ozark
Service Area: West Plains
Pemiscot
Service Area: Poplar Bluff
Perry
Service Area: Cape Girardeau
*Pettis
Phelps
Service Area: Rolla
Pike
Service Area: Mexico
Pulaski
Service Area: Jefferson City
Putnam
Service Area: Chillicothe
Ralls
Service Area: Mexico
*Randolph
Reynolds
Service Area: Poplar Bluff
Ripley
Service Area: Poplar Bluff
*Saline
Schuyler
Service Area: Hannibal
Scotland
Service Area: Hannibal
Scott
Service Area: Sikeston
Shannon
Service Area: West Plains
Shelby
Service Area: Hannibal
St Louis
Facility: Malcolm Bliss/St Louis State Hosp
St. Clair
Service Area: Nevada
St. Francois
Service Area: Rolla
Ste. Genevieve

**MENTAL HEALTH: Missouri**
*County Listing*

*County Name*

Service Area: Cape Girardeau
Stoddard
Service Area: Sikeston
Sullivan
Service Area: Chillicothe
Texas
Service Area: West Plains
Vernon
Service Area: Nevada
Washington
Service Area: Rolla
Wayne
Service Area: Poplar Bluff
Worth
Service Area: St Joseph
Wright
Service Area: West Plains

**MENTAL HEALTH: Missouri**
*Service Area Listing*

*Service Area Name*

Cape Girardeau
County—Bollinger
County—Cape Girardeau
County—Jefferson
County—Madison
County—Perry
County—Ste. Genevieve
Chillicothe
County—Caldwell
County—Daviess
County—Grundy
County—Harrison
County—Linn
County—Livingston
County—Mercer
County—Putnam
County—Sullivan
Hannibal
County—Adair
County—Clark
County—Knox
County—Lewis
County—Macon
County—Marion
County—Schuyler
County—Scotland
County—Shelby
Jefferson City
County—Camden
County—Cole
County—Laclede
County—Miller
County—Osage
County—Pulaski
Joplin
County—Barry
County—Barton
County—Jasper
County—Lawrence
County—McDonald
County—Newton
Mexico
County—Audrain
County—Callaway
County—Monroe
County—Montgomery
County—Pike
County—Ralls
Nevada
County—Barry

**MENTAL HEALTH: Missouri**
*Service Area Listing*

*Service Area Name*

County—Bates
County—Benton
County—Cedar
County—Dade
County—Henry
County—Hickory
County—Lawrence
County—St. Clair
County—Vernon
Poplar Bluff
County—Butler
County—Carter
County—Dunklin
County—Pemiscot
County—Reynolds
County—Ripley
County—Wayne
Rolla
County—Crawford
County—Dent
County—Gasconade
County—Iron
County—Maries
County—Phelps
County—St. Francois
County—Washington
Sikeston
County—Mississippi
County—New Madrid
County—Scott
County—Stoddard
St Joseph
County—Andrew
County—Atchison
County—Buchanan
County—Clinton
County—Dekalb
County—Gentry
County—Holt
County—Nodaway
County—Worth
Warrensburg
County—Cass
County—Johnson
County—Lafayette
West Plains
County—Douglas
County—Howell
County—Oregon
County—Ozark
County—Shannon
County—Texas
County—Wright

**MENTAL HEALTH: Missouri**
*Facility Listing*

*Facility Name*

Malcolm Bliss/St Louis State Hosp
County—St Louis

**MENTAL HEALTH: Montana**
*County Listing*

*County Name*

*Beaverhead
*Big Horn
*Blaine
Service Area: North-Central Montana
*Carbon
Carter
Service Area: Eastern Montana

**MENTAL HEALTH: Montana**
*County Listing*

*County Name*

*Chouteau
Service Area: North-Central Montana
Custer
Service Area: Eastern Montana
Daniels
Service Area: Eastern Montana
Dawson
Service Area: Eastern Montana
*Deer Lodge
Fallon
Service Area: Eastern Montana
Garfield
Service Area: Eastern Montana
*Glacier
Service Area: North-Central Montana
*Golden Valley
*Granite
*Hill
Service Area: North-Central Montana
*Lake
*Liberty
Service Area: North-Central Montana
*Lincoln
*Madison
McCone
Service Area: Eastern Montana
*Meagher
*Mineral
*Musselshell
Phillips
Service Area: Eastern Montana
*Pondera
Service Area: North-Central Montana
Powder River
Service Area: Eastern Montana
*Powell
Prairie
Service Area: Eastern Montana
*Ravalli
Richland
Service Area: Eastern Montana
Roosevelt
Service Area: Eastern Montana
Rosebud
Service Area: Eastern Montana
*Sanders
Sheridan
Service Area: Eastern Montana
*Silver Bow
*Stillwater
*Sweet Grass
*Teton
Service Area: North-Central Montana
*Toole
Service Area: North-Central Montana
Treasure
Service Area: Eastern Montana
Valley
Service Area: Eastern Montana
Wibaux
Service Area: Eastern Montana

**MENTAL HEALTH: Montana**
*Service Area Listing*

*Service Area Name*

Eastern Montana
County—Carter
County—Custer
County—Daniels
County—Dawson
County—Fallon

**MENTAL HEALTH: Montana**
*Service Area Listing*

*Service Area Name*

County—Garfield
County—McCone
County—Phillips
County—Powder River
County—Prairie
County—Richland
County—Roosevelt
County—Rosebud
County—Sheridan
County—Treasure
County—Valley
County—Wibaux
North-Central Montana
County—Blaine
County—Chouteau
County—Glacier
County—Hill
County—Liberty
County—Pondera
County—Teton
County—Toole

**MENTAL HEALTH: Nebraska**
*County Listing*

*County Name*

*Antelope
Service Area: Catchment Area 4
*Arthur
Service Area: Catchment Area 2
Banner
Service Area: Catchment Area 1
*Boone
Service Area: Catchment Area 4
Box Butte
Service Area: Catchment Area 1
*Boyd
Service Area: Catchment Area 4
*Brown
Service Area: Catchment Area 4
*Burt
Service Area: Catchment Area 4
*Butler
Service Area: Catchment Area 5
*Cedar
Service Area: Catchment Area 4
*Chase
Service Area: Catchment Area 2
Cherry
Service Area: Catchment Area 4
Cheyenne
Service Area: Catchment Area 1
*Colfax
Service Area: Catchment Area 4
*Cuming
Service Area: Catchment Area 4
Dakota
Service Area: Catchment Area 4
Dawes
Service Area: Catchment Area 1
*Dawson
Service Area: Catchment Area 2
Deuel
Service Area: Catchment Area 1
*Dixon
Service Area: Catchment Area 4
Douglas
Population Group: Medicaid—Eastern Omaha City
Facility: Douglas County Hosp (Mhc)
*Dundy
Service Area: Catchment Area 2

**MENTAL HEALTH: Nebraska**
*County Listing*

*County Name*

*Fillmore
Service Area: Catchment Area 5
*Frontier
Service Area: Catchment Area 2
*Gage
Service Area: Catchment Area 5
Garden
Service Area: Catchment Area 1
*Gosper
Service Area: Catchment Area 2
*Grant
Service Area: Catchment Area 2
*Hayes
Service Area: Catchment Area 2
*Hitchcock
Service Area: Catchment Area 2
*Holt
Service Area: Catchment Area 4
*Hooker
Service Area: Catchment Area 2
*Jefferson
Service Area: Catchment Area 5
*Johnson
Service Area: Catchment Area 5
*Keith
Service Area: Catchment Area 2
*Keya Paha
Service Area: Catchment Area 4
Kimball
Service Area: Catchment Area 1
*Knox
Service Area: Catchment Area 4
Lancaster
Service Area: Catchment Area 5
*Lincoln
Service Area: Catchment Area 2
*Logan
Service Area: Catchment Area 2
Madison
Service Area: Catchment Area 4
Facility: Norfolk Regional Center
*Mc Pherson
Service Area: Catchment Area 2
Morrill
Service Area: Catchment Area 1
*Nance
Service Area: Catchment Area 4
*Nemaha
Service Area: Catchment Area 5
*Otoe
Service Area: Catchment Area 5
*Pawnee
Service Area: Catchment Area 5
*Perkins
Service Area: Catchment Area 2
*Pierce
Service Area: Catchment Area 4
*Platte
Service Area: Catchment Area 4
*Polk
Service Area: Catchment Area 5
*Red Willow
Service Area: Catchment Area 2
*Richardson
Service Area: Catchment Area 5
*Rock
Service Area: Catchment Area 4
*Saline
Service Area: Catchment Area 5
*Saunders
Service Area: Catchment Area 5
Scotts Bluff
Service Area: Catchment Area 1
*Seward
Service Area: Catchment Area 5
Sheridan
Service Area: Catchment Area 1
Sioux
Service Area: Catchment Area 1
*Stanton
Service Area: Catchment Area 4
*Thayer
Service Area: Catchment Area 5
*Thomas
Service Area: Catchment Area 2
*Thurston
Service Area: Catchment Area 4
*Wayne
Service Area: Catchment Area 4
*York
Service Area: Catchment Area 5

**MENTAL HEALTH: Nebraska**
*Service Area Listing*

*Service Area Name*

Catchment Area 1
County—Banner
County—Box Butte
County—Cheyenne
County—Dawes
County—Deuel
County—Garden
County—Kimball
County—Morrill
County—Scotts Bluff
County—Sheridan
County—Sioux
Catchment Area 2
County—Arthur
County—Chase
County—Dawson
County—Dundy
County—Frontier
County—Gosper
County—Grant
County—Hayes
County—Hitchcock
County—Hooker
County—Keith
County—Lincoln
County—Logan
County—Mc Pherson
County—Perkins
County—Red Willow
County—Thomas
Catchment Area 4
County—Antelope
County—Boone
County—Boyd
County—Brown
County—Burt
County—Cedar
County—Cherry
County—Colfax
County—Cuming
County—Dakota
County—Dixon
County—Holt
County—Keya Paha
County—Knox
County—Madison
County—Nance
County—Pierce
County—Platte
County—Rock
County—Stanton
County—Thurston
County—Wayne
Catchment Area 5
County—Butler
County—Fillmore
County—Gage
County—Jefferson
County—Johnson
County—Lancaster
County—Nemaha
County—Otoe
County—Pawnee
County—Polk
County—Richardson
County—Saline
County—Saunders
County—Seward
County—Thayer
County—York

**MENTAL HEALTH: Nebraska**
*Population Group Listing*

*Population Group*

Medicaid—Eastern Omaha City
County—Douglas
Parts:
C.T. 3
C.T. 6–12
C.T. 16
C.T. 18–19
C.T. 39–41
C.T. 51–54
C.T. 59.01–59.02
C.T. 60
C.T. 61.01–61.02

**MENTAL HEALTH: Nebraska**
*Facility Listing*

*Facility Name*

Douglas County Hosp (Mhc)
County—Douglas
Norfolk Regional Center
County—Madison

**MENTAL HEALTH: Nevada**
*County Listing*

*County Name*

*Elko

**MENTAL HEALTH: Nevada**
*Facility Listing*

*Facility Name*

Nv State Prsn—Carson City

**MENTAL HEALTH: New Hampshire**
*County Listing*

*County Name*

Carroll
Service Area: Mental Hlth Region I
Coos
Service Area: Mental Hlth Region I
*Grafton
Service Area: Mental Hlth Region I
Population Group: Low Inc—E Grafton

**MENTAL HEALTH: New Hampshire**
*Service Area Listing*

*Service Area Name*
Mental Hlth Region I
County—Carroll
County—Coos
County—Grafton
Parts:
Bath Town
Benton Town
Bethlehem Town
Easton Town
Franconia Town
Haverhill Town
Landaff Town
Lincoln Town
Lisbon Town
Littleton Town
Lyman Town
Monroe Town
Piermont Town
Sugar Hill Town
Warren Town
Waterville Valley Town
Woodstock Town

**MENTAL HEALTH: New Hampshire**
*Population Group Listing*

*Population Group*
Low Inc—E Grafton
County—Grafton
Parts:
Alexandria Town
Ashland Town
Bridgewater Town
Bristol Town
Campton Town
Ellsworth Town
Groton Town
Hebron Town
Holderness Town
Plymouth Town
Rumney Town
Thornton Town
Wentworth Town

**MENTAL HEALTH: New Jersey**
*County Listing*

*County Name*
Cape May
Cumberland
Essex
Service Area: East Orange City
Salem

**MENTAL HEALTH: New Jersey**
*Service Area Listing*

*Service Area Name*
East Orange City
County—Essex
Parts:
C.T. 99–118

**MENTAL HEALTH: New Mexico**
*County Listing*

*County Name*
Bernalillo
Service Area: North Valley
Service Area: Southwest Valley
Catron
Service Area: Hlth Planning District 5
Chaves

**MENTAL HEALTH: New Mexico**
*County Listing*

*County Name*
Service Area: Catchment Area #6
Cibola
Service Area: Catchment Area #3
Colfax
Service Area: Catchment Area #2
Curry
Service Area: Catchment Area #4
De Baca
Service Area: Catchment Area #4
Dona Ana
Facility: S. New Mexico Corr. Fac.
Eddy
Service Area: Catchment Area #6
Grant
Service Area: Hlth Planning District 5
Guadalupe
Service Area: Catchment Area #4
Harding
Service Area: Catchment Area #4
Hidalgo
Service Area: Hlth Planning District 5
Lea
Service Area: Catchment Area #6
Lincoln
Service Area: Catchment Area #6
Luna
Service Area: Hlth Planning District 5
McKinley
Service Area: Catchment Area #1
Mora
Service Area: Catchment Area #2
Otero
Service Area: Catchment Area #6
Quay
Service Area: Catchment Area #4
Rio Arriba
Service Area: Catchment Area #2
Roosevelt
Service Area: Catchment Area #4
*San Juan
Service Area: Catchment Area #1
*San Miguel
Facility: Las Vegas Medical Center
Sandoval
Service Area: Northern Sandoval
Sierra
Service Area: Catchment Area #7
Socorro
Service Area: Catchment Area #7
Torrence
Service Area: Catchment Area #3
Union
Service Area: Catchment Area #4
Valencia (g)
Facility: C. New Mexico Corr. Fac.

**MENTAL HEALTH: New Mexico**
*Service Area Listing*

*Service Area Name*
Catchment Area #1
County—McKinley
County—San Juan
Catchment Area #2
County—Colfax
County—Mora
County—Rio Arriba
Catchment Area #3
County—Cibola
County—Torrence
Catchment Area #4
County—Curry

**MENTAL HEALTH: New Mexico**
*Service Area Listing*

*Service Area Name*
County—De Baca
County—Guadalupe
County—Harding
County—Quay
County—Roosevelt
County—Union
Catchment Area #6
County—Chaves
County—Eddy
County—Lea
County—Lincoln
County—Otero
Catchment Area #7
County—Sierra
County—Socorro
Hlth Planning District 5
County—Catron
County—Grant
County—Hidalgo
County—Luna
North Valley
County—Bernalillo
Parts:
C.T. 29
C.T. 30.01–30.02
C.T. 31
C.T. 32.01–32.02
C.T. 35.01–35.02
C.T. 36
Northern Sandoval
County—Sandoval
Parts:
Cuba CCD
Jemez CCD
Santo Domingo CCD
Southwest Valley
County—Bernalillo
Parts:
C.T. 23
C.T. 24.01–24.02
C.T. 43
C.T. 44.01–44.02
C.T. 45.01–45.02
C.T. 46.02–46.04

**MENTAL HEALTH: New Mexico**
*Facility Listing*

*Facility Name*
C. New Mexico Corr. Fac.
County—Valencia
Las Vegas Medical Center
County—San Miguel
S. New Mexico Corr. Fac.
County—Dona Ana

**MENTAL HEALTH: New York**
*County Listing*

*County Name*
Bronx
Facility: Nyc Corr. Fac./Riker Island
Cayuga
Erie
Service Area: P.S. 84 Neighborhood
*Essex
*Franklin
*Jefferson
*Lewis
Livingston
Monroe
Service Area: Brockport

**MENTAL HEALTH: New York**
*County Listing*

*County Name*

Service Area: Jordan (Rochester)
New York
Service Area: Chinatown/Lower Manhattan
Service Area: Northern Manhattan (Ryan)
*Schuyler
*Seneca
*St. Lawrence

**MENTAL HEALTH: New York**
*Service Area Listing*

*Service Area Name*

Brockport
County—Monroe
Parts:
C.T. 151–152
C.T. 153.01–153.02
C.T. 154
Chinatown/Lower Manhattan
County—New York
Parts:
C.T. 2.01–2.02
C.T. 6
C.T. 8
C.T. 10.01
C.T. 12
C.T. 14.01–14.02
C.T. 15.01
C.T. 16
C.T. 18
C.T. 25
C.T. 27
C.T. 29
C.T. 30.01–30.02
C.T. 31–32
C.T. 34
C.T. 36.01–36.02
C.T. 38
C.T. 41
C.T. 43
C.T. 45
C.T. 55.02
Jordan (Rochester)
County—Monroe
Parts:
C.T. 7
C.T. 13–15
C.T. 39
C.T. 43
C.T. 48–53
C.T. 55–56
C.T. 80
C.T. 90–92
C.T. 93.01
C.T. 94.02–94.04
Northern Manhattan (Ryan)
County—New York
Parts:
C.T. 173
C.T. 175
C.T. 177
C.T. 179
C.T. 181
C.T. 183
C.T. 185–187
C.T. 189–191
C.T. 193
C.T. 195
C.T. 197.01–197.02
C.T. 199–200
C.T. 201.01–201.02
C.T. 203

**MENTAL HEALTH: New York**
*Service Area Listing*

*Service Area Name*

C.T. 205
C.T. 207.01–207.02
C.T. 208
C.T. 209.01–209.02
C.T. 211
C.T. 213.01–213.02
C.T. 216
C.T. 217.01–217.02
C.T. 218
C.T. 219.97
C.T. 220
C.T. 221.01–221.02
C.T. 222
C.T. 223.97–223.98
C.T. 224–226
C.T. 227.01–227.02
C.T. 229
C.T. 233
C.T. 237
C.T. 241
C.T. 245
C.T. 247
P.S. 84 Neighborhood
County—Erie
Parts:
C.T. 27.02
C.T. 29
C.T. 32.01–32.02
C.T. 33.01–33.02
C.T. 34–36
C.T. 39.01–39.02
C.T. 40.01–40.02
C.T. 41–42
C.T. 44.02
C.T. 52.02
C.T. 64

**MENTAL HEALTH: New York**
*Facility Listing*

*Facility Name*

Nyc Corr. Fac./Riker Island
County—Bronx

**MENTAL HEALTH: North Carolina**
*County Listing*

*County Name*

Bertie
Service Area: Roanoke-Chowan
Bladen
Service Area: Southeast Regional
Camden
Service Area: Albemarle
Cherokee
Service Area: Smokey Mountain
Chowan
Service Area: Albemarle
Clay
Service Area: Smokey Mountain
Columbus
Service Area: Southeast Regional
Currituck
Service Area: Albemarle
Dare
Service Area: Albemarle
Duplin
Service Area: Duplin-Sampson
Gates
Service Area: Roanoke-Chowan
Graham
Service Area: Smokey Mountain

**MENTAL HEALTH: North Carolina**
*County Listing*

*County Name*

Halifax
Service Area: Halifax Mhca
Hertford
Service Area: Roanoke-Chowan
Hyde
Service Area: Tideland
Jackson
Service Area: Smokey Mountain
Macon
Service Area: Smokey Mountain
Martin
Service Area: Tideland
Northampton
Service Area: Roanoke-Chowan
Pasquotank
Service Area: Albemarle
Perquimans
Service Area: Albemarle
Robeson
Service Area: Southeast Regional
Sampson
Service Area: Duplin-Sampson
Scotland
Service Area: Southeast Regional
Surry
Service Area: Surry-Yadkin
Swain
Service Area: Smokey Mountain
Tyrrell
Service Area: Tideland
Washington
Service Area: Tideland
Yadkin
Service Area: Surry-Yadkin

**MENTAL HEALTH: North Carolina**
*Service Area Listing*

*Service Area Name*

Albemarle
County—Camden
County—Chowan
County—Currituck
County—Dare
County—Pasquotank
County—Perquimans
Duplin-Sampson
County—Duplin
County—Sampson
Halifax Mhca
County—Halifax
Roanoke-Chowan
County—Bertie
County—Gates
County—Hertford
County—Northampton
Smokey Mountain
County—Cherokee
County—Clay
County—Graham
County—Haywood
County—Jackson
County—Macon
County—Swain
Southeast Regional
County—Bladen
County—Columbus
County—Robeson
County—Scotland
Surry-Yadkin
County—Surry
County—Yadkin

**MENTAL HEALTH: North Carolina**
*Service Area Listing*

*Service Area Name*

Tideland
County—Beaufort
County—Hyde
County—Martin
County—Tyrrell
County—Washington

**MENTAL HEALTH: North Dakota**
*County Listing*

*County Name*

Barnes
Service Area: Jamestown (Ca 38004)
Benson
Service Area: Devils Lake Catchment Area
*Bottineau
*Burke
Cavalier
Service Area: Devils Lake Catchment Area
Dickey
Service Area: Jamestown (Ca 38004)
Eddy
Service Area: Devils Lake Catchment Area
Foster
Service Area: Jamestown (Ca 38004)
Griggs
Service Area: Jamestown (Ca 38004)
Lamoure
Service Area: Jamestown (Ca 38004)
Logan
Service Area: Jamestown (Ca 38004)
*McHenry
McIntosh
Service Area: Jamestown (Ca 38004)
*Mountrail
*Pierce
Ramsey
Service Area: Devils Lake Catchment Area
*Renville
Rolette
Service Area: Devils Lake Catchment Area
Stutsman
Service Area: Jamestown (Ca 38004)
Facility: North Dakota State Hosp
Towner
Service Area: Devils Lake Catchment Area
*Ward
Wells
Service Area: Jamestown (Ca 38004)

**MENTAL HEALTH: North Dakota**
*Service Area Listing*

*Service Area Name*

Devils Lake Catchment Area
County—Benson
County—Cavalier
County—Eddy
County—Ramsey
County—Rolette
County—Towner
Jamestown (Ca 38004)
County—Barnes
County—Dickey
County—Foster
County—Griggs
County—Lamoure
County—Logan
County—McIntosh
County—Stutsman
County—Wells

**MENTAL HEALTH: North Dakota**
*Facility Listing*

*Facility Name*

North Dakota State Hosp
County—Stutsman

**MENTAL HEALTH: Ohio**
*County Listing*

*County Name*

Athens
Service Area: Catchment Area #33
Belmont
Service Area: Catchment Area #8
*Coshocton
Cuyahoga
Facility: Cleveland Psych Inst
*Fayette
Service Area: Chillicothe
*Gallia
Geauga
*Guernsey
Harrison
Service Area: Catchment Area #8
*Highland
Service Area: Chillicothe
Hocking
Service Area: Catchment Area #33
*Jackson
*Meigs
Monroe
Service Area: Catchment Area #8
*Morgan
*Muskingum
*Noble
*Perry
*Pike
Service Area: Chillicothe
Richland
Facility: Mansfield Corr Inst
*Ross
Service Area: Chillicothe
Facility: Chillicothe Corr Inst
Facility: Ross Corr Inst
Vinton
Service Area: Catchment Area #33
Washington

**MENTAL HEALTH: Ohio**
*Service Area Listing*

*Service Area Name*

Catchment Area #33
County—Athens
County—Hocking
County—Vinton
Catchment Area #8
County—Belmont
County—Harrison
County—Monroe
Chillicothe
County—Fayette
County—Highland
County—Pike
County—Ross

**MENTAL HEALTH: Ohio**
*Facility Listing*

*Facility Name*

Chillicothe Corr Inst
County—Ross
Cleveland Psych Inst
County—Cuyahoga
Mansfield Corr Inst
County—Richland

**MENTAL HEALTH: Ohio**
*Facility Listing*

*Facility Name*

Ross Corr Inst
County—Ross

**MENTAL HEALTH: Oklahoma**
*County Listing*

*County Name*

*Adair
*Atoka
*Beckham
*Blaine
*Bryan
*Caddo
*Carter
*Cherokee
*Choctaw
*Coal
Comanche
*Cotton
Creek
*Custer
*Dewey
Garfield
*Garvin
*Grant
*Greer
*Harmon
*Haskell
*Hughes
*Jackson
*Jefferson
*Johnston
*Kay
*Kingfisher
*Kiowa
*Latimer
*Le Flore
Logan
*Love
*Marshall
*McCurtain
*Murray
*Noble
*Okfuskee
*Okmulgee
Osage
*Pawnee
*Payne
*Pittsburg
*Pontotoc
*Pushmataha
*Roger Mills
*Seminole
Sequoyah
*Stephens
*Tillman
Wagoner
*Washington
*Washita

**MENTAL HEALTH: Oregon**
*County Listing*

*County Name*

Baker
Service Area: Northeastern Oregon
*Clatsop
*Columbia
Coos
Service Area: Catchment Area 14
Curry
Service Area: Catchment Area 14

**MENTAL HEALTH: Oregon**
*County Listing*

*County Name*

Gilliam
  Service Area: East Columbia
Grant
  Service Area: East Columbia
Harney
  Service Area: Southeastern Oregon
*Josephine
*Klamath
*Lincoln
Malheur
  Service Area: Southeastern Oregon
Morrow
  Service Area: East Columbia
*Tillamook
Umatilla
  Service Area: East Columbia
Union
  Service Area: Northeastern Oregon
Wallowa
  Service Area: Northeastern Oregon
Wheeler
  Service Area: East Columbia

**MENTAL HEALTH: Oregon**
*Service Area Listing*

*Service Area Name*

Catchment Area 14
  County—Coos
  County—Curry
East Columbia
  County—Gilliam
  County—Grant
  County—Morrow
  County—Umatilla
  County—Wheeler
Northeastern Oregon
  County—Baker
  County—Union
  County—Wallowa
Southeastern Oregon
  County—Harney
  County—Malheur

**MENTAL HEALTH: Pennsylvania**
*County Listing*

*County Name*

Adams
  Service Area: Gettysburg/Hanover
Armstrong
  Population Group: Low Inc—Armstrong Co
Beaver
  Population Group: Low Inc—Beaver Co
*Bedford
Carbon
*Clarion
*Clearfield
*Clinton
Columbia
Fayette
*Forest
Huntingdon
  Service Area: Juniata/Mifflin
*Indiana
*Jefferson
Juniata
  Service Area: Juniata/Mifflin
Lycoming
Mifflin
  Service Area: Juniata/Mifflin
Monroe

**MENTAL HEALTH: Pennsylvania**
*County Listing*

*County Name*

*Montour
*Northumberland
*Pike
*Snyder
Somerset
*Susquehanna
*Tioga
*Union
*Venango
*Warren
*Wayne (g)
  Facility: Farview State Hosp
Wyoming
York
  Service Area: Gettysburg/Hanover

**MENTAL HEALTH: Pennsylvania**
*Service Area Listing*

*Service Area Name*

Gettysburg/Hanover
  County—Adams
  County—York
    Parts:
      Codorus Township
      Hanover Borough
      Heidelberg Township
      Jackson Township
      Jefferson Borough
      Manheim Township
      New Salem Borough
      North Codorus Township
      Paradise Township
      Penn Township
      Seven Valleys Borough
      Spring Grove Borough
      West Manheim Township
Juniata/Mifflin
  County—Huntingdon
  County—Juniata
  County—Mifflin

**MENTAL HEALTH: Pennsylvania**
*Population Group Listing*

*Population Group*

Low Inc—Armstrong Co
  County—Armstrong
    Parts:
      Low Income
Low Inc—Beaver Co
  County—Beaver
    Parts:
      Low Income

**MENTAL HEALTH: Pennsylvania**
*Facility Listing*

*Facility Name*

Farview State Hosp
  County—Wayne

**MENTAL HEALTH: South Carolina**
*County Listing*

*County Name*

Abbeville
  Service Area: Catchment Area 5
Aiken
  Service Area: Catchment Area 10
Allendale
  Service Area: Catchment Area 11

**MENTAL HEALTH: South Carolina**
*County Listing*

*County Name*

Anderson
  Facility: Patrick B. Harris Psychiatric Hospital
Bamberg
  Service Area: Catchment Area 14
*Barnwell
  Service Area: Catchment Area 10
Beaufort
  Service Area: Catchment Area 11
Berkeley
  Service Area: Rural Berkeley
Calhoun
  Service Area: Catchment Area 14
Cherokee
  Service Area: Catchment Area 3
Chester
  Service Area: Catchment Area 4
Chesterfield
  Service Area: Catchment Area 12
Clarendon
  Service Area: Catchment Area 9
Colleton
  Service Area: Catchment Area 11
Darlington
  Service Area: Catchment Area 7
Dillon
  Service Area: Catchment Area 12
Edgefield
  Service Area: Catchment Area 5
Florence
  Service Area: Catchment Area 7
Georgetown
  Service Area: Catchment Area 13
Greenwood
  Service Area: Catchment Area 5
Hampton
  Service Area: Catchment Area 11
Horry
  Service Area: Catchment Area 13
Jasper
  Service Area: Catchment Area 11
Kershaw
  Service Area: Catchment Area 9
Lancaster
  Service Area: Catchment Area 4
Laurens
  Service Area: Catchment Area 5
Lee
  Service Area: Catchment Area 9
Marion
  Service Area: Catchment Area 7
Marlboro
  Service Area: Catchment Area 12
McCormick
  Service Area: Catchment Area 5
Newberry
  Service Area: Catchment Area 5
Orangeburg
  Service Area: Catchment Area 14
Richland
  Facility: Broad River Corr. Complex
  Facility: G. Werber Bryan Psychiatric Hospital
Saluda
  Service Area: Catchment Area 5
Spartanburg
  Service Area: Catchment Area 3
Sumter
  Service Area: Catchment Area 9
Union
  Service Area: Catchment Area 3
Williamsburg

**MENTAL HEALTH: South Carolina**
*County Listing*

*County Name*

Service Area: Catchment Area 13
York
Service Area: Catchment Area 4

**MENTAL HEALTH: South Carolina**
*Service Area Listing*

*Service Area Name*

Catchment Area 10
County—Aiken
Parts:
Aiken
County—Aiken
County—Barnwell
Parts:
Barnwell
Catchment Area 11
County—Jasper
Catchment Area 12
County—Marlboro
Catchment Area 13
County—Williamsburg
Catchment Area 14
County—Orangeburg
Catchment Area 3
County—Cherokee
County—Spartanburg
County—Union
Catchment Area 4
County—Chester
County—Lancaster
County—York
Catchment Area 5
County—Abbeville
County—Edgefield
County—Greenwood
County—Laurens
County—McCormick
County—Newberry
County—Saluda
Catchment Area 7
County—Darlington
County—Florence
County—Marion
Catchment Area 9
County—Clarendon
County—Kershaw
County—Lee
County—Sumter
Rural Berkeley
County—Berkeley
Parts:
Bonneau CCD
Cordesville CCD
Cross CCD
Moncks Corner CCD
St. Stephens CCD
Wando CCD

**MENTAL HEALTH: South Carolina**
*Facility Listing*

*Facility Name*

Broad River Corr. Complex
County—Richland
G. Werber Bryan Psychiatric Hospital
County—Richland
Patrick B. Harris Psychiatric Hospital
County—Anderson

**MENTAL HEALTH: South Dakota**
*County Listing*

*County Name*

Aurora
Service Area: Catchment Area 4
Beadle
Service Area: Catchment Area 3
Bennett
Service Area: Catchment Area 11
*Bon Homme
Service Area: Catchment Area 12
Facility: Sd State Pen.—Bon Homme
Brookings
Service Area: Catchment Area 1
Brown
Service Area: Catchment Area 7
Brule
Service Area: Catchment Area 4
Buffalo
Service Area: Catchment Area 2
Butte
Service Area: Catchment Area 11
Campbell
Service Area: Catchment Area 7
*Charles Mix
Service Area: Catchment Area 12
Clark
Service Area: Catchment Area 5
*Clay
Service Area: Catchment Area 12
Codington
Service Area: Catchment Area 5
Corson
Service Area: Catchment Area 8
Custer
Service Area: Catchment Area 11
Facility: Custer State Hospital
Davison
Service Area: Catchment Area 4
Day
Service Area: Catchment Area 7
Deuel
Service Area: Catchment Area 5
Dewey
Service Area: Catchment Area 8
*Douglas
Service Area: Catchment Area 12
Edmunds
Service Area: Catchment Area 7
Fall River
Service Area: Catchment Area 11
Faulk
Service Area: Catchment Area 7
Grant
Service Area: Catchment Area 5
Gregory
Service Area: Catchment Area 10
Haakon
Service Area: Catchment Area 2
Hamlin
Service Area: Catchment Area 5
Hand
Service Area: Catchment Area 3
Hanson
Service Area: Catchment Area 4
Harding
Service Area: Catchment Area 11
Hughes
Service Area: Catchment Area 2
*Hutchinson
Service Area: Catchment Area 12
Hyde
Service Area: Catchment Area 2
Jackson
Service Area: Catchment Area 11

**MENTAL HEALTH: South Dakota**
*County Listing*

*County Name*

Jerauld
Service Area: Catchment Area 3
Jones
Service Area: Catchment Area 2
Kingsbury
Service Area: Catchment Area 5
*Lake
Service Area: Catchment Area 3
Lawrence
Service Area: Catchment Area 11
Lyman
Service Area: Catchment Area 2
Marshall
Service Area: Catchment Area 7
Mc Pherson
Service Area: Catchment Area 7
Meade
Service Area: Catchment Area 11
Mellette
Service Area: Catchment Area 10
Miner
Service Area: Catchment Area 3
Minnehaha
Facility: Sd State Pen.—Minnehaha
Moody
Service Area: Catchment Area 1
Pennington
Service Area: Catchment Area 11
Perkins
Service Area: Catchment Area 8
Potter
Service Area: Catchment Area 7
Roberts
Service Area: Catchment Area 5
Sanborn
Service Area: Catchment Area 4
Shannon
Service Area: Catchment Area 11
Spink
Service Area: Catchment Area 7
Facility: Redfield State Hospital
Stanley
Service Area: Catchment Area 2
Sully
Service Area: Catchment Area 2
Todd
Service Area: Catchment Area 10
Tripp
Service Area: Catchment Area 10
*Union
Service Area: Catchment Area 12
Walworth
Service Area: Catchment Area 7
*Yankton
Service Area: Catchment Area 12
Facility: South Dakota Human Srv Ctr
Ziebach
Service Area: Catchment Area 8

**MENTAL HEALTH: South Dakota**
*Service Area Listing*

*Service Area Name*

Catchment Area 1
County—Brookings
County—Moody
Catchment Area 10
County—Gregory
County—Mellette
County—Todd
County—Tripp
Catchment Area 11

**MENTAL HEALTH: South Dakota**
*Service Area Listing*

*Service Area Name*

County—Bennett
County—Butte
County—Custer
County—Fall River
County—Harding
County—Jackson
County—Lawrence
County—Meade
County—Pennington
County—Shannon
Catchment Area 12
County—Bon Homme
County—Charles Mix
County—Clay
County—Douglas
County—Hutchinson
County—Union
County—Yankton
Catchment Area 2
County—Buffalo
County—Haakon
County—Hughes
County—Hyde
County—Jones
County—Lyman
County—Stanley
County—Sully
Catchment Area 3
County—Beadle
County—Hand
County—Jerauld
County—Lake
County—Miner
Catchment Area 4
County—Aurora
County—Brule
County—Davison
County—Hanson
County—Sanborn
Catchment Area 5
County—Clark
County—Codington
County—Deuel
County—Grant
County—Hamlin
County—Kingsbury
County—Roberts
Catchment Area 7
County—Brown
County—Campbell
County—Day
County—Edmunds
County—Faulk
County—Mc Pherson
County—Marshall
County—Potter
County—Spink
County—Walworth
Catchment Area 8
County—Corson
County—Dewey
County—Perkins
County—Ziebach

**MENTAL HEALTH: South Dakota**
*Facility Listing*

*Facility Name*

Custer State Hospital
County—Custer
Redfield State Hospital
County—Spink

**MENTAL HEALTH: South Dakota**
*Facility Listing*

*Facility Name*

Sd State Pen.—Bon Homme
County—Bon Homme
Sd State Pen.—Minnehaha
County—Minnehaha
South Dakota Human Srv Ctr
County—Yankton

**MENTAL HEALTH: Tennessee**
*County Listing*

*County Name*

Bedford
Service Area: Catchment Area 19
Benton
Service Area: Catchment Area 21
Bledsoe
Service Area: Catchment Area 12 (Part)
Cannon
Service Area: Catchment Area 9
Carroll
Service Area: Catchment Area 21
Carter
Cheatham
Service Area: Catchment Area 14
Chester
Service Area: Catchment Area 24
Claiborne
Service Area: Catchment Area 5
Clay
Service Area: Catchment Area 9
Cocke
Service Area: Catchment Area 5
Coffee
Service Area: Catchment Area 19
Crockett
Service Area: Catchment Area 22
Cumberland
Service Area: Catchment Area 9
De Kalb
Service Area: Catchment Area 9
Decatur
Service Area: Catchment Area 24
Dickson
Service Area: Catchment Area 14
Dyer
Service Area: Catchment Area 22
Fayette
Service Area: Catchment Area 25
Fentress
Service Area: Catchment Area 9
Franklin
Service Area: Catchment Area 19
Gibson
Service Area: Catchment Area 21
Giles
Service Area: Catchment Area 20
Grainger
Service Area: Catchment Area 5
Greene
Service Area: Catchment Area 4
Grundy
Service Area: Catchment Area 12 (Part)
Hamblen
Service Area: Catchment Area 5
Hancock
Service Area: Catchment Area 4
Hardeman
Service Area: Catchment Area 24
Hardin
Service Area: Catchment Area 24
Hawkins
Service Area: Catchment Area 4

**MENTAL HEALTH: Tennessee**
*County Listing*

*County Name*

Haywood
Service Area: Catchment Area 23
Henderson
Service Area: Catchment Area 23
Henry
Service Area: Catchment Area 21
Hickman
Service Area: Catchment Area 20
Houston
Service Area: Catchment Area 14
Humphreys
Service Area: Catchment Area 14
Jackson
Service Area: Catchment Area 9
Jefferson
Service Area: Catchment Area 5
Lake
Service Area: Catchment Area 22
Lauderdale
Service Area: Catchment Area 25
Lawrence
Service Area: Catchment Area 20
Lewis
Service Area: Catchment Area 20
Lincoln
Service Area: Catchment Area 19
Macon
Service Area: Catchment Area 9
Madison
Service Area: Catchment Area 23
Marion
Service Area: Catchment Area 12 (Part)
Marshall
Service Area: Catchment Area 20
Maury
Service Area: Catchment Area 20
Mc Nairy
Service Area: Catchment Area 24
Montgomery
Service Area: Catchment Area 14
Moore
Service Area: Catchment Area 19
Obion
Service Area: Catchment Area 22
Overton
Service Area: Catchment Area 9
Perry
Service Area: Catchment Area 20
Pickett
Service Area: Catchment Area 9
Putnam
Service Area: Catchment Area 9
Rhea
Service Area: Catchment Area 12 (Part)
Robertson
Service Area: Catchment Area 14
*Sequatchie
Service Area: Catchment Area 12 (Part)
Smith
Service Area: Catchment Area 9
Stewart
Service Area: Catchment Area 14
Sumner
Service Area: Catchment Area 31
Tipton
Service Area: Catchment Area 25
Trousdale
Service Area: Catchment Area 31
Unicoi
Union
Service Area: Catchment Area 5
Van Buren

**MENTAL HEALTH: Tennessee**
*County Listing*

*County Name*

Service Area: Catchment Area 9
Warren
Service Area: Catchment Area 9
Washington
Wayne
Service Area: Catchment Area 20
Weakley
Service Area: Catchment Area 22
White
Service Area: Catchment Area 9
Wilson
Service Area: Catchment Area 31

**MENTAL HEALTH: Tennessee**
*Service Area Listing*

*Service Area Name*

Catchment Area 12 (Part)
County—Bledsoe
County—Grundy
County—Marion
County—Rhea
County—Sequatchie
Catchment Area 14
County—Cheatham
County—Dickson
County—Houston
County—Humphreys
County—Montgomery
County—Robertson
County—Stewart
Catchment Area 19
County—Bedford
County—Coffee
County—Franklin
County—Lincoln
County—Moore
Catchment Area 20
County—Giles
County—Hickman
County—Lawrence
County—Lewis
County—Marshall
County—Maury
County—Perry
County—Wayne
Catchment Area 21
County—Benton
County—Carroll
County—Gibson
County—Henry
Catchment Area 22
County—Crockett
County—Dyer
County—Lake
County—Obion
County—Weakley
Catchment Area 23
County—Haywood
County—Henderson
County—Madison
Catchment Area 24
County—Chester
County—Decatur
County—Hardeman
County—Hardin
County—Mc Nairy
Catchment Area 25
County—Fayette
County—Lauderdale
County—Tipton
Catchment Area 31

**MENTAL HEALTH: Tennessee**
*Service Area Listing*

*Service Area Name*

County—Sumner
County—Trousdale
County—Wilson
Catchment Area 4
County—Greene
County—Hancock
County—Hawkins
Catchment Area 5
County—Claiborne
County—Cocke
County—Grainger
County—Hamblen
County—Jefferson
County—Union
Catchment Area 9
County—Cannon
County—Clay
County—Cumberland
County—De Kalb
County—Fentress
County—Jackson
County—Macon
County—Overton
County—Pickett
County—Putnam
County—Smith
County—Van Buren
County—Warren
County—White

**MENTAL HEALTH: Texas**
*County Listing*

*County Name*

*Anderson
Service Area: LSA 41
*Andrews
Service Area: LSA 38a
*Angelina
Service Area: LSA 11
*Aransas
Service Area: LSA 45
Archer
Service Area: LSA 52
*Atascosa
Service Area: LSA 47
*Austin
Service Area: LSA 33
Bailey
Service Area: LSA 7 Plainview
*Bandera
Service Area: LSA 40
Bastrop
Service Area: LSA 36a
*Baylor
Service Area: LSA 55
*Bee
Service Area: LSA 45
*Blanco
Service Area: LSA 32
*Borden
Service Area: LSA 37a
Bowie
Service Area: LSA 21
Brewster
Service Area: LSA 58
Briscoe
Service Area: LSA 7 Plainview
*Brooks
Service Area: LSA 60
Brown
Service Area: LSA 8 Central

**MENTAL HEALTH: Texas**
*County Listing*

*County Name*

*Burnet
Service Area: LSA 36b
Caldwell
Service Area: LSA 36a
Cameron
Service Area: LSA 30 Lower Rio Grande
*Camp
Service Area: LSA 50
*Cass
Service Area: LSA 21
Castro
Service Area: LSA 7 Plainview
*Cherokee
Service Area: LSA 41
*Childress
Service Area: LSA 53
*Clay
Service Area: LSA 57
*Coke
Service Area: LSA 9
Coleman
Service Area: LSA 8 Central
*Colorado
Service Area: LSA 35
Comal
Service Area: LSA 44
Comanche
Service Area: LSA 8 Central
*Concho
Service Area: LSA 9
*Cooke
Service Area: LSA 28
*Cottle
Service Area: LSA 55
*Crane
Service Area: LSA 54c
*Crockett
Service Area: LSA 9
Culberson
Service Area: LSA 58
*Dawson
Service Area: LSA 38a
*Delta
Service Area: LSA 49a
*Dickens
Service Area: LSA 55
*Dimmit
Service Area: LSA 45
*Duval
Service Area: LSA 60
Eastland
Service Area: LSA 8 Central
*Edwards
Service Area: LSA 40
El Paso
Erath
Service Area: LSA 23
*Falls
Service Area: LSA 63
*Fannin
Service Area: LSA 28
*Fayette
Service Area: LSA 36a
*Fisher
Service Area: LSA 37a
Floyd
Service Area: LSA 7 Plainview
*Foard
Service Area: LSA 55
Fort Bend
Service Area: LSA 35
*Franklin

**MENTAL HEALTH: Texas**
*County Listing*

*County Name*

Service Area: LSA 49a
*Freestone
Service Area: LSA 63
*Frio
Service Area: LSA 45
*Gaines
Service Area: LSA 38a
*Garza
Service Area: LSA 38b
Gillespie
Service Area: LSA 40
*Glasscock
Service Area: LSA 37a
*Gonzales
Service Area: LSA 48
Grayson
Service Area: LSA 28
Gregg
Service Area: LSA 25
Guadalupe
Service Area: LSA 44
Hale
Service Area: LSA 7 Plainview
*Hardeman
Service Area: LSA 55
Harrison
Service Area: LSA 25
*Haskell
Service Area: LSA 52
Hays
Service Area: LSA 32
*Henderson
Service Area: LSA 12
Hidalgo
Service Area: LSA 30 Lower Rio Grande
*Hood
Service Area: LSA 23
*Hopkins
Service Area: LSA 49a
*Houston
Service Area: LSA 11
*Howard
Service Area: LSA 37a
Hudspeth
Service Area: LSA 58
*Hunt
Service Area: LSA 62
*Irion
Service Area: LSA 9
*Jack
Service Area: LSA 57
*Jasper
Service Area: LSA 11
Jeff Davis
Service Area: LSA 58
Jim Hogg
Service Area: LSA 59
*Jim Wells
Service Area: LSA 60
Johnson
Service Area: LSA 34
*Karnes
Service Area: LSA 45
Kaufman
Service Area: LSA 49b
Facility: Terrell State Hospital
*Kendall
Service Area: LSA 40
*Kenedy
Service Area: LSA 60
*Kent
Service Area: LSA 38b

**MENTAL HEALTH: Texas**
*County Listing*

*County Name*

*Kerr
Service Area: LSA 40
*Kimble
Service Area: LSA 40
*King
Service Area: LSA 55
*Kinney
Service Area: LSA 42
*Kleberg
Service Area: LSA 60
*Knox
Service Area: LSA 55
*Lamar
Service Area: LSA 49a
Lamb
Service Area: LSA 7 Plainview
*Lasalle
Service Area: LSA 45
*Lee
Service Area: LSA 36a
Liberty
Service Area: LSA 29
*Limestone
Service Area: LSA 63
*Live Oak
Service Area: LSA 45
*Llano
Service Area: LSA 40
*Loving
Service Area: LSA 54a
*Marion
Service Area: LSA 25
*Martin
Service Area: LSA 38a
*Mason
Service Area: LSA 40
*Matagorda
Service Area: LSA 35
*Maverick
Service Area: LSA 45
Mc Culloch
Service Area: LSA 8 Central
*McMullen
Service Area: LSA 45
*Medina
Service Area: LSA 42
*Menard
Service Area: LSA 40
Mills
Service Area: LSA 8 Central
*Mitchell
Service Area: LSA 37a
*Montague
Service Area: LSA 57
Montgomery
Service Area: LSA 29
*Morris
Service Area: LSA 49a
Motley
Service Area: LSA 7 Plainview
*Nacogdoches
Service Area: LSA 11
*Navarro
Service Area: LSA 19
*Newton
Service Area: LSA 11
*Nolan
Service Area: LSA 37a
Palo Pinto
Service Area: LSA 23
*Panola
Service Area: LSA 25

**MENTAL HEALTH: Texas**
*County Listing*

*County Name*

Parker
Service Area: LSA 23
Parmer
Service Area: LSA 7 Plainview
*Pecos
Service Area: LSA 24a
*Polk
Service Area: LSA 11
Presidio
Service Area: LSA 58
*Rains
Service Area: LSA 12
*Reagan
Service Area: LSA 9
*Real
Service Area: LSA 40
*Red River
Service Area: LSA 21
*Reeves
Service Area: LSA 54a
*Runnels
Service Area: LSA 37b
*Rusk
Service Area: LSA 25
*Sabine
Service Area: LSA 11
*San Augustine
Service Area: LSA 11
*San Jacinto
Service Area: LSA 11
San Patricio
Service Area: LSA 45
San Saba
Service Area: LSA 8 Central
*Schleicher
Service Area: LSA 39
*Scurry
Service Area: LSA 37a
*Shackelford
Service Area: LSA 56
*Shelby
Service Area: LSA 11
Smith
Service Area: LSA 12
Somervell
Service Area: LSA 23
Starr
Service Area: LSA 59
*Stephens
Service Area: LSA 56
*Sterling
Service Area: LSA 9
*Stonewall
Service Area: LSA 52
*Sutton
Service Area: LSA 39
Swisher
Service Area: LSA 7 Plainview
*Terrell
Service Area: LSA 54b
*Terry
Service Area: LSA 38a
*Throckmorton
Service Area: LSA 52
*Titus
Service Area: LSA 49a
Tom Green
Service Area: LSA 9
*Trinity
Service Area: LSA 11
*Tyler
Service Area: LSA 11

**MENTAL HEALTH: Texas**
*County Listing*

*County Name*

Upshur
Service Area: LSA 25
*Upton
Service Area: LSA 54c
*Uvalde
Service Area: LSA 42
*Val Verde
Service Area: LSA 43
*Van Zandt
Service Area: LSA 12
*Walker
Service Area: LSA 29
Waller
Service Area: LSA 33
*Ward
Service Area: LSA 54a
Webb
Service Area: LSA 59
*Wharton
Service Area: LSA 35
*Wilbarger
Service Area: LSA 55
Willacy
Service Area: LSA 30 Lower Rio Grande
Wilson
Service Area: LSA 47
*Winkler
Service Area: LSA 54a
*Wise
Service Area: LSA 57
*Wood
Service Area: LSA 12
*Yoakum
Service Area: LSA 38a
*Young
Service Area: LSA 52
Zapata
Service Area: LSA 59
*Zavala
Service Area: LSA 45

**MENTAL HEALTH: Texas**
*Service Area Listing*

*Service Area Name*

LSA 11
County—Angelina
County—Houston
County—Jasper
County—Nacogdoches
County—Newton
County—Polk
County—Sabine
County—San Augustine
County—San Jacinto
County—Shelby
County—Trinity
County—Tyler
LSA 12
County—Henderson
County—Rains
County—Smith
County—Van Zandt
County—Wood
LSA 19
County—Navarro
LSA 21
County—Bowie
County—Cass
County—Red River
LSA 23
County—Erath

**MENTAL HEALTH: Texas**
*Service Area Listing*

*Service Area Name*

County—Hood
County—Palo Pinto
County—Parker
County—Somervell
LSA 24a
County—Pecos
LSA 25
County—Gregg
County—Harrison
County—Marion
County—Panola
County—Rusk
County—Upshur
LSA 28
County—Cooke
County—Fannin
County—Grayson
LSA 29
County—Liberty
County—Montgomery
County—Walker
LSA 30 Lower Rio Grande
County—Cameron
County—Hidalgo
County—Willacy
LSA 32
County—Blanco
County—Hays
LSA 33
County—Austin
County—Waller
LSA 34
County—Johnson
LSA 35
County—Colorado
County—Fort Bend
County—Matagorda
County—Wharton
LSA 36a
County—Bastrop
County—Caldwell
County—Fayette
County—Lee
LSA 36b
County—Burnet
LSA 37a
County—Borden
County—Fisher
County—Glasscock
County—Howard
County—Mitchell
County—Nolan
County—Scurry
LSA 37b
County—Runnels
LSA 38a
County—Andrews
County—Dawson
County—Gaines
County—Martin
County—Terry
County—Yoakum
LSA 38b
County—Garza
County—Kent
LSA 39
County—Schleicher
County—Sutton
LSA 40
County—Bandera
County—Edwards
County—Gillespie

**MENTAL HEALTH: Texas**
*Service Area Listing*

*Service Area Name*

County—Kendall
County—Kerr
County—Kimble
County—Llano
County—Mason
County—Menard
County—Real
LSA 41
County—Anderson
County—Cherokee
LSA 42
County—Kinney
County—Medina
County—Uvalde
LSA 43
County—Val Verde
LSA 44
County—Comal
County—Guadalupe
LSA 45
County—Aransas
County—Bee
County—Dimmit
County—Frio
County—Karnes
County—Lasalle
County—Live Oak
County—McMullen
County—Maverick
County—San Patricio
County—Zavala
LSA 47
County—Atascosa
County—Wilson
LSA 48
County—Gonzales
LSA 49a
County—Delta
County—Franklin
County—Hopkins
County—Lamar
County—Morris
County—Titus
LSA 49b
County—Kaufman
LSA 50
County—Camp
LSA 52
County—Archer
County—Haskell
County—Stonewall
County—Throckmorton
County—Young
LSA 53
County—Childress
LSA 54a
County—Loving
County—Reeves
County—Ward
County—Winkler
LSA 54b
County—Terrell
LSA 54c
County—Crane
County—Upton
LSA 55
County—Baylor
County—Cottle
County—Dickens
County—Foard
County—Hardeman
County—King

**MENTAL HEALTH: Texas**
*Service Area Listing*

*Service Area Name*

County—Knox
County—Wilbarger
LSA 56
County—Shackelford
County—Stephens
LSA 57
County—Clay
County—Jack
County—Montague
County—Wise
LSA 58
County—Brewster
County—Culberson
County—Hudspeth
County—Jeff Davis
County—Presidio
LSA 59
County—Jim Hogg
County—Starr
County—Webb
County—Zapata
LSA 60
County—Brooks
County—Duval
County—Jim Wells
County—Kenedy
County—Kleberg
LSA 62
County—Hunt
LSA 63
County—Falls
County—Freestone
County—Limestone
LSA 7 Plainview
County—Bailey
County—Briscoe
County—Castro
County—Floyd
County—Hale
County—Lamb
County—Motley
County—Parmer
County—Swisher
LSA 8 Central
County—Brown
County—Coleman
County—Comanche
County—Eastland
County—Mc Culloch
County—Mills
County—San Saba
LSA 9
County—Coke
County—Concho
County—Crockett
County—Irion
County—Reagan
County—Sterling
County—Tom Green

**MENTAL HEALTH: Texas**
*Facility Listing*

*Facility Name*

Terrell State Hospital
County—Kaufman

**MENTAL HEALTH: Utah**
*County Listing*

*County Name*

*Carbon
*Daggett
*Duchesne
*Emery
*Grand
*Millard
*Piute
*San Juan
*Sanpete
*Sevier
*Tooele
*Uintah
*Wayne

**MENTAL HEALTH: Vermont**
*County Listing*

*County Name*

Caledonia
Service Area: Northeast Kingdom
Essex
Service Area: Northeast Kingdom
Franklin
Service Area: Franklin/Grand Isle
Grand Isle
Service Area: Franklin/Grand Isle
Orleans
Service Area: Northeast Kingdom

**MENTAL HEALTH: Vermont**
*Service Area Listing*

*Service Area Name*

Franklin/Grand Isle
County—Franklin
County—Grand Isle
Northeast Kingdom
County—Caledonia
County—Essex
County—Orleans

**MENTAL HEALTH: Virginia**
*County Listing*

*County Name*

Accomack
Service Area: Eastern Shore Of Virginia
Amelia
Service Area: Planning Dist XIV
Bland
Service Area: Planning Dist III
*Brunswick
Buchanan
Service Area: Planning Dist II
Buckingham
Service Area: Planning Dist XIV
Carroll
Service Area: Planning Dist III
Charlotte
Service Area: Planning Dist XIV
Cumberland
Service Area: Planning Dist XIV
Danville City
Service Area: Planning Dist XII
Dickenson
Service Area: Planning Dist II
Essex
Service Area: Middle Peninsula/Northern Neck
Franklin
Service Area: Planning Dist XII
Galax City
Service Area: Planning Dist III

**MENTAL HEALTH: Virginia**
*County Listing*

*County Name*

Gloucester
Service Area: Middle Peninsula/Northern Neck
Grayson
Service Area: Planning Dist III
*Halifax/S. Boston
Henry/Martinsville
Service Area: Planning Dist XII
King And Queen
Service Area: Middle Peninsula/Northern Neck
King William
Service Area: Middle Peninsula/Northern Neck
Lancaster
Service Area: Middle Peninsula/Northern Neck
Lunenburg
Service Area: Planning Dist XIV
Martinsville City
Service Area: Planning Dist XII
Mathews
Service Area: Middle Peninsula/Northern Neck
*Mecklenburg
Middlesex
Service Area: Middle Peninsula/Northern Neck
Northampton
Service Area: Eastern Shore Of Virginia
Northumberland
Service Area: Middle Peninsula/Northern Neck
Nottoway
Service Area: Planning Dist XIV
Patrick
Service Area: Planning Dist XII
Pittsylvania/Danville
Service Area: Planning Dist XII
Prince Edward
Service Area: Planning Dist XIV
Richmond
Service Area: Middle Peninsula/Northern Neck
Russell
Service Area: Planning Dist II
Smyth
Service Area: Planning Dist III
Facility: Southwestern Mh Inst
Tazewell
Service Area: Planning Dist II
Westmoreland
Service Area: Middle Peninsula/Northern Neck
Wythe
Service Area: Planning Dist III

**MENTAL HEALTH: Virginia**
*Service Area Listing*

*Service Area Name*

Eastern Shore Of Virginia
County—Accomack
County—Northampton
Middle Peninsula/Northern Neck
County—Essex
County—Gloucester
County—King And Queen
County—King William
County—Lancaster
County—Mathews
County—Middlesex

**MENTAL HEALTH: Virginia**
*Service Area Listing*

*Service Area Name*

County—Northumberland
County—Richmond
County—Westmoreland
Planning Dist II
County—Buchanan
County—Dickenson
County—Russell
County—Tazewell
Planning Dist III
County—Bland
County—Carroll
County—Grayson
County—Smyth
County—Wythe
County—Galax City
Planning Dist XII
County—Franklin
County—Henry/Martinsville
County—Patrick
County—Pittsylvania/Danville
County—Danville City
County—Martinsville City
Planning Dist XIV
County—Amelia
County—Buckingham
County—Charlotte
County—Cumberland
County—Lunenburg
County—Nottoway
County—Prince Edward

**MENTAL HEALTH: Virginia**
*Population Group Listing*

*Population Group*

Pov. Pop.—Huntersville
Parts:
C.T. 21
C.T. 25–34
C.T. 35.01–35.02
C.T. 36–37
C.T. 40.01–40.02
C.T. 41–44
C.T. 46–48

**MENTAL HEALTH: Virginia**
*Facility Listing*

*Facility Name*

Southwestern Mh Inst 3
County—Smyth

**MENTAL HEALTH: Washington**
*County Listing*

*County Name*

*Adams
Asotin
Service Area: Asotin/Garfield
Benton
Service Area: Tri-Cities
Population Group: MFW—Benton/Franklin
Chelan
Service Area: Chelan/Douglas
*Clallam
Facility: Clallam Bay Corr Ctr
*Columbia
*Cowlitz
Douglas
Service Area: Chelan/Douglas
*Ferry
Franklin
Service Area: Tri-Cities
Population Group: MFW—Benton/Franklin
Garfield
Service Area: Asotin/Garfield
*Grant
*Grays Harbor
*Jefferson
*Kittitas
*Klickitat
*Lewis
Population Group: Low Inc—Lewis Cty
*Lincoln
*Mason
Population Group: Low Inc—Mason Cty
Facility: Wash/Corr/Reception Ctr
*Okanogan
*Pacific
*Pend Oreille
Pierce
Facility: McNeil Island Corr Ctr
*Skamania
Spokane
Population Group: Am In—Spokane
*Stevens
*Wahkiakum
*Walla Walla
Service Area: Tri-Cities
Facility: Wa State Pen
*Whitman
Yakima
Population Group: MSFW—Yakima Cty

**MENTAL HEALTH: Washington**
*Service Area Listing*

*Service Area Name*

Asotin/Garfield
County—Asotin
County—Garfield
Chelan/Douglas
County—Chelan
County—Douglas
Tri-Cities
County—Benton
County—Franklin
County—Walla Walla
Parts:
Burbank CCD

**MENTAL HEALTH: Washington**
*Population Group Listing*

*Population Group*

Am In—Spokane
County—Spokane
Parts:
Am In Pop
Low Inc—Lewis Cty
County—Lewis
Parts:
Low Inc
Low Inc—Mason Cty
County—Mason
Parts:
Low Inc
MFW—Benton/Franklin
County—Benton
Parts:
MFW
County—Franklin
Parts:
MFW

**MENTAL HEALTH: Washington**
*Population Group Listing*

*Population Group*

MSFW—Yakima Cty
County—Yakima
Parts:
MSFW

**MENTAL HEALTH: Washington**
*Facility Listing*

*Facility Name*

Clallam Bay Corr Ctr
County—Clallam
McNeil Island Corr Ctr
County—Pierce
Wa State Pen
County—Walla Walla
Wash/Corr/Reception Ctr
County—Mason

**MENTAL HEALTH: West Virginia**
*County Listing*

*County Name*

*Barbour
Berkeley
Population Group: Low Inc—E Panhandle (Mh Reg Ix)
Braxton
Service Area: Central (VI–2)
Cabell
Facility: Huntington State Hosp
*Calhoun
Doddridge
Service Area: Central (VI–2)
Gilmer
Service Area: Central (VI–2)
Grant
Service Area: Petersburg (VIII)
Greenbrier
Service Area: Seneca (IV)
Hampshire
Service Area: Petersburg (VIII)
Hardy
Service Area: Petersburg (VIII)
Harrison
Service Area: Central (VI–2)
*Jackson
Jefferson
Population Group: Low Inc—E Panhandle (Mh Reg Ix)
Lewis
Service Area: Central (VI–2)
Facility: Weston State Hosp
Logan
Service Area: Logan/Mingo (II–1)
Marshall
Service Area: Northwood
Mc Dowell
Service Area: Mercer/Mcdowell/Wyoming (I–1)
Mercer
Service Area: Mercer/Mcdowell/Wyoming (I–1)
Mineral
Service Area: Petersburg (VIII)
Mingo
Service Area: Logan/Mingo (II–1)
*Morgan
Population Group: Low Inc—E Panhandle (Mh Reg Ix)
Nicholas
Service Area: Seneca (IV)
Pendleton

**MENTAL HEALTH: West Virginia**
*County Listing*

*County Name*

Service Area: Petersburg (VIII)
*Pleasants
Pocahontas
Service Area: Seneca (IV)
*Randolph
*Ritchie
*Roane
*Tucker
*Tyler
*Upshur
Webster
Service Area: Seneca (IV)
Wetzel
Service Area: Northwood
*Wirt
Wood
Wyoming
Service Area: Mercer/Mcdowell/Wyoming (I–1)

**MENTAL HEALTH: West Virginia**
*Service Area Listing*

*Service Area Name*

Central (VI–2)
County—Braxton
County—Doddridge
County—Gilmer
County—Harrison
County—Lewis
Logan/Mingo (II–1)
County—Logan
County—Mingo
Mercer/Mcdowell/Wyoming (I–1)
County—Mc Dowell
County—Mercer
County—Wyoming
Northwood
County—Marshall
County—Wetzel
Petersburg (VIII)
County—Grant
County—Hampshire
County—Hardy
County—Mineral
County—Pendleton
Seneca (IV)
County—Greenbrier
County—Nicholas
County—Pocahontas
County—Webster

**MENTAL HEALTH: West Virginia**
*Population Group Listing*

*Population Group*

Low Inc—E Panhandle (Mh Reg Ix)
County—Berkeley
Parts:
Berkeley
County—Jefferson
Parts:
Jefferson
County—Morgan
Parts:
Morgan

**MENTAL HEALTH: West Virginia**
*Facility Listing*

*Facility Name*

Huntington State Hosp
County—Cabell
Weston State Hosp
County—Lewis

**MENTAL HEALTH: Wisconsin**
*County Listing*

*County Name*

Adams
Service Area: Catchment Area 16
Ashland
Service Area: Catchment Area 3
Barron
Service Area: Catchment Area 2
Bayfield
Service Area: Catchment Area 3
Buffalo
Service Area: Catchment Area 9
Burnett
Service Area: Catchment Area 2
Calumet
*Clark
Columbia
Service Area: Catchment Area 16
Crawford
Service Area: Catchment Area 21
Dane
Facility: Mendota M. H. Inst.
*Dodge
Facility: Dodge Corr Inst
Door
Service Area: Catchment Area #6
Douglas
Service Area: Catchment Area 1
Dunn
Service Area: Catchment Area 7
*Florence
Service Area: Catchment Area #6
Forest
Service Area: Catchment Area 4
Grant
Service Area: Catchment Area 21
Green
Service Area: Catchment Area 21
Iowa
Service Area: Catchment Area 21
Iron
Service Area: Catchment Area 3
Jackson
Service Area: Catchment Area 9
Facility: Jackson Corr Inst
*Jefferson
Juneau
Service Area: Catchment Area 15
Lafayette
Service Area: Catchment Area 21
*Langlade
Service Area: Catchment Area 5
*Lincoln
Service Area: Catchment Area 5
Marathon
Service Area: Catchment Area 5
*Marinette
Service Area: Catchment Area #6
Marquette
Service Area: Catchment Area 16
Menomonee
Service Area: Catchment Area 11
Milwaukee
Service Area: Near North Side—Milwaukee
Facility: Milwaukee Mh Complex
*Monroe

**MENTAL HEALTH: Wisconsin**
*County Listing*

*County Name*

Oneida
Service Area: Catchment Area 4
Pepin
Service Area: Catchment Area 7
Pierce
Service Area: Catchment Area 7
Polk
Service Area: Catchment Area 2
Price
Service Area: Catchment Area 3
Richland
Service Area: Catchment Area 15
Rusk
Service Area: Catchment Area 2
Sauk
Service Area: Catchment Area 15
Sawyer
Service Area: Catchment Area 3
Shawano
Service Area: Catchment Area 11
St. Croix
Service Area: Catchment Area 7
*Taylor
Trempealeau
Service Area: Catchment Area 9
*Vernon
Vilas
Service Area: Catchment Area 4
Washburn
Service Area: Catchment Area 2
Waupaca
Service Area: Catchment Area 11
*Waushara

**MENTAL HEALTH: Wisconsin**
*Service Area Listing*

*Service Area Name*

Catchment Area 1
County—Douglas
Catchment Area #6
County—Door
County—Florence
County—Marinette
Catchment Area 11
County—Menomonee
County—Shawano
County—Waupaca
Catchment Area 15
County—Juneau
County—Richland
County—Sauk
Catchment Area 16
County—Adams
County—Columbia
County—Marquette
Catchment Area 2
County—Barron
County—Burnett
County—Polk
County—Rusk
County—Washburn
Catchment Area 21
County—Crawford
County—Grant
County—Green
County—Iowa
County—Lafayette
Catchment Area 3
County—Ashland
County—Bayfield
County—Iron

**MENTAL HEALTH: Wisconsin**
*Service Area Listing*

*Service Area Name*

County—Price
County—Sawyer
Catchment Area 4
County—Forest
County—Oneida
County—Vilas
Catchment Area 5
County—Langlade
County—Lincoln
County—Marathon
Catchment Area 7
County—Dunn
County—Pepin
County—Pierce
County—St. Croix
Catchment Area 9
County—Buffalo
County—Jackson
County—Trempealeau
Near North Side—Milwaukee
County—Milwaukee
Parts:
C.T. 18–28
C.T. 38–49
C.T. 60–72
C.T. 79–92
C.T. 98–107

**MENTAL HEALTH: Wisconsin**
*Facility Listing*

*Facility Name*

Dodge Corr Inst
County—Dodge
Jackson Corr Inst
County—Jackson
Mendota M. H. Inst.
County—Dane
Milwaukee Mh Complex
County—Milwaukee

**MENTAL HEALTH: Wyoming**
*County Listing*

*County Name*

*Albany
Service Area: Southeast
*Big Horn
Service Area: Mh Region I
*Campbell
*Carbon
Converse
Service Area: Eastern
*Crook
Service Area: Crook/Weston
*Fremont
*Goshen
Service Area: Southeast
*Hot Springs
Service Area: Mh Region I
Laramie
Service Area: Southeast
*Lincoln
Natrona
Niobrara
Service Area: Eastern
Park
Service Area: Mh Region I
*Platte
Service Area: Southeast
*Sublette
*Sweetwater

**MENTAL HEALTH: Wyoming**
*County Listing*

*County Name*

*Teton
*Uinta
*Washakie
Service Area: Mh Region I
*Weston
Service Area: Crook/Weston

**MENTAL HEALTH: Wyoming**
*Service Area Listing*

*Service Area Name*

Crook/Weston
County—Weston
Eastern
County—Niobrara
Mh Region I
County—Washakie
Northern
Parts:
Johnson
Sheridan
Southeast
County—Platte

**MENTAL HEALTH: American Samoa**
*County Listing*

*County Name*

Eastern District
Service Area: Terr. Of American Samoa
Manu'A District
Service Area: Terr. Of American Samoa
Rose Island
Service Area: Terr. Of American Samoa
Swains Island
Service Area: Terr. Of American Samoa
Western District
Service Area: Terr. Of American Samoa

**MENTAL HEALTH: American Samoa**
*Service Area Listing*

*Service Area Name*

Terr. Of American Samoa
County—Eastern District
County—Manu'A District
County—Rose Island
County—Western District
County—Swains Island

**MENTAL HEALTH: Fed Ste Micronesia**
*County Listing*

*County Name*

*Chuuk State
*Kosrae State
*Pohnpei State
*Yap State

**MENTAL HEALTH: Guam**
*County Listing*

*County Name*

Terr. Of Guam
Service Area: Terr. Of Guam

**MENTAL HEALTH: Guam**
*Service Area Listing*

*Service Area Name*

Terr. Of Guam
County—Terr. Of Guam

**MENTAL HEALTH: N. Mariana Islands**
*County Listing*

*County Name*

*Comnwlth Of N. Mariana Is

**MENTAL HEALTH: Republic of Palau**
*County Listing*

*County Name*

*Republic Of Palau

**MENTAL HEALTH: Puerto Rico**
*County Listing*

*County Name*

*Adjuntas
Service Area: Southern (Ponce) C.A.
*Albonito
Service Area: Southern (Ponce) C.A.
*Anasco
Service Area: Mayaguez Catchment Area
*Aquada
Service Area: Mayaguez Catchment Area
*Aquadilla
Service Area: Mayaguez Catchment Area
*Aquas Buenas
Service Area: Eastern (Caguas) C.A.
*Arecibo
Service Area: Northern (Arecibo) C.A.
*Arroyo
Service Area: Eastern (Caguas) C.A.
*Barceloneta
Service Area: Northern (Arecibo) C.A.
*Barranquitas
Service Area: Northeastern (Bayamon) C.A.
*Bayamon
Service Area: Northeastern (Bayamon) C.A.
*Cabo Rojo
Service Area: Mayaguez Catchment Area
*Caguas
Service Area: Eastern (Caguas) C.A.
*Camuy
Service Area: Northern (Arecibo) C.A.
*Canovanas
Service Area: Fajardo/Loiza C.A.
*Catano
Service Area: Northeastern (Bayamon) C.A.
*Cayey
Service Area: Eastern (Caguas) C.A.
*Ceiba
Service Area: Fajardo/Loiza C.A.
*Ciales
Service Area: Northern (Arecibo) C.A.
*Cidra
Service Area: Eastern (Caguas) C.A.
*Coamo
Service Area: Southern (Ponce) C.A.
*Comerio
Service Area: Northeastern (Bayamon) C.A.
*Corozal
Service Area: Northeastern (Bayamon) C.A.
*Culebra
Service Area: Fajardo/Loiza C.A.
Service Area: Northeastern (Bayamon) C.A.
*Dorado
Service Area: Fajardo/Loiza C.A.
Service Area: Northeastern (Bayamon) C.A.
*Fajardo

**MENTAL HEALTH: Puerto Rico**
*County Listing*

*County Name*

Service Area: Fajardo/Loiza C.A.
*Florida
Service Area: Northern (Arecibo) C.A.
*Guanica
Service Area: Southern (Ponce) C.A.
*Guayama
Service Area: Eastern (Caguas) C.A.
*Guayanilla
Service Area: Southern (Ponce) C.A.
*Gurabo
Service Area: Eastern (Caguas) C.A.
*Hatillo
Service Area: Northern (Arecibo) C.A.
*Hormigueros
Service Area: Mayaguez Catchment Area
*Humacao
Service Area: Eastern (Caguas) C.A.
*Isabella
Service Area: Mayaguez Catchment Area
*Jayuya
Service Area: Southern (Ponce) C.A.
*Juana Diaz
Service Area: Southern (Ponce) C.A.
*Juncos
Service Area: Eastern (Caguas) C.A.
*Lajas
Service Area: Mayaguez Catchment Area
*Lares
Service Area: Northern (Arecibo) C.A.
*Las Marias
Service Area: Mayaguez Catchment Area
*Las Peidras
Service Area: Eastern (Caguas) C.A.
*Loiza
Service Area: Fajardo/Loiza C.A.
*Luquillo
Service Area: Fajardo/Loiza C.A.
*Manati
Service Area: Northern (Arecibo) C.A.
*Maricao
Service Area: Mayaguez Catchment Area
*Maunabo
Service Area: Eastern (Caguas) C.A.
*Mayaguez
Service Area: Mayaguez Catchment Area
*Moca
Service Area: Mayaguez Catchment Area
*Morovis
Service Area: Northern (Arecibo) C.A.
*Naguabo
Service Area: Eastern (Caguas) C.A.
*Naranjito
Service Area: Northeastern (Bayamon) C.A.
*Orocovis
Service Area: Northeastern (Bayamon) C.A.
*Patillas
Service Area: Eastern (Caguas) C.A.
*Penuellas
Service Area: Southern (Ponce) C.A.
*Ponce
Service Area: Southern (Ponce) C.A.
*Quebradillas
Service Area: Northern (Arecibo) C.A.
*Rincon
Service Area: Mayaguez Catchment Area
*Rio Grande
Service Area: Fajardo/Loiza C.A.
*Sabana Grande
Service Area: Mayaguez Catchment Area
*Salinas
Service Area: Southern (Ponce) C.A.
*San German
Service Area: Mayaguez Catchment Area
*San Lorenzo
Service Area: Eastern (Caguas) C.A.
*San Sabastion
Service Area: Mayaguez Catchment Area
*Santa Isabel
Service Area: Southern (Ponce) C.A.
*Toa Alta
Service Area: Northeastern (Bayamon) C.A.
*Toa Baja
Service Area: Northeastern (Bayamon) C.A.
*Utuado
Service Area: Northern (Arecibo) C.A.
*Vega Alta
Service Area: Northeastern (Bayamon) C.A.
*Vega Baja
Service Area: Northern (Arecibo) C.A.
*Vieques
Service Area: Fajardo/Loiza C.A.
*Villalba
Service Area: Southern (Ponce) C.A.
*Yabucoa
Service Area: Eastern (Caguas) C.A.
*Yauco
Service Area: Southern (Ponce) C.A.

**MENTAL HEALTH: Puerto Rico**
*Service Area Listing*

*Service Area Name*

Eastern (Caguas) C.A.
County—Aquas Buenas
County—Arroyo
County—Caguas
County—Cayey
County—Cidra
County—Guayama
County—Gurabo
County—Humacao
County—Juncos
County—Las Peidras
County—Maunabo
County—Naguabo
County—Patillas
County—San Lorenzo
County—Yabucoa
Fajardo/Loiza C.A.
County—Canovanas
County—Ceiba
County—Culebra
County—Fajardo
County—Loiza
County—Luquillo
County—Rio Grande
County—Vieques
Mayaguez Catchment Area
County—Aquada
County—Aquadilla
County—Anasco
County—Cabo Rojo
County—Hormigueros
County—Isabella
County—Lajas
County—Las Marias
County—Maricao
County—Mayaguez
County—Moca
County—Rincon
County—Sabana Grande
County—San German
County—San Sabastion
Northeastern (Bayamon) C.A.
County—Barranquitas
County—Bayamon
County—Catano
County—Comerio
County—Corozal
County—Dorado
County—Naranjito
County—Orocovis
County—Toa Alta
County—Toa Baja
County—Vega Alta
Northern (Arecibo) C.A.
County—Arecibo
County—Barceloneta
County—Camuy
County—Ciales
County—Florida
County—Hatillo
County—Lares
County—Manati
County—Morovis
County—Quebradillas
County—Utuado
County—Vega Baja
Southern (Ponce) C.A.
County—Adjuntas
County—Albonito
County—Coamo
County—Guanica
County—Guayanilla
County—Jayuya
County—Juana Diaz
County—Penuellas
County—Ponce
County—Salinas
County—Santa Isabel
County—Villalba
County—Yauco

**MENTAL HEALTH: Virgin Islands**
*County Listing*

*County Name*

St. Croix
Service Area: Virgin Islands C.A.
St. John
Service Area: Virgin Islands C.A.
St. Thomas
Service Area: Virgin Islands C.A.

**MENTAL HEALTH: Virgin Islands**
*Service Area Listing*

*Service Area Name*

Virgin Islands C.A.
County—St. Croix
County—St. John
County—St. Thomas

**DENTAL: Alabama**
*County Listing*

*County Name*

*Bibb
Blount
*Bullock
*Butler

**DENTAL: Alabama**
*County Listing*

*County Name*

*Cherokee
*Clay
*Conecuh
*Coosa
*Crenshaw
*De Kalb
  Service Area: Crossville
*Escambia
  Population Group: Low Inc—W Escambia
Etowah
  Population Group: Low Inc—Etowah Co
*Fayette
*Geneva
*Greene
*Hale
*Lamar
*Lowndes
*Macon
*Marengo
Mobile
  Service Area: Bayou La Batre/Grand Bay
  Service Area: East Mobile/Prichard
  Service Area: North Mobile
*Perry
*Pickens
*Pike
  Population Group: Low Inc—Pike Co
Russell
  Service Area: Hurtsboro
*Sumter
*Talladega (g)
  Facility: FCI—Talladega
Tuscaloosa
  Population Group: Pov Pop—Tuscaloosa Co
*Washington
*Wilcox
*Winston

**DENTAL: Alabama**
*Service Area Listing*

*Service Area Name*

Bayou La Batre/Grand Bay
  County—Mobile
    Parts:
      C.T. 66–67
      C.T. 72.02
      C.T. 73
Crossville
  County—De Kalb
    Parts:
      Collinsville CCD
      Crossville CCD
East Mobile/Prichard
  County—Mobile
    Parts:
      C.T. 1–3
      C.T. 4.01–4.02
      C.T. 5–6
      C.T. 7.01–7.02
      C.T. 8
      C.T. 10.01–10.02
      C.T. 11
      C.T. 12.01
      C.T. 13.01–13.02
      C.T. 14
      C.T. 15.01–15.02
      C.T. 16
      C.T. 23.01–23.02
      C.T. 24
      C.T. 26

**DENTAL: Alabama**
*Service Area Listing*

*Service Area Name*

      C.T. 38.01
      C.T. 39.01–39.02
      C.T. 40–50
Hurtsboro
  County—Russell
    Parts:
      Hurtsboro CCD (C.T. 311)
North Mobile
  County—Mobile
    Parts:
      C.T. 58–60

**DENTAL: Alabama**
*Population Group Listing*

*Population Group*

Low Inc—Etowah Co 1
  County—Etowah
    Parts:
      Low Income
Low Inc—Pike Co
  County—Pike
    Parts:
      Low Income
Low Inc—W Escambia
  County—Escambia
    Parts:
      Atmore CCD
      Flomaton CCD
      McCullough-Huxford CCD
Pov Pop—Tuscaloosa Co
  County—Tuscaloosa
    Parts:
      Pov Pop

**DENTAL: Alabama**
*Facility Listing*

*Facility Name*

FCI—Talladega
  County—Talladega

**DENTAL: Arizona**
*County Listing*

*County Name*

*Apache
  Service Area: Fort Defiance
  Service Area: Sweetwater
*Cochise
  Service Area: Elfrida
*Coconino
  Service Area: Tuba City
  Service Area: Williams
*Gila
  Service Area: Miami-Tonto
*Greenlee
*La Paz
Maricopa
  Population Group: Low Inc—Guadalupe
  Population Group: Low Inc—S Phoenix
  Population Group: Low Inc—El Mirage
  Facility: FCI Phoenix
*Navajo
  Service Area: Apache
Pima
  Service Area: Arivaca
  Population Group: Low Inc—Marana
Pinal
  Service Area: Florence
  Service Area: San Manuel
  Population Group: Low Inc—Coolidge/Eloy/Casa Grande

**DENTAL: Arizona**
*County Listing*

*County Name*

*Santa Cruz
Yuma
  Service Area: Wellton
  Population Group: Low Inc—Somerton

**DENTAL: Arizona**
*Service Area Listing*

*Service Area Name*

Apache
  County—Navajo
    Parts:
      Apache CCD
Arivaca
  County—Pima
    Parts:
      Arivaca CCD
Elfrida
  County—Cochise
    Parts:
      Elfrida CCD
Florence
  County—Pinal
    Parts:
      Florence CCD
Fort Defiance
  County—Apache
    Parts:
      Ft Defiance CCD
Miami-Tonto
  County—Gila
    Parts:
      Miami CCD
      Tonto CCD
San Manuel
  County—Pinal
    Parts:
      San Manuel CCD
Sweetwater
  County—Apache
    Parts:
      Sweetwater CCD
Tuba City
  County—Coconino
    Parts:
      Tuba City CCD
Wellton
  County—Yuma
    Parts:
      Wellton CCD
Williams
  County—Coconino
    Parts:
      Williams CCD

**DENTAL: Arizona**
*Population Group Listing*

*Population Group*

Low Inc—El Mirage
  County—Maricopa
    Parts:
      C.T. 405.02
      C.T. 405.09
      C.T. 608–609
Low Inc—Guadalupe
  County—Maricopa
    Parts:
      C.T. 3200.02
Low Inc—Marana
  County—Pima
    Parts:

**DENTAL: Arizona**
*Population Group Listing*

*Population Group*

Marana CCD
Low Inc—S Phoenix
County—Maricopa
Parts:
C.T. 1152–1161
C.T. 1162.02–1162.04
C.T. 1163–1165
C.T. 1166.01–1166.02
Low Inc—Somerton
County—Yuma
Parts:
Somerton CCD
Low Inc-Coolidge/Eloy/Casa Grande
County—Pinal
Parts:
Casa Grande CCD
Coolidge CCD
Eloy CCD

**DENTAL: Arizona**
*Facility Listing*

*Facility Name*

FCI Phoenix
County—Maricopa

**DENTAL: Arkansas**
*County Listing*

*County Name*

*Ashley
Service Area: Parkdale
*Fulton
Jefferson
Population Group: Pov Pop—Altheimer
*Monroe
*Montgomery
*Phillips
*Woodruff

**DENTAL: Arkansas**
*Service Area Listing*

*Service Area Name*

Parkdale
County—Ashley
Parts:
Beech Creek Twp
De Bastrop Twp
Portland Twp
Wilmot Twp

**DENTAL: Arkansas**
*Population Group Listing*

*Population Group*

Pov Pop—Altheimer
County—Jefferson
Parts:
C.T. 1.02
C.T. 1.85
C.T. 7

**DENTAL: California**
*County Listing*

*County Name*

Alameda
Service Area: East Oakland/Fruitvale
Population Group: Inmates—FCI Dublin
Butte
Population Group: Low Inc/MFW—Oroville/Palermo

**DENTAL: California**
*County Listing*

*County Name*

*Colusa
Population Group: Low Inc/MFW—Colusa Co
*Del Norte
Population Group: Low Inc—Del Norte Co
Fresno
Service Area: San Joaquin/Tranquility
*Humboldt
Population Group: Low Inc—Garberville/Redway
Population Group: Low Inc—Trinity/Klamath
Population Group: Low Inc—Eureka/Arcata
Population Group: Low Inc—Rio Dell/Scotia
Population Group: Low Inc—Fortuna
Population Group: Low Inc—Ferndale
Population Group: Low Inc—Area Around Arcata
Population Group: Low Inc—North Coastal
*Imperial
Service Area: Brawley-Calipatria
Service Area: Calexico
Service Area: East Imperial
Service Area: El Centro
Service Area: West Imperial
Population Group: Medicaid—Winterhaven-Bard
*Inyo
Service Area: Lone Pine
Kern
Service Area: Buttonwillow
Service Area: McFarland/Delano
Service Area: S. Westside/Frazier Park
Service Area: Se Kern/Boron/California City
Service Area: Shafter/Wasco
Population Group: Inmates—FPC Boron
Population Group: Low Inc—N Westside/Taft
Population Group: Medicaid—Arvin-Lamont
*Lassen
Service Area: Honey Lake
Los Angeles
Service Area: Avalon/Goodyear/Main
Service Area: Dominguez/W Compton/Willowbrook
Service Area: East Compton
Service Area: El Sereno/Highland Pk/Lincoln Hts/Mt Was
Service Area: Exposition Park/S Vermont
Service Area: Figueroa/Firestone/Green Meadows/Watts
Service Area: Lynwood/Paramount
Facility: FCI Terminal Island
*Mendocino
Service Area: Boonville/Navarro/Philo/Yorkville
Service Area: Laytonville/Leggett
Service Area: Redwood/Potter Valley
Population Group: Low Inc—Hopland/Ukiah
Population Group: Low Inc—Willits
Monterey
Service Area: Coastal/Big Sur/Lucial
Service Area: E Salinas/N Central Salinas
Service Area: Pajaro
Riverside
Service Area: Chuckwalla/Desert Center/Eagle Mt
Service Area: S Coachella Valley/Mecca
Population Group: Low Inc—Blythe

**DENTAL: California**
*County Listing*

*County Name*

San Francisco
Population Group: Low Inc—South Of Market
San Mateo
Service Area: East Palo Alto
Santa Barbara
Facility: USP Lompoc
Santa Cruz
Service Area: Watsonville
*Siskiyou
Service Area: Butte Valley/Dorris
Service Area: Happy Camp
Sonoma
Population Group: Low Inc—Guerneville
Population Group: Low Inc—Healdsburg/Geyserville
Sutter
Service Area: Meridian-Robbins
*Tehama
Population Group: Pov Pop—Tehama Co
*Trinity
Service Area: Lower Trinity/Helena/Salyer
Service Area: Mad River/Ruth/Zenia
Tulare
Service Area: Porterville
Ventura
Population Group: Low Inc/MFW—Northern Ventura

**DENTAL: California**
*Service Area Listing*

*Service Area Name*

Avalon/Goodyear/Main
County—Los Angeles
Parts:
C.T. 2281–2289
C.T. 2291–2294
C.T. 2311
C.T. 2318–2319
C.T. 2328
C.T. 2392–2393
C.T. 2395–2396
C.T. 5328–5329
Boonville/Navarro/Philo/Yorkville
County—Mendocino
Parts:
C.T. 112
Brawley-Calipatria
County—Imperial
Parts:
C.T. 101–107
C.T. 123.02
Butte Valley/Dorris
County—Siskiyou
Parts:
C.T. 2
Buttonwillow
County—Kern
Parts:
C.T. 37
Calexico
County—Imperial
Parts:
C.T. 119–122
Chuckwalla/Desert Center/Eagle Mt
County—Riverside
Parts:
C.T. 458
Coastal/Big Sur/Lucial
County—Monterey
Parts:

**DENTAL: California**
*Service Area Listing*

*Service Area Name*

C.T. 115
Dominguez/W Compton/Willowbrook
County—Los Angeles
Parts:
C.T. 5406–5408
C.T. 5409.01–5409.02
C.T. 5410.01–5410.02
C.T. 5411–5415
C.T. 5425–5432
C.T. 5433.01
C.T. 5433.03
C.T. 5433.21–5433.22
C.T. 5434
C.T. 5440
E Salinas/N Central Salinas
County—Monterey
Parts:
C.T. 5–9
C.T. 13
C.T. 17–18
East Compton
County—Los Angeles
Parts:
C.T. 5416.01–5416.02
C.T. 5420
C.T. 5421.01–5421.02
C.T. 5422
C.T. 5424.01–5424.02
C.T. 5704
East Imperial
County—Imperial
Parts:
C.T. 124
East Oakland/Fruitvale
County—Alameda
Parts:
C.T. 4052–4066
C.T. 4070–4078
C.T. 4082–4098
C.T. 4101–4104
East Palo Alto
County—San Mateo
Parts:
C.T. 6117–6120
C.T. 6121.98
El Centro
County—Imperial
Parts:
C.T. 108–111
C.T. 112.01–112.02
C.T. 113–117
C.T. 118.01–118.03
El Sereno/Highland Pk/Lincoln Hts/Mt Was
County—Los Angeles
Parts:
C.T. 1831.01–1831.02
C.T. 1832–1833
C.T. 1835–1838
C.T. 1851
C.T. 1852.01–1852.02
C.T. 1853
C.T. 1990–1991
C.T. 1992.01–1992.02
C.T. 1993–1994
C.T. 1997–1999
C.T. 2011–2012
C.T. 2013.01–2013.02
C.T. 2014.01–2014.02
C.T. 2015.01–2015.02
C.T. 2016–2017
C.T. 5307
Exposition Park/S Vermont

**DENTAL: California**
*Service Area Listing*

*Service Area Name*

County—Los Angeles
Parts:
C.T. 2312–2317
C.T. 2321–2327
C.T. 2371–2379
C.T. 2381–2383
Figueroa/Firestone/Green Meadows/Watts
County—Los Angeles
Parts:
C.T. 2397–2398
C.T. 2400
C.T. 2402–2414
C.T. 2420–2423
C.T. 2426–2427
C.T. 2430–2431
C.T. 5349–5350
C.T. 5351.01–5351.02
C.T. 5352–5354
C.T. 5404
Happy Camp
County—Siskiyou
Parts:
C.T. 5
Honey Lake
County—Lassen
Parts:
C.T. 406
Laytonville/Leggett
County—Mendocino
Parts:
C.T. 102
Lone Pine
County—Inyo
Parts:
Lone Pine Div.
Lower Trinity/Helena/Salyer
County—Trinity
Parts:
C.T. 2
Lynwood/Paramount
County—Los Angeles
Parts:
C.T. 5362
C.T. 5400
C.T. 5401.01–5401.02
C.T. 5402–5403
C.T. 5405
C.T. 5417–5418
C.T. 5535–5539
Mad River/Ruth/Zenia
County—Trinity
Parts:
C.T. 4
McFarland/Delano
County—Kern
Parts:
C.T. 46–48
C.T. 49.01–49.02
C.T. 50
Meridian-Robbins
County—Sutter
Parts:
C.T. 509
Pajaro
County—Monterey
Parts:
C.T. 101.98
C.T. 102.01–102.02
Porterville
County—Tulare
Parts:
C.T. 33–41

**DENTAL: California**
*Service Area Listing*

*Service Area Name*

C.T. 45
Redwood/Potter Valley
County—Mendocino
Parts:
C.T. 108
S Coachella Valley/Mecca
County—Riverside
Parts:
C.T. 456.01–456.02
S. Westside/Frazier Park
County—Kern
Parts:
C.T. 33.02
San Joaquin/Tranquility
County—Fresno
Parts:
C.T. 82
Se Kern/Boron/California City
County—Kern
Parts:
C.T. 55.03–55.06
C.T. 56–59
Shafter/Wasco
County—Kern
Parts:
C.T. 39–45
Watsonville
County—Santa Cruz
Parts:
C.T. 1101–1103
C.T. 1104.98
C.T. 1105–1107
C.T. 1223
C.T. 1224.97–1224.98
C.T. 1225.98
West Imperial
County—Imperial
Parts:
C.T. 123.01

**DENTAL: California**
*Population Group Listing*

*Population Group*

Inmates—FCI Dublin
County—Alameda
Parts:
FCI Dublin
Inmates—FPC Boron
County—Kern
Parts:
FPC Boron
Low Inc—Area Around Arcata
County—Humboldt
Parts:
C.T. 9
C.T. 12
Low Inc—Blythe
County—Riverside
Parts:
C.T. 459–462
Low Inc—Del Norte Co
County—Del Norte
Parts:
Low Income
Low Inc—Eureka/Arcata
County—Humboldt
Parts:
C.T. 1
C.T. 1.99–2.00
C.T. 3–8
C.T. 10–11

**DENTAL: California**
*Population Group Listing*

*Population Group*

C.T. 103–107
Low Inc—Ferndale
County—Humboldt
Parts:
C.T. 112
Low Inc—Fortuna
County—Humboldt
Parts:
C.T. 108–110
Low Inc—Garberville/Redway
County—Humboldt
Parts:
C.T. 113
Low Inc—Guerneville
County—Sonoma
Parts:
C.T. 1537.01–1537.02
C.T. 1543
C.T. 1543.99
Low Inc—Healdsburg/Geyserville
County—Sonoma
Parts:
C.T. 1538–1540
Low Inc—Hopland/Ukiah
County—Mendocino
Parts:
C.T. 113–118
Low Inc—N Westside/Taft
County—Kern
Parts:
C.T. 33.03–33.04
C.T. 34–36
Low Inc—North Coastal
County—Humboldt
Parts:
C.T. 102
Low Inc—Rio Dell/Scotia
County—Humboldt
Parts:
C.T. 111
Low Inc—South Of Market
County—San Francisco
Parts:
C.T. 122–125
C.T. 176.02
C.T. 176.98
C.T. 177–178
C.T. 179.01–179.02
C.T. 179.99–180.00
C.T. 201.98
C.T. 226–229
C.T. 607
Low Inc—Trinity/Klamath
County—Humboldt
Parts:
C.T. 101
Low Inc—Willits
County—Mendocino
Parts:
C.T. 106–107
Low Inc/MFW—Colusa Co
County—Colusa
Parts:
Low Income
Migrant
Low Inc/MFW—Northern Ventura
County—Ventura
Parts:
Camarillo CCD
Fillmore-Piru CCD
Las Posas CCD
Los Padres CCD

**DENTAL: California**
*Population Group Listing*

*Population Group*

Meiners Oaks-Ojai CCD
Oxnard CCD
Santa Paula CCD
Ventura CCD
Low Inc/MFW—Oroville/Palermo
County—Butte
Parts:
C.T. 25–33
Medicaid—Arvin-Lamont
County—Kern
Parts:
C.T. 62–64
Medicaid—Winterhaven-Bard
County—Imperial
Parts:
C.T. 125
Pov Pop—Tehama Co
County—Tehama
Parts:
Pov Pop

**DENTAL: California**
*Facility Listing*

*Facility Name*

FCI Terminal Island
County—Los Angeles
USP Lompoc
County—Santa Barbara

**DENTAL: Colorado**
*County Listing*

*County Name*

Adams
Service Area: Commerce City
*Costilla
Denver
Service Area: Eastside (Denver)
Service Area: Montbello
Service Area: Westside (Denver)
Douglas
Facility: FCI Englewood
*Fremont
Facility: FCI Florence
Facility: USP Florence
*Kiowa
*Prowers
Population Group: Low Inc—Prowers Co
*Saguache

**DENTAL: Colorado**
*Service Area Listing*

*Service Area Name*

Commerce City
County—Adams
Parts:
C.T. 87.03
C.T. 87.05–87.06
C.T. 88.01–88.02
C.T. 89.01
C.T. 89.52
Eastside (Denver)
County—Denver
Parts:
C.T. 15–16
C.T. 23
C.T. 24.01–24.02
C.T. 25
C.T. 26.01–26.02
C.T. 27.01–27.03

**DENTAL: Colorado**
*Service Area Listing*

*Service Area Name*

C.T. 28.01–28.03
C.T. 35
C.T. 36.01–36.03
C.T. 41.01–41.02
C.T. 41.04
Montbello
County—Denver
Parts:
C.T. 83.04–83.06
C.T. 83.11–83.12
Westside (Denver)
County—Denver
Parts:
C.T. 2.01–2.02
C.T. 4.01–4.02
C.T. 5.01–5.02
C.T. 6
C.T. 7.01–7.02
C.T. 8
C.T. 9.01–9.03
C.T. 10
C.T. 11.01–11.02
C.T. 13.01–13.02
C.T. 14.01–14.02
C.T. 18–19
C.T. 21
C.T. 45.01–45.02
C.T. 46.01–46.02
C.T. 54.02

**DENTAL: Colorado**
*Population Group Listing*

*Population Group*

Low Inc—Prowers Co
County—Prowers
Parts:
Low Income

**DENTAL: Colorado**
*Facility Listing*

*Facility Name*

FCI Englewood
County—Douglas
FCI Florence
County—Fremont
USP Florence
County—Fremont

**DENTAL: Connecticut**
*County Listing*

*County Name*

Fairfield
Service Area: Central/East Bridgeport
Service Area: Southwest Bridgeport
Population Group: Inmates—FCI Danbury
Hartford
Service Area: Charter Oak/Frog Hollow/Parkville
Middlesex
Population Group: Low Inc—Lower Shoreline
Population Group: Pov/Homeless—Cent Middletown
New Haven
Population Group: Low Inc—Meriden
New London
Population Group: Low Inc—Lower Shoreline
Population Group: Low Inc—Norwich

**DENTAL: Connecticut**
*County Listing*

*County Name*

Population Group: Low Inc—New London (Inner City)
Windham
Population Group: Low Inc—Town Of Windham

**DENTAL: Connecticut**
*Service Area Listing*

*Service Area Name*

Central/East Bridgeport
County—Fairfield
Parts:
C.T. 713–717
C.T. 735–736
C.T. 738–744
Charter Oak/Frog Hollow/Parkville
County—Hartford
Parts:
C.T. 5001–5002
C.T. 5019
C.T. 5027–5030
C.T. 5043
C.T. 5045–5046
C.T. 5049
Southwest Bridgeport
County—Fairfield
Parts:
C.T. 702–712

**DENTAL: Connecticut**
*Population Group Listing*

*Population Group*

Inmates—FCI Danbury
County—Fairfield
Parts:
FCI Danbury
Low Inc—Lower Shoreline
County—Middlesex
Parts:
Chester Town
Clinton Town
Deep River Town
Essex Town
Killingworth Town
Old Saybrook Town
Westbrook Town
County—New London
Parts:
Lyme Town
Old Lyme Town
Low Inc—Meriden
County—New Haven
Parts:
Low Income
Low Inc—New London (Inner City)
County—New London
Parts:
C.T. 6901
C.T. 6903–6906
C.T. 6906.99–6907.00
C.T. 6907.99
Low Inc—Norwich
County—New London
Parts:
Bozrah Town
Franklin Town
Griswold Town
Lisbon Town
Montville Town
Norwich Town

**DENTAL: Connecticut**
*Population Group Listing*

*Population Group*

Preston Town
Sprague Town
Voluntown Town
Low Inc—Town Of Windham
County—Windham
Parts:
Windham Town
Pov/Homeless—Cent Middletown
County—Middlesex
Parts:
C.T. 5411
C.T. 5415–5418

**DENTAL: Delaware**
*County Listing*

*County Name*

*Sussex

**DENTAL: District Of Columbia**
*County Listing*

*County Name*

Dist Of Columbia
Population Group: Homeless—Downtown D.C.

**DENTAL: District Of Columbia**
*Population Group Listing*

*Population Group*

Homeless—Downtown D.C.
County—Dist Of Columbia
Parts:
C.T. 40.01–40.02
C.T. 41
C.T. 42.02
C.T. 46
C.T. 48.01–48.02
C.T. 49.01–49.02
C.T. 50–51
C.T. 52.10
C.T. 52.20
C.T. 53.01–53.02
C.T. 54.01–54.02
C.T. 55.01–55.02
C.T. 56
C.T. 57.01–57.02
C.T. 58–59

**DENTAL: Florida**
*County Listing*

*County Name*

Collier
Service Area: Everglades
Service Area: Immokalee
Dade
Service Area: Model City
Population Group: Pov/MFW—Homestead
*De Soto
*Franklin
*Gilchrist
Glades
Service Area: Glades/Hendry
*Gulf
*Hamilton
Hendry
Service Area: Glades/Hendry
*Highlands
Hillsborough
Population Group: Pov/MFW—Hillsborough/Manatee

**DENTAL: Florida**
*County Listing*

*County Name*

*Holmes
*Jackson
Facility: FCI—Marianna
*Jefferson
*Lafayette
Lake
Population Group: Pov/MFW—Lake Co
Lee
Population Group: Pov/MFW—Lee Co
Leon
Population Group: Low Inc—Bond Community
*Levy
*Madison
Manatee
Population Group: Pov/MFW—Hillsborough/Manatee
Martin
Service Area: Indiantown
Okaloosa
Population Group: Inmates—FPC Elgin
Population Group: Pov Pop—Okaloosa Co
*Okeechobee
Palm Beach
Service Area: Belle Glade/Pahokee
Service Area: West Palm Beach
Pasco
Pinellas
Population Group: Low Inc—Inner St. Petersburg
Polk
Service Area: Frostproof
*Putnam
Seminole
Population Group: Medicaid—Seminole Co
St Lucie
Population Group: Pov/MFW—St Lucie Co
*Sumter
*Suwannee
*Taylor
*Union
*Washington

**DENTAL: Florida**
*Service Area Listing*

*Service Area Name*

Belle Glade/Pahokee
County—Palm Beach
Parts:
C.T. 80.01–80.02
C.T. 81.01–81.02
C.T. 82.01–82.03
C.T. 83.01–83.02
Everglades
County—Collier
Parts:
C.T. 111.01–111.02
Frostproof
County—Polk
Parts:
C.T. 142–144
C.T. 154–158
C.T. 160
C.T. 161.98
Glades/Hendry
County—Hendry
Immokalee
County—Collier
Parts:
C.T. 112.01–112.03
C.T. 113–114

**DENTAL: Florida**
*Service Area Listing*

*Service Area Name*

Indiantown
County—Martin
Parts:
C.T. 17–18
Model City
County—Dade
Parts:
C.T. 4.08
C.T. 9.01–9.03
C.T. 10.01–10.04
C.T. 11.03
C.T. 14.01
C.T. 15.01–15.02
C.T. 17.01–17.02
C.T. 18.01–18.03
C.T. 19.01
C.T. 19.03
C.T. 20.01–20.02
C.T. 22.01–22.02
C.T. 23
West Palm Beach
County—Palm Beach
Parts:
C.T. 21–26

**DENTAL: Florida**
*Population Group Listing*

*Population Group*

Inmates—FPC Elgin 1
County—Okaloosa
Parts:
FPC Elgin
Low Inc—Bond Community
County—Leon
Parts:
C.T. 1
C.T. 4–6
C.T. 10.01
C.T. 11.01–11.02
C.T. 12–14
Low Inc—Inner St. Petersburg
County—Pinellas
Parts:
C.T. 201.01
C.T. 203.01
C.T. 204–208
C.T. 209.95
C.T. 210.95
C.T. 212–213
C.T. 213.99–214.00
C.T. 215
C.T. 216.95
C.T. 218.95
C.T. 219.95
C.T. 220
C.T. 234–235
Medicaid—Seminole Co
County—Seminole
Parts:
Medicaid Eligible
Pov Pop—Okaloosa Co
County—Okaloosa
Parts:
Pov Pop
Pov/MFW—Hillsborough/Manatee
County—Hillsborough
Parts:
C.T. 121.03–121.06
C.T. 122.01
C.T. 122.03–122.04
C.T. 123.01–123.02

**DENTAL: Florida**
*Population Group Listing*

*Population Group*

C.T. 124–131
C.T. 132.01–132.02
C.T. 133.01–133.02
C.T. 133.04–133.05
C.T. 134.01–134.03
C.T. 135.01–135.02
C.T. 136–138
C.T. 139.02–139.05
C.T. 140.01–140.03
C.T. 141.01
C.T. 141.03–141.04
County—Manatee
Parts:
C.T. 13
C.T. 14.01–14.02
C.T. 15.01–15.02
C.T. 16
C.T. 19.01
C.T. 19.03–19.04
C.T. 1901
Pov/MFW—Homestead
County—Dade
Parts:
C.T. 113–114
Pov/MFW—Lake Co
County—Lake
Parts:
Pov Pop/MFW
Pov/MFW—Lee Co
County—Lee
Parts:
Pov Pop/MFW
Pov/MFW—St Lucie Co
County—St Lucie
Parts:
Pov Pop/MFW

**DENTAL: Florida**
*Facility Listing*

*Facility Name*

FCI—Marianna
County—Jackson

**DENTAL: Georgia**
*County Listing*

*County Name*

Bryan
*Burke
*Dawson
Population Group: Low Inc—Dawson Co
De Kalb
Service Area: East Atlanta
Fulton
Service Area: Atlanta Southside
Service Area: West Atlanta
Facility: Metro Corr Inst
Facility: USP Atlanta
*Liberty
*Long
*Marion
*McIntosh
*Schley
*Stewart
*Tattnall
*Wayne
Facility: FCI—Jesup
*Webster

**DENTAL: Georgia**
*Service Area Listing*

*Service Area Name*

Atlanta Southside
County—Fulton
Parts:
C.T. 44
C.T. 46.95
C.T. 48
C.T. 49.95
C.T. 50
C.T. 52–53
C.T. 55.01–55.02
C.T. 56–58
C.T. 63–64
C.T. 67
C.T. 68.01–68.02
C.T. 69–73
East Atlanta
County—De Kalb
Parts:
C.T. 205–209
C.T. 227
C.T. 231.01
C.T. 235.01–235.02
C.T. 236–237
West Atlanta
County—Fulton
Parts:
C.T. 8
C.T. 22–26
C.T. 36–41
C.T. 42.95
C.T. 43
C.T. 60–62
C.T. 66.02
C.T. 78.04
C.T. 80
C.T. 81.01–81.02
C.T. 82.01–82.02
C.T. 83.01–83.02
C.T. 84–85
C.T. 86.01–86.02
C.T. 87.01–87.02
C.T. 88

**DENTAL: Georgia**
*Population Group Listing*

*Population Group*

Low Inc—Dawson Co
County—Dawson
Parts:
Low Income

**DENTAL: Georgia**
*Facility Listing*

*Facility Name*

FCI—Jesup
County—Wayne
Metro Corr Inst
County—Fulton
USP Atlanta
County—Fulton

**DENTAL: Hawaii**
*County Listing*

*County Name*

*Hawaii
Population Group: Low Inc—West Hawaii
Population Group: Low Inc—East Hawaii
*Maui
Service Area: Hana/Haiku
Service Area: Lanai

**DENTAL: Hawaii**
*Service Area Listing*

*Service Area Name*
Hana/Haiku
County—Maui
Parts:
C.T. 301–302
Lanai
County—Maui
Parts:
Lanai CCD

**DENTAL: Hawaii**
*Population Group Listing*

*Population Group*
Low Inc—East Hawaii
County—Hawaii
Parts:
C.T. 201–206
C.T. 206.99
C.T. 207.01–207.02
C.T. 208.01–208.02
C.T. 209
C.T. 210.01–210.02
C.T. 211
C.T. 219–221
Low Inc—West Hawaii
County—Hawaii
Parts:
C.T. 212–214
C.T. 215.01–215.02
C.T. 215.97–215.98
C.T. 216–218

**DENTAL: Idaho**
*County Listing*

*County Name*
Ada
Population Group: Pov Pop—Public Health Dist Iv
*Boise
Population Group: Pov Pop—Public Health Dist Iv
*Camas
Canyon
Population Group: Pov/MFW—S Treasure Valley
*Clark
*Elmore
Population Group: Pov Pop—Public Health Dist Iv
*Gem
Population Group: Low Inc/MFW—N Treasure Valley
*Idaho
*Jefferson
Service Area: Hamer
*Lincoln
*Owyhee
Population Group: Pov/MFW—S Treasure Valley
*Payette
Population Group: Low Inc/MFW—N Treasure Valley
*Twin Falls
Population Group: MSFW—Twin Falls Co
*Valley
Population Group: Pov Pop—Public Health Dist Iv
*Washington
Population Group: Low Inc/MFW—N Treasure Valley

**DENTAL: Idaho**
*Service Area Listing*

*Service Area Name*
Hamer
County—Jefferson
Parts:
Hamer CCD
Roberts CCD

**DENTAL: Idaho**
*Population Group Listing*

*Population Group*
Low Inc/MFW—N Treasure Valley
County—Gem
Parts:
Low Income/MFW
County—Payette
Parts:
Low Income/MFW
County—Washington
Parts:
Low Income/MFW
MSFW—Twin Falls Co
County—Twin Falls
Parts:
MSFW
Pov Pop—Public Health Dist Iv
County—Ada
Parts:
Pov Pop
County—Boise
Parts:
Pov Pop
County—Elmore
Parts:
Pov Pop
County—Valley
Parts:
Pov. Pop.
Pov/MFW—S Treasure Valley
County—Canyon
Parts:
Canyon
County—Owyhee
Parts:
Homedale CCD
Marsing CCD

**DENTAL: Illinois**
*County Listing*

*County Name*
*Adams
Population Group: Low Inc—Adams Co
*Alexander
Cook
Service Area: Riverdale (Chicago)
Population Group: Homeless—Chicago
Population Group: Inmates—MCC Chicago
*Hardin
*Pope
*Pulaski
*Williamson
Facility: USP Marion

**DENTAL: Illinois**
*Service Area Listing*

*Service Area Name*
Riverdale (Chicago)
County—Cook
Parts:
C.T. 5401

**DENTAL: Illinois**
*Population Group Listing*

*Population Group*
Homeless—Chicago
County—Cook
Parts:
Comm. Area 3 (Uptown)
Comm. Area 4 (Lincoln S
Comm. Area 5 (North Cen
Comm. Area 6 (Lakeview)
Comm. Area 7 (Lincoln P
Comm. Area 8 (Near Nort
Comm. Area 22 (Logan Squ
Comm. Area 24 (West Town
Comm. Area 28 (Near West
Comm. Area 32 (Loop)
Inmates—MCC Chicago
County—Cook
Parts:
MCC Chicago
Low Inc—Adams Co
County—Adams
Parts:
Low Income

**DENTAL: Illinois**
*Facility Listing*

*Facility Name*
USP Marion
County—Williamson

**DENTAL: Indiana**
*County Listing*

*County Name*
*Jennings
Marion
Service Area: Highland-Brookside (Indianapolis)
Service Area: Near North Side (Indianapolis)
Service Area: South Central Indianapolis

**DENTAL: Indiana**
*Service Area Listing*

*Service Area Name*
Highland-Brookside (Indianapolis)
County—Marion
Parts:
C.T. 3526–3527
C.T. 3544–3545
C.T. 3547–3551
Near North Side (Indianapolis)
County—Marion
Parts:
C.T. 3517
C.T. 3519
C.T. 3521
C.T. 3528
C.T. 3531–3532
South Central Indianapolis
County—Marion
Parts:
C.T. 3556–3557
C.T. 3559
C.T. 3562
C.T. 3569–3572
C.T. 3578–3580

**DENTAL: Iowa**
*County Listing*

*County Name*
*Guthrie

**DENTAL: Iowa**
*County Listing*

*County Name*

Service Area: Guthrie Center
Polk
Population Group: Low Inc—City Of Des Moines

**DENTAL: Iowa**
*Service Area Listing*

*Service Area Name*

Guthrie Center
County—Guthrie
Parts:
Baker Twp.
Bear Grove Twp.
Beaver Twp.
Cass Twp.
Dodge Twp.
Grant Twp.
Highland Twp.
Jackson Twp.
Orange Twp.
Richland Twp.
Seely Twp.
Thompson Twp.
Union Twp.
Valley Twp.
Victory Twp.

**DENTAL: Iowa**
*Population Group Listing*

*Population Group*

Low Inc—City Of Des Moines
County—Polk
Parts:
C.T. 11–12
C.T. 17–18
C.T. 21
C.T. 26–27
C.T. 42
C.T. 44
C.T. 48–53

**DENTAL: Kansas**
*County Listing*

*County Name*

*Anderson
*Chase
*Elk
*Greeley
*Haskell
*Hodgeman
*Kearny
*Lane
Leavenworth
Facility: USP Leavenworth
*Mitchell
*Republic
*Scott
Shawnee
Population Group: Low Inc—City Of Topeka
*Wabaunsee
*Wallace
*Wilson

**DENTAL: Kansas**
*Population Group Listing*

*Population Group*

Low Inc—City Of Topeka
County—Shawnee
Parts:
Low Income

**DENTAL: Kansas**
*Facility Listing*

*Facility Name*

USP Leavenworth
County—Leavenworth

**DENTAL: Kentucky**
*County Listing*

*County Name*

*Ballard
Boyd
Facility: FCI Ashland
*Breathitt
Population Group: Low Inc—Breathitt Co
*Clay
Facility: FCI Manchester
*Edmonson
*Estill
*Floyd
Service Area: Mud Creek
*Grant
*Harlan
*Hart
*Jackson
Jefferson
Service Area: West End—Louisville
*Knott
*Larue
*Laurel
Lee
Service Area: Lee/Owsley
*Leslie
*Letcher
Service Area: Blackey/Cornettsville
*McCreary
*Meade
*Menifee
Owsley
Service Area: Lee/Owsley
*Perry
Service Area: Blackey/Cornettsville
*Rockcastle
*Todd
*Wolfe

**DENTAL: Kentucky**
*Service Area Listing*

*Service Area Name*

Blackey/Cornettsville
County—Letcher
Parts:
Blackey CCD
County—Perry
Parts:
Daisy CCD
Lee/Owsley
County—Lee
County—Owsley
Mud Creek
County—Floyd
Parts:
McDowell CCD
Mud Creek CCD
Wheelwright-Weeksbury
West End—Louisville
County—Jefferson
Parts:
C.T. 1–18
C.T. 20–24
C.T. 27–28
C.T. 30
C.T. 34–35

**DENTAL: Kentucky**
*Population Group Listing*

*Population Group*

Low Inc—Breathitt Co
County—Breathitt
Parts:
Low Income

**DENTAL: Kentucky**
*Facility Listing*

*Facility Name*

FCI Ashland
County—Boyd
FCI Manchester
County—Clay

**DENTAL: Louisiana**
*Parish Listing*

*Parish Name*

*Allen
Facility: FCI Oakdale
*Assumption
*Bienville
Caddo
Service Area: Martin Luther King Drive
Service Area: Vivian/Gilliam
Calcasieu
Service Area: North Lake Charles
*Caldwell
*De Soto
East Baton Rouge
Service Area: Eden Park/South Baton Rouge
*East Carroll
*Franklin
*Iberia
Population Group: Medicaid—Iberia Par
*Iberville
Service Area: Carville
Facility: Elayn Hunt Corr Ctr
*Jackson
*Madison
*Morehouse
*Natchitoches
Orleans
Service Area: Desire/Florida
Service Area: Lower 9Th Ward
Population Group: Low Inc—Central City
*Red River
St Landry
Population Group: Low Inc—St. Landry Par
*St Mary
*Tensas
*Union
*Vernon
West Baton Rouge
*West Carroll
*West Feliciana
Facility: La State Pen—Angola
*Winn

**DENTAL: Louisiana**
*Service Area Listing*

*Service Area Name*

Carville
Parish—Iberville
Parts:
District 4
Desire/Florida
Parish—Orleans
Parts:
C.T. 11
C.T. 11.99–12.00
C.T. 13.01–13.02
C.T. 14.01–14.02
C.T. 15–16
C.T. 17.03
C.T. 17.98
Eden Park/South Baton Rouge
Parish—East Baton Rouge
Parts:
C.T. 8–10
C.T. 12–16
C.T. 21–22
C.T. 24–25
Lower 9Th Ward
Parish—Orleans
Parts:
C.T. 7.01–7.02
C.T. 8
C.T. 9.01–9.04
Martin Luther King Drive
Parish—Caddo
Parts:
C.T. 246
North Lake Charles
Parish—Calcasieu
Parts:
C.T. 2–4
C.T. 14–15
Vivian/Gilliam
Parish—Caddo
Parts:
C.T. 248–250
C.T. 251.98

**DENTAL: Louisiana**
*Population Group Listing*

*Population Group*

Low Inc—Central City
Parish—Orleans
Parts:
C.T. 67–68
C.T. 79–80
C.T. 84–86
C.T. 91–92
C.T. 93.01–93.02
C.T. 94
Low Inc—St. Landry Par
Parish—St Landry
Parts:
Low Income
Medicaid—Iberia Par
Parish—Iberia
Parts:
Medicaideligible

**DENTAL: Louisiana**
*Facility Listing*

*Facility Name*

Elayn Hunt Corr Ctr
Parish—Iberville
FCI Oakdale
Parish—Allen

**DENTAL: Louisiana**
*Facility Listing*

*Facility Name*

La State Pen—Angola
Parish—West Feliciana

**DENTAL: Maine**
*County Listing*

*County Name*

Androscoggin
Service Area: Jay-Livermore
*Aroostook
Service Area: Allagash
Service Area: Danforth
Service Area: Fort Kent
Service Area: Presque Isle
*Franklin
Service Area: Jay-Livermore
Service Area: Rangeley/Kingsfield
*Hancock
Service Area: Gouldsboro
*Kennebec
Service Area: Jay-Livermore
*Knox
Service Area: Penobscot Bay
*Oxford
Service Area: Jay-Livermore
Service Area: Rangeley/Kingsfield
Penobscot
Service Area: Danforth
Waldo
Population Group: Low Inc—Belfast
*Washington
Service Area: Danforth
Service Area: Gouldsboro

**DENTAL: Maine**
*Service Area Listing*

*Service Area Name*

Allagash
County—Aroostook
Parts:
Allagash Town
Northwest Aroostook Unorg
St. Francis Town
St. John Town
Danforth
County—Aroostook
Parts:
Bancroft Town
Orient Town
Weston Town
County—Penobscot
Parts:
Drew Plt.
Kingman Twp.
Prentiss Plt.
County—Washington
Parts:
Codyville Town
Danforth Town
Grand Lake Stream Plt.
Indian Twp.
N. Washington Unorg.
Talmage Town
Topsfield Town
Vanceboro Town
Waite Town
Fort Kent
County—Aroostook
Parts:
Eagle Lake Town
Fort Kent Town

**DENTAL: Maine**
*Service Area Listing*

*Service Area Name*

Frenchville Town
Grand Isle Town
Hamlin Town
Madawaska Town
New Canada Town
St Agatha Town
Van Buren Town
Wallagrass Plt
Winterville Plt
Gouldsboro
County—Hancock
Parts:
East Hancock Unorg.
Gouldsboro Town
Sorrento Town
Sullivan Town
Winter Harbor Town
County—Washington
Parts:
Beddington Town
Cherryfield Town
Columbia Town
Deblois Town
Harrington Town
Milbridge Town
Steuben Town
Jay-Livermore
County—Androscoggin
Parts:
Livermore Town
Livermore Falls Town
County—Franklin
Parts:
Jay Town
County—Kennebec
Parts:
Fayette Town
County—Oxford
Parts:
Canton Town
Hartford Town
Sumner Town
Penobscot Bay
County—Knox
Parts:
Matinicus Isle Plantation
North Haven Town
Vinalhaven Town
Presque Isle
County—Aroostook
Parts:
Ashland Town
Blaine Town
Bridgewater Town
Caribou City
Castle Hill Town
Caswell Town
Central Aroostook Unorg
Chapman Town
Connor Unorg
Cyr Plt
E Plt
Easton Town
Fort Fairfield Town
Garfield Plt
Limestone Town
Mapleton Town
Mars Hill Town
Masardis Town
Nashville Plt
New Sweden Town
Oxbow Plt

**DENTAL: Maine**
*Service Area Listing*

*Service Area Name*

Perham Town
Portage Lake Town
Presque Isle City
Stockholm Town
Wade Town
Washburn Town
Westfield Town
Westmanland Town
Woodland Town
Rangeley/Kingsfield
County—Franklin
Parts:
Carrabassett Valley Town
Coplin Plantation
Dallas Plantation
Eustis Town
Kingsfield Twn
Madrid Town
Phillips Town
Rangeley Town
Rangeley Plantation
Sandy River Plantation
Unorg. Terr.—E.C.Franklin
Wyman Unorg.
County—Oxford
Parts:
Lincoln Plantation
Magalloway Plantation
Unorg. Terr.-N.Oxford

**DENTAL: Maine**
*Population Group Listing*

*Population Group*

Low Inc—Belfast
County—Waldo
Parts:
Belfast City
Belmont Town
Brooks Town
Jackson Town
Knox Town
Liberty Town
Lincolnville Town
Monroe Town
Montville Town
Morrill Town
Northport Town
Searsmont Town
Searsport Town
Stockton Springs Town
Swanville Town
Waldo Town

**DENTAL: Maryland**
*County Listing*

*County Name*

Baltimore City
Population Group: Homeless—Baltimore City
Charles
Population Group: Low Inc—Nanjemoy-Marbury
*Somerset
Population Group: Medicaid—Somerset Co

**DENTAL: Maryland**
*Population Group Listing*

*Population Group*

Homeless—Baltimore City
County—Baltimore City
Parts:
C.T. 302
C.T. 401–402
C.T. 501
C.T. 908–909
C.T. 1001–1002
C.T. 1004
C.T. 1204–1205
C.T. 1701–1702
C.T. 2201.01
Low Inc—Nanjemoy-Marbury
County—Charles
Parts:
District 3, Nanjemoy
District 10, Marbury
Medicaid—Somerset Co
County—Somerset
Parts:
Medicaid Eligibles

**DENTAL: Massachusetts**
*County Listing*

*County Name*

Hampden
Service Area: Worthington
Hampshire
Service Area: Worthington
Suffolk
Service Area: Roxbury
Service Area: South End
Population Group: Low Inc—Allston-Brighton
Worcester
Population Group: Low Inc—Worcester

**DENTAL: Massachusetts**
*Service Area Listing*

*Service Area Name*

Roxbury
County—Suffolk
Parts:
C.T. 801–821
South End
County—Suffolk
Parts:
C.T. 704–712
Worthington
County—Hampden
Parts:
Chester Town
County—Hampshire
Parts:
Chesterfield Town
Cummington Town
Goshen Town
Middlefield Town
Plainfield Town
Worthington Town

**DENTAL: Massachusetts**
*Population Group Listing*

*Population Group*

Low Inc—Allston-Brighton
County—Suffolk
Parts:
C.T. 1
C.T. 2.01–2.02
C.T. 3
C.T. 4.01–4.02
C.T. 5.01–5.02
C.T. 6.01–6.02
C.T. 7.01–7.02
C.T. 8.01–8.02
Low Inc—Worcester
County—Worcester
Parts:
C.T. 7301–7303
C.T. 7304.01–7304.02
C.T. 7305–7307
C.T. 7308.01–7308.02
C.T. 7309.01–7309.02
C.T. 7310
C.T. 7311.01–7311.02
C.T. 7312.01–7312.02
C.T. 7313–7319
C.T. 7320.01–7320.02
C.T. 7321
C.T. 7322.01–7322.03
C.T. 7323–7328
C.T. 7329.01–7329.02
C.T. 7330
C.T. 7331.01–7331.02

**DENTAL: Michigan**
*County Listing*

*County Name*

*Alcona
Population Group: Low Inc—Alcona Co
*Alger
Population Group: Low Inc—Alger Co
Allegan
Population Group: Low Inc/MFW—Allegan Co
*Alpena
Population Group: Low Inc—Alpena Co
*Antrim
Population Group: Low Inc/MFW—Antrim Co
*Arenac
Population Group: Low Inc—Arenac Co
*Baraga
Population Group: Low Inc—Baraga Co
*Barry
Population Group: Low Inc/MFW—Barry Co
*Benzie
Population Group: Low Inc/MFW—Benzie Co
Berrien
Population Group: Low Inc—Berrien Co
*Branch
Population Group: Low Inc—Branch Co
Calhoun
Population Group: Low Inc—Calhoun Co
*Cass
Population Group: Low Inc—Cass Co
*Charlevoix
Population Group: Low Inc—Charlevoix Co
*Cheboygan
Population Group: Low Inc—Cheboygan Co
*Chippewa
Population Group: Low Inc—Chippewa Co
*Clare
Population Group: Low Inc—Clare Co
*Crawford
Population Group: Low Inc—Crawford Co
*Delta
Population Group: Low Inc—Delta Co

**DENTAL: Michigan**
*County Listing*

*County Name*

*Dickinson
Population Group: Low Inc—Dickenson Co
*Emmet
Population Group: Low Inc—Emmet Co
Genesee
Service Area: North Flint/Beecher
*Gladwin
Population Group: Low Inc—Gladwin Co
*Gogebic
Population Group: Low Inc—Gogebic Co
*Gratiot
Population Group: Low Inc/MFW—Gratiot Co
*Hillsdale
Population Group: Low Inc—Hillsdale Co
*Houghton
Population Group: Low Inc—Houghton Co
*Huron
Population Group: Low Inc/MFW—Huron Co
*Ionia
Population Group: Low Inc—Ionia Co
*Iosco
Population Group: Low Inc—Iosco Co
*Iron
Population Group: Low Inc—Iron Co
*Isabella
Population Group: Low Inc—Isabella Co
Jackson
Population Group: Low Inc—Ne Jackson City
Facility: Jackson Reg. Clin. Complex
Kalamazoo
Population Group: Low Inc—Northern Kalamazoo City
*Kalkaska
Population Group: Low Inc—Kalkaska Co
Kent
Population Group: Low Inc/MFW—Kent Co
*Keweenaw
Population Group: Low Inc—Keweenaw Co
Lake
Population Group: Low Inc—Lake Co
*Leelanau
Population Group: Low Inc/MFW—Leelanau Co
*Luce
Population Group: Low Inc—Luce Co
*Mackinac
Population Group: Low Inc—Mackinac Co
*Manistee
Population Group: Low Inc/MFW—Manistee Co
*Marquette
Population Group: Low Inc—Marquette Co
*Mason
Population Group: Low Inc/MFW—Mason Co
*Mecosta
Population Group: Low Inc/MFW—Mecosta Co
*Menominee
Population Group: Low Inc—Menominee Co
*Missaukee
Population Group: Low Inc—Missaukee Co
*Montcalm
Population Group: Low Inc/MFW—Montcalm Co
*Montmorency
Population Group: Low Inc—Montmorency Co

**DENTAL: Michigan**
*County Listing*

*County Name*

Muskegon
Population Group: Low Inc/MFW—Muskegon Co
*Newaygo
Population Group: Low Inc/MFW—Newaygo Co
*Oceana
Population Group: Low Inc/MFW—Oceana Co
*Ogemaw
Population Group: Low Inc—Ogemaw Co
*Ontonagon
Population Group: Low Inc—Ontonagon Co
*Osceola
Population Group: Low Inc—Osceola Co
*Oscoda
Population Group: Low Inc—Oscoda Co
*Otsego
Population Group: Low Inc—Otsego Co
Ottawa
Population Group: Low Inc/MFW—Ottawa Co
*Presque Isle
Population Group: Low Inc—Presque Isle Co
*Roscommon
Population Group: Low Inc—Roscommon Co
Saginaw
Service Area: Saginaw East Side
*Sanilac
Population Group: Low Inc/MFW—Sanilac Co
*Schoolcraft
Population Group: Low Inc—Schoolcraft Co
*St Joseph
Population Group: Low Inc—St Joseph Co
*Tuscola
Population Group: Low Inc/MFW—Tuscola Co
Van Buren
Population Group: Low Inc—Van Buren Co
Wayne
Service Area: Southwest Detroit
Population Group: Low Inc—Tireman/Chadsey
Population Group: Low Inc—Central Detroit
Population Group: Low Inc—Eastside Detroit
Population Group: Low Inc—Mackenzie/Brooks
Population Group: Low Inc—Chene
Population Group: Low Inc—Airport/Conner
Population Group: Low Inc—Nolan/State Fair/Davison/Persh
Population Group: Low Inc—Outer Drive/Van Dyke
Population Group: Medicaid—W Wayne
Population Group: Pov Pop—Highland Park
*Wexford
Population Group: Low Inc—Wexford Co

**DENTAL: Michigan**
*Service Area Listing*

*Service Area Name*

North Flint/Beecher
County—Genesee
Parts:

**DENTAL: Michigan**
*Service Area Listing*

*Service Area Name*

C.T. 1–7
C.T. 19–26
C.T. 103.02–103.04
C.T. 122.02
Saginaw East Side
County—Saginaw
Parts:
C.T. 1–11
C.T. 110
Southwest Detroit
County—Wayne
Parts:
C.T. 5208–5209
C.T. 5211–5214
C.T. 5231–5238
C.T. 5240–5243
C.T. 5245
C.T. 5247–5248

**DENTAL: Michigan**
*Population Group Listing*

*Population Group*

Low Inc—Airport/Conner
County—Wayne
Parts:
C.T. 5037
C.T. 5039–5048
C.T. 5052–5053
C.T. 5107–5109
Low Inc—Alcona Co
County—Alcona
Parts:
Low Income
Low Inc—Alger Co
County—Alger
Parts:
Low Income
Low Inc—Alpena Co
County—Alpena
Parts:
Low Income
Low Inc—Arenac Co
County—Arenac
Parts:
Low Income
Low Inc—Baraga Co
County—Baraga
Parts:
Low Income
Low Inc—Berrien Co
County—Berrien
Parts:
Low Income
Low Inc—Branch Co
County—Branch
Parts:
Low Income
Low Inc—Calhoun Co
County—Calhoun
Parts:
Low Income
Low Inc—Cass Co
County—Cass
Parts:
Low Income
Low Inc—Central Detroit
County—Wayne
Parts:
C.T. 5172–5176
C.T. 5180–5181
C.T. 5201–5207

**DENTAL: Michigan**
*Population Group Listing*

*Population Group*

C.T. 5218
Low Inc—Charlevoix Co
County—Charlevoix
Parts:
Low Income
Low Inc—Cheboygan Co
County—Cheboygan
Parts:
Low Income
Low Inc—Chene
County—Wayne
Parts:
C.T. 5111
C.T. 5161
C.T. 5177–5178
C.T. 5183–5188
Low Inc—Chippewa Co
County—Chippewa
Parts:
Low Income
Low Inc—Clare Co
County—Clare
Parts:
Low Income
Low Inc—Crawford Co
County—Crawford
Parts:
Low Income
Low Inc—Delta Co
County—Delta
Parts:
Low Income
Low Inc—Dickinson Co
County—Dickinson
Parts:
Low Income
Low Inc—Eastside Detroit
County—Wayne
Parts:
C.T. 5121–5124
C.T. 5126
C.T. 5129
C.T. 5132–5136
C.T. 5139–5143
C.T. 5145–5156
Low Inc—Emmet Co
County—Emmet
Parts:
Low Income
Low Inc—Gladwin Co
County—Gladwin
Parts:
Low Income
Low Inc—Gogebic Co
County—Gogebic
Parts:
Low Income
Low Inc—Hillsdale Co
County—Hillsdale
Parts:
Low Income
Low Inc—Houghton Co
County—Houghton
Parts:
Low Income
Low Inc—Ionia Co
County—Ionia
Parts:
Low Income
Low Inc—Iosco Co
County—Iosco
Parts:

**DENTAL: Michigan**
*Population Group Listing*

*Population Group*

Low Income
Low Inc—Iron Co
County—Iron
Parts:
Low Income
Low Inc—Isabella Co
County—Isabella
Parts:
Low Income
Low Inc—Kalkaska Co
County—Kalkaska
Parts:
Low Income
Low Inc—Keweenaw Co
County—Keweenaw
Parts:
Low Income
Low Inc—Lake Co
County—Lake
Parts:
Low Income
Low Inc—Luce Co
County—Luce
Parts:
Low Income
Low Inc—Mackenzie/Brooks
County—Wayne
Parts:
C.T. 5341–5344
C.T. 5347
C.T. 5350–5357
C.T. 5364–5367
C.T. 5370–5373
C.T. 5377–5378
C.T. 5451–5454
Low Inc—Mackinac Co
County—Mackinac
Parts:
Low Income
Low Inc—Marquette Co
County—Marquette
Parts:
Low Income
Low Inc—Menominee Co
County—Menominee
Parts:
Low Income
Low Inc—Missaukee Co
County—Missaukee
Parts:
Low Income
Low Inc—Montmorency Co
County—Montmorency
Parts:
Low Income
Low Inc—Ne Jackson City
County—Jackson
Parts:
C.T. 1–4
C.T. 6–7
C.T. 10–13
Low Inc—Nolan/State Fair/Davison/Persh
County—Wayne
Parts:
C.T. 5064–5080
C.T. 5102–5106
Low Inc—Northern Kalamazoo City
County—Kalamazoo
Parts:
C.T. 1
C.T. 2.01–2.02
C.T. 3

**DENTAL: Michigan**
*Population Group Listing*

*Population Group*

C.T. 4.02
C.T. 5–6
C.T. 8.01–8.02
C.T. 9–10
Low Inc—Ogemaw Co
County—Ogemaw
Parts:
Low Income
Low Inc—Ontonagon Co
County—Ontonagon
Parts:
Low Income
Low Inc—Osceola Co
County—Osceola
Parts:
Low Income
Low Inc—Oscoda Co
County—Oscoda
Parts:
Low Income
Low Inc—Otsego Co
County—Otsego
Parts:
Low Income
Low Inc—Outer Drive/Van Dyke
County—Wayne
Parts:
C.T. 5035–5036
C.T. 5049–5051
C.T. 5061–5063
Low Inc—Presque Isle Co
County—Presque Isle
Parts:
Low Income
Low Inc—Roscommon Co
County—Roscommon
Parts:
Low Income
Low Inc—Schoolcraft Co
County—Schoolcraft
Parts:
Low Income
Low Inc—St Joseph Co
County—St Joseph
Parts:
Low Income
Low Inc—Tireman/Chadsey
County—Wayne
Parts:
C.T. 5221–5222
C.T. 5251–5258
C.T. 5260–5265
C.T. 5335–5337
C.T. 5345–5346
Low Inc—Van Buren Co
County—Van Buren
Parts:
Low Income
Low Inc—Wexford Co
County—Wexford
Parts:
Low Income
Low Inc/MFW—Allegan Co
County—Allegan
Parts:
Low Income
MFW
Low Inc/MFW—Antrim Co
County—Antrim
Parts:
Low Income
MFW

**DENTAL: Michigan**
*Population Group Listing*

*Population Group*

Low Inc/MFW—Barry Co
County—Barry
Parts:
Low Income
MFW
Low Inc/MFW—Benzie Co
County—Benzie
Parts:
Low Income
MFW
Low Inc/MFW—Gratiot Co
County—Gratiot
Parts:
Low Income
MFW
Low Inc/MFW—Huron Co
County—Huron
Parts:
Low Income
MFW
Low Inc/MFW—Kent Co
County—Kent
Parts:
Low Income
MFW
Low Inc/MFW—Leelanau Co
County—Leelanau
Parts:
Low Income
MFW
Low Inc/MFW—Manistee Co
County—Manistee
Parts:
Low Income
MFW
Low Inc/MFW—Mason Co
County—Mason
Parts:
Low Income
MFW
Low Inc/MFW—Mecosta Co
County—Mecosta
Parts:
Low Income
MFW
Low Inc/MFW—Montcalm Co
County—Montcalm
Parts:
Low Income
MFW
Low Inc/MFW—Muskegon Co
County—Muskegon
Parts:
Low Income
MFW
Low Inc/MFW—Newaygo Co
County—Newaygo
Parts:
Low Income
MFW
Low Inc/MFW—Oceana Co
County—Oceana
Parts:
Low Income
MFW
Low Inc/MFW—Ottawa Co
County—Ottawa
Parts:
Low Income
MFW
Low Inc/MFW—Sanilac Co
County—Sanilac

**DENTAL: Michigan**
*Population Group Listing*

*Population Group*

Parts:
Low Income
MFW
Low Inc/MFW—Tuscola Co
County—Tuscola
Parts:
Low Income
MFW
Medicaid—W Wayne
County—Wayne
Parts:
Allen Park City
Belleville City
Brownstown Twp.
Canton Twp.
Dearborn Hgts. City
Ecorse City
Flat Rock City
Garden City
Gibralter City
Grosse Ile Twp.
Harper Woods City
Huron Twp.
Inkster City
Lincoln Park City
Livonia City
Melvindale City
Northville City
Northville Twp.
Plymouth City
Plymouth Twp.
Redford Twp.
River Rouge City
Riverview City
Rockwood City
Romulus City
Southgate City
Sumpter City
Taylor City
Trenton City
Van Buren Twp.
Wayne City
Westland City
Woodhaven City
Wyandotte City
Pov Pop—Highland Park
County—Wayne
Parts:
C.T. 5530–5537

**DENTAL: Michigan**
*Facility Listing*

*Facility Name*

Jackson Reg. Clin. Complex
County—Jackson

**DENTAL: Minnesota**
*County Listing*

*County Name*

*Koochiching
Population Group: Low Inc—Koochiching Co
Ramsey
Service Area: Summit-Dale
Population Group: Am In—St. Paul
St Louis
Population Group: Inmates—FPC Duluth

**DENTAL: Minnesota**
*Service Area Listing*

*Service Area Name*

Summit-Dale
County—Ramsey
Parts:
C.T. 326–327
C.T. 336–337
C.T. 339–340
C.T. 354–355

**DENTAL: Minnesota**
*Population Group Listing*

*Population Group*

Am In—St. Paul
County—Ramsey
Parts:
C.T. 301–305
C.T. 306.01–306.02
C.T. 307.02–307.04
C.T. 308–317
C.T. 318.01–318.02
C.T. 319–340
C.T. 342
C.T. 344–345
C.T. 346.01–346.02
C.T. 347.01–347.02
C.T. 348–372
C.T. 374.02
C.T. 375
C.T. 376.01–376.02
Inmates—FPC Duluth
County—St Louis
Parts:
FPC Duluth
Low Inc—Koochiching Co
County—Koochiching
Parts:
Low Income

**DENTAL: Mississippi**
*County Listing*

*County Name*

*Amite
*Carroll
*Chickasaw
*Claiborne
*Clarke
*Franklin
*Greene
Hancock
Harrison
Population Group: Pov Pop—Harrison Co
Hinds
Service Area: Jackson Inner City
Service Area: Western Hinds
*Holmes
*Humphreys
Issaquena
Service Area: Issaquena-Sharkey
*Jasper
*Jefferson
*Kemper
*Lawrence
*Leake
*Marshall
*Monroe
Population Group: Pov Pop—Monroe Co
*Montgomery
*Neshoba
*Noxubee
*Panola
*Pearl River

**DENTAL: Mississippi**
*County Listing*

*County Name*

*Perry
*Quitman
*Scott
Population Group: Pov Pop—Scott Co
Sharkey
Service Area: Issaquena-Sharkey
*Smith
*Stone
*Tallahatchie
*Tate
*Tunica
*Walthall
*Wayne
*Webster

**DENTAL: Mississippi**
*Service Area Listing*

*Service Area Name*

Issaquena-Sharkey
County—Issaquena
County—Sharkey
Jackson Inner City
County—Hinds
Parts:
C.T. 5–12
C.T. 16–27
C.T. 30–32
C.T. 39
C.T. 102.01–102.03
C.T. 103.01
C.T. 108.01
C.T. 109.02
Western Hinds
County—Hinds
Parts:
C.T. 105–107
C.T. 112–113

**DENTAL: Mississippi**
*Population Group Listing*

*Population Group*

Pov Pop—Harrison Co
County—Harrison
Parts:
Pov Pop
Pov Pop—Monroe Co
County—Monroe
Parts:
Poverty Pop
Pov Pop—Scott Co
County—Scott
Parts:
Pov Pop

**DENTAL: Mississippi**
*Facility Listing*

*Facility Name*

Mississippi State Pen.

**DENTAL: Missouri**
*County Listing*

*County Name*

*Adair
Population Group: Medicaid—Adair Co
*Chariton
*Holt
*Iron
Jackson
Population Group: Medicaid—Central Kansas City
Population Group: Medicaid—North Kansas City
*Macon
*McDonald
*New Madrid
*Pemiscot
*Randolph
Population Group: Medicaid—Randolph Co
St Louis
Population Group: Pov Pop—North St Louis
Population Group: Pov Pop—West St. Louis
St Louis City
Population Group: Pov Pop—North St Louis
Population Group: Pov Pop—West St. Louis
Population Group: Pov Pop—Southeast St. Louis
Population Group: Pov Pop—Grace Hill/Cochran
*Wayne
*Worth

**DENTAL: Missouri**
*Population Group Listing*

*Population Group*

Medicaid—Adair Co
County—Adair
Parts:
Medicaid Eligible
Medicaid—Central Kansas City
County—Jackson
Parts:
C.T. 46–55
C.T. 56.01–56.02
C.T. 57
C.T. 58.01–58.02
C.T. 60–67
C.T. 75–77
C.T. 78.01–78.02
C.T. 79–80
C.T. 87–89
C.T. 96
Medicaid—North Kansas City
County—Jackson
Parts:
C.T. 2–4
C.T. 5.01
C.T. 6–27
C.T. 28.01–28.02
C.T. 29–34
C.T. 35.01–35.02
C.T. 36.01–36.02
C.T. 37–45
C.T. 59.01
Medicaid—Randolph Co
County—Randolph
Parts:
Medicaid Eligible
Pov Pop—Grace Hill/Cochran
County—St Louis City
Parts:
C.T. 1085
C.T. 1096–1097
C.T. 1201–1203
C.T. 1211–1214
C.T. 1222
C.T. 1255–1257
C.T. 1266–1267
Pov Pop—North St Louis
County—St Louis
Parts:
C.T. 2139–2140
County—St Louis City
Parts:
C.T. 1061–1067
C.T. 1071–1075
Pov Pop—Southeast St. Louis
County—St Louis City
Parts:
C.T. 1018
C.T. 1156–1157
C.T. 1164–1165
C.T. 1172–1174
C.T. 1181
C.T. 1185
C.T. 1221
C.T. 1224
C.T. 1231–1234
C.T. 1241–1243
C.T. 1246
Pov Pop—West St. Louis
County—St Louis
Parts:
C.T. 2159–2161
County—St Louis City
Parts:
C.T. 1051.98
C.T. 1052–1055
C.T. 1121

**DENTAL: Montana**
*County Listing*

*County Name*

*Roosevelt
Service Area: Poplar/Wolf Point

**DENTAL: Montana**
*Service Area Listing*

*Service Area Name*

Poplar/Wolf Point
County—Roosevelt
Parts:
Fort Peck Res. CCD

**DENTAL: Nebraska**
*County Listing*

*County Name*

Arthur
Service Area: Arthur/Grant
*Blaine
Douglas
Population Group: Medicaid—Eastern Omaha City
*Frontier
*Furnas
Grant
Service Area: Arthur/Grant
Greeley
Service Area: Greeley/Wheeler
*Hayes
Service Area: Hayes/Hitchcock
Hitchcock
Service Area: Hayes/Hitchcock
Hooker
Service Area: Mullen

**DENTAL: Nebraska**
*County Listing*

*County Name*

Logan
  Service Area: Logan/MCPherson
*Morrill
MCPherson
  Service Area: Logan/MCPherson
*Scotts Bluff
  Population Group: Medicaid—Scotts Bluff Co
Thomas
  Service Area: Mullen
Wheeler
  Service Area: Greeley/Wheeler

**DENTAL: Nebraska**
*Service Area Listing*

*Service Area Name*

Arthur/Grant
  County—Arthur
  County—Grant
Greeley/Wheeler
  County—Greeley
  County—Wheeler
Hayes/Hitchcock
  County—Hayes
  County—Hitchcock
Logan/MCPherson
  County—Logan
  County—MCPherson
Mullen
  County—Hooker
  County—Thomas

**DENTAL: Nebraska**
*Population Group Listing*

*Population Group*

Medicaid—Eastern Omaha City
  County—Douglas
    Parts:
      C.T. 3
      C.T. 6–12
      C.T. 16
      C.T. 18–19
      C.T. 39–43
      C.T. 50–54
      C.T. 59.01–59.02
      C.T. 60
      C.T. 61.01–61.02
Medicaid—Scotts Bluff Co
  County—Scotts Bluff
    Parts:
      Medicaid Eligible

**DENTAL: Nevada**
*County Listing*

*County Name*

*Churchill
  Service Area: Dixie Valley
Clark
  Service Area: Northeast Clark
  Population Group: Low Inc—Las Vegas
*Elko
  Service Area: Jackpot
  Service Area: Montello/West Wendover
  Service Area: Mountain City/Jarbidge
  Service Area: Wells
*Esmeralda
  Service Area: Coaldale/Silverpeak
  Service Area: Tonopah/Esmeralda
*Eureka

**DENTAL: Nevada**
*County Listing*

*County Name*

  Service Area: Beowave
  Service Area: Eureka
*Humboldt
  Service Area: McDermitt
  Service Area: Summit Lake
*Lander
  Service Area: Austin
  Service Area: Battle Mountain
*Lincoln
  Service Area: Alamo
*Lyon
*Mineral
Nye
  Service Area: Beatty
  Service Area: Duckwater/Lund
  Service Area: Gabbs
  Service Area: Pahrump
  Service Area: Round Mountain
  Service Area: Tonopah/Esmeralda
*Pershing
*White Pine
  Service Area: Baker
  Service Area: Cherry Creek
  Service Area: Duckwater/Lund

**DENTAL: Nevada**
*Service Area Listing*

*Service Area Name*

Alamo
  County—Lincoln
    Parts:
      Alamo CCD
Austin
  County—Lander
    Parts:
      Austin CCD
Baker
  County—White Pine
    Parts:
      Baker CCD
Battle Mountain
  County—Lander
    Parts:
      Battle Mountain CCD
Beatty
  County—Nye
    Parts:
      Amargosa CCD
      Beatty CCD
Beowave
  County—Eureka
    Parts:
      Beowave CCD
Cherry Creek
  County—White Pine
    Parts:
      Cherry Creek CCD
Coaldale/Silverpeak
  County—Esmeralda
    Parts:
      Silverpeak CCD
Dixie Valley
  County—Churchill
    Parts:
      Dixie Valley CCD
Duckwater/Lund
  County—Nye
    Parts:
      Duckwater CCD
  County—White Pine
    Parts:

**DENTAL: Nevada**
*Service Area Listing*

*Service Area Name*

      Lund CCD
Eureka
  County—Eureka
    Parts:
      Eureka CCD
Gabbs
  County—Nye
    Parts:
      Gabbs CCD
Jackpot
  County—Elko
    Parts:
      Jackpot CCD
McDermitt
  County—Humboldt
    Parts:
      McDermitt CCD
Montello/West Wendover
  County—Elko
    Parts:
      Montello CCD
      West Wendover CCD
Mountain City/Jarbidge
  County—Elko
    Parts:
      Jarbidge CCD
      Mountain City CCD
Northeast Clark
  County—Clark
    Parts:
      C.T. 56.02–56.03
      C.T. 59
Pahrump
  County—Nye
    Parts:
      Chrystal CCD
      Pahrump CCD
      Yucca Flat CCD
Round Mountain
  County—Nye
    Parts:
      Round Mountain CCD
Summit Lake
  County—Humboldt
    Parts:
      Summit Lake CCD
Tonopah/Esmeralda
  County—Esmeralda
    Parts:
      Goldfield CCD
  County—Nye
    Parts:
      Ralston CCD
      Tonopah CCD
Wells
  County—Elko
    Parts:
      Wells CCD

**DENTAL: Nevada**
*Population Group Listing*

*Population Group*

Low Inc—Las Vegas
  County—Clark
    Parts:
      Las Vegas CCD

**DENTAL: New Jersey**
*County Listing*

*County Name*

Atlantic

**DENTAL: New Jersey**
*County Listing*

*County Name*

Service Area: Atlantic City
Population Group: Low Inc—West Atlantic Co
Camden
Service Area: Camden City
Cumberland
Population Group: Low Inc/MFW—Cumberland Co
Facility: FCI Fairton
Mercer
Population Group: Medicaid—Trenton
Ocean
Population Group: Medicaid—Lakewood
Salem
Population Group: Medicaid—Salem Co
Union
Service Area: North Central Plainfield
Warren
Population Group: Medicaid—Warren Co

**DENTAL: New Jersey**
*Service Area Listing*

*Service Area Name*

Atlantic City
County—Atlantic
Parts:
C.T. 1–5
C.T. 8
C.T. 11–19
C.T. 23–25
Camden City
County—Camden
Parts:
C.T. 6001–6020
North Central Plainfield
County—Union
Parts:
C.T. 388–390
C.T. 393–395

**DENTAL: New Jersey**
*Population Group Listing*

*Population Group*

Low Inc—West Atlantic Co
County—Atlantic
Parts:
C.T. 104.01–104.03
C.T. 105.01
C.T. 105.03–105.04
C.T. 106–111
C.T. 112.01–112.02
C.T. 113
C.T. 114.01–114.02
C.T. 115–116
C.T. 117.01–117.02
C.T. 118.05
C.T. 119–122
Low Inc/MFW—Cumberland Co
County—Cumberland
Parts:
Low Income
MFW
Medicaid—Lakewood
County—Ocean
Parts:
Lakewood Twp
Medicaid—Salem Co
County—Salem
Parts:
Medicaid Eligible

**DENTAL: New Jersey**
*Population Group Listing*

*Population Group*

Medicaid—Trenton
County—Mercer
Parts:
C.T. 1–24
Medicaid—Warren Co
County—Warren
Parts:
Medicaid Eligible

**DENTAL: New Jersey**
*Facility Listing*

*Facility Name*

FCI Fairton
County—Cumberland

**DENTAL: New Mexico**
*County Listing*

*County Name*

Bernalillo
Service Area: North Valley
Service Area: Southwest Valley
*Catron
*Cibola
*Curry
Population Group: Low Inc—Curry Co
Dona Ana
Service Area: Hatch
Service Area: Southern Dona Ana
Population Group: Dent Ind—Las Cruces
*Guadalupe
*Harding
*Hidalgo
*Luna
*McKinley
*Mora
*Otero
*Rio Arriba
Service Area: North/Western Rio Arriba
Service Area: Penasco/Truchas/Embudo
*Roosevelt
Population Group: Dent Ind—Roosevelt Co
Sandoval
Service Area: Cuba (N. Sandoval)
Santa Fe
Population Group: Dent Ind—Santa Fe Co
*Sierra
*Socorro
*Taos
Service Area: North/Western Rio Arriba
Service Area: Penasco/Truchas/Embudo
Service Area: Questa
*Torrance
*Union

**DENTAL: New Mexico**
*Service Area Listing*

*Service Area Name*

Cuba (N. Sandoval)
County—Sandoval
Parts:
Cuba CCD
Jemez CCD
Santo Domingo CCD
Hatch
County—Dona Ana
Parts:
Hatch CCD
North Valley
County—Bernalillo

**DENTAL: New Mexico**
*Service Area Listing*

*Service Area Name*

Parts:
C.T. 29
C.T. 30.01–30.02
C.T. 31
C.T. 32.01–32.02
C.T. 35.01–35.02
C.T. 36
North/Western Rio Arriba
County—Rio Arriba
Parts:
Coyote Division
Jicarilla Division
Rio Chama Division
Tierra Amarilla Division
Vallecitas Division
Western Rio Arriba Division
County—Taos
Parts:
Tres Piedras Division
Penasco/Truchas/Embudo
County—Rio Arriba
Parts:
Chimayo Division
Dixon Division
County—Taos
Parts:
Penasco Division
Picuris Division
Questa
County—Taos
Parts:
Arroyo Hondo CCD
Questa CCD
Southern Dona Ana
County—Dona Ana
Parts:
Anthony CCD
S. Dona Ana CCD
Southwest Valley
County—Bernalillo
Parts:
C.T. 23
C.T. 24.01–24.02
C.T. 43
C.T. 44.01–44.02
C.T. 45.01–45.02
C.T. 46.02–46.04

**DENTAL: New Mexico**
*Population Group Listing*

*Population Group*

Dent Ind—Las Cruces
County—Dona Ana
Parts:
C.T. 1–9
Dent Ind—Roosevelt Co
County—Roosevelt
Parts:
Dentally Indigent
Dent Ind—Santa Fe Co
County—Santa Fe
Parts:
Dentally Indigent
Low Inc—Curry Co
County—Curry
Parts:
Low Income

**DENTAL: New York**
*County Listing*

*County Name*

Bronx
  Service Area: Morris Heights
  Service Area: Morrisania/High Bridge
  Service Area: Mott Haven/Point Norris
Cayuga
  Service Area: Groton—Moravia
*Chenango
  Service Area: Cincinnatus/Deruyter
*Clinton
  Service Area: Dannemora
*Cortland
  Service Area: Cincinnatus/Deruyter
  Population Group: Low Inc—Cortland
Dutchess
  Population Group: Low Inc—Beacon City
Kings
  Service Area: Bedford-Stuyvesant
  Service Area: Coney Island
  Service Area: Crown Heights
  Service Area: Sunset Park
  Population Group: Inmates—MDC Brooklyn
Madison
  Service Area: Cincinnatus/Deruyter
New York
  Service Area: East Harlem
  Service Area: Lower Eastside
Onondaga
  Population Group: Medicaid—Syracuse
Orange
  Population Group: Low Inc—Port Jervis
  Population Group: Medicaid—City & Town Of Newburgh
Oswego
  Population Group: Low Inc—Pulaski Pcsa
*St Lawrence
  Population Group: Medicaid—Ogdensburg
*Sullivan
  Population Group: Low Inc—Port Jervis
*Tompkins
  Service Area: Groton—Moravia
Westchester
  Population Group: Low Inc—Mt Vernon

**DENTAL: New York**
*Service Area Listing*

*Service Area Name*

Bedford-Stuyvesant
  County—Kings
    Parts:
      C.T. 11
      C.T. 23
      C.T. 25
      C.T. 27
      C.T. 29.01–29.02
      C.T. 31
      C.T. 33
      C.T. 35
      C.T. 179
      C.T. 181
      C.T. 183
      C.T. 185.01–185.02
      C.T. 187
      C.T. 189
      C.T. 191
      C.T. 193
      C.T. 195
      C.T. 197
      C.T. 199
      C.T. 201
      C.T. 203

**DENTAL: New York**
*Service Area Listing*

*Service Area Name*

      C.T. 205
      C.T. 207
      C.T. 213
      C.T. 215
      C.T. 217
      C.T. 219
      C.T. 221
      C.T. 223
      C.T. 225
      C.T. 227
      C.T. 229
      C.T. 231
      C.T. 233
      C.T. 235
      C.T. 237
      C.T. 239
      C.T. 241
      C.T. 243
      C.T. 245
      C.T. 247
      C.T. 249
      C.T. 251
      C.T. 253
      C.T. 255
      C.T. 257
      C.T. 259.01–259.02
      C.T. 261
      C.T. 263
      C.T. 265
      C.T. 267
      C.T. 269
      C.T. 271.01–271.02
      C.T. 273
      C.T. 275
      C.T. 277
      C.T. 279
      C.T. 281
      C.T. 283
      C.T. 285.01–285.02
      C.T. 287
      C.T. 289
      C.T. 291
      C.T. 293
      C.T. 295
      C.T. 297
      C.T. 299
      C.T. 301
      C.T. 303
      C.T. 307
      C.T. 309
      C.T. 311
      C.T. 313
      C.T. 315
      C.T. 317.01–317.02
      C.T. 319
      C.T. 321
      C.T. 323
      C.T. 325
      C.T. 327
      C.T. 329
      C.T. 331
      C.T. 333
      C.T. 335
      C.T. 337
      C.T. 339
      C.T. 341
      C.T. 343
      C.T. 345
      C.T. 347
      C.T. 349
      C.T. 351
      C.T. 353

**DENTAL: New York**
*Service Area Listing*

*Service Area Name*

      C.T. 355
      C.T. 357
      C.T. 359
      C.T. 361
      C.T. 363
      C.T. 365.01–365.02
      C.T. 367
      C.T. 369
      C.T. 371
      C.T. 373
      C.T. 375
      C.T. 377
      C.T. 379
      C.T. 381
      C.T. 383
      C.T. 385
      C.T. 387
Cincinnatus/Deruyter
  County—Chenango
    Parts:
      Lincklaen Town
      Pitcher Town
  County—Cortland
    Parts:
      Cincinnatus Town
      Cuyler Town
      Freetown Town
      Taylor Town
      Willet Town
  County—Madison
    Parts:
      Deruyter Town
Coney Island
  County—Kings
    Parts:
      C.T. 326
      C.T. 328
      C.T. 330
      C.T. 340
      C.T. 342
      C.T. 348.01–348.02
      C.T. 352
Crown Heights
  County—Kings
    Parts:
      C.T. 213
      C.T. 215
      C.T. 217
      C.T. 219
      C.T. 317.02
      C.T. 319
      C.T. 321
      C.T. 323
      C.T. 325
      C.T. 327
      C.T. 329
      C.T. 331
      C.T. 333
      C.T. 335
      C.T. 337
      C.T. 339
      C.T. 349
      C.T. 351
      C.T. 353
      C.T. 355
      C.T. 357
Dannemora
  County—Clinton
    Parts:
      Dannemora Town
      Saranac Town
East Harlem

**DENTAL: New York**
*Service Area Listing*

*Service Area Name*

County—New York
Parts:
C.T. 156.02
C.T. 158.02
C.T. 160.02
C.T. 162
C.T. 164
C.T. 166
C.T. 168
C.T. 170
C.T. 172.01–172.02
C.T. 174.01–174.02
C.T. 178
C.T. 180
C.T. 182
C.T. 184
C.T. 188
C.T. 192
C.T. 194
C.T. 196
C.T. 198
C.T. 202
C.T. 204
C.T. 206
C.T. 210
Groton—Moravia
County—Cayuga
Parts:
Locke Town
Moravia Town
Sempronius Town
Summerhill Town
County—Tompkins
Parts:
Groton Town
Lower Eastside
County—New York
Parts:
C.T. 10.02
C.T. 20
C.T. 22.01–22.02
C.T. 24
C.T. 26.01–26.02
Morris Heights
County—Bronx
Parts:
C.T. 205
C.T. 213.01–213.02
C.T. 215.01–215.02
C.T. 217.01
C.T. 239
C.T. 243
C.T. 245
C.T. 247
C.T. 249
C.T. 251
C.T. 253
C.T. 255
C.T. 257
Morrisania/High Bridge
County—Bronx
Parts:
C.T. 47
C.T. 49
C.T. 53.01
C.T. 57
C.T. 59.01–59.02
C.T. 61
C.T. 67
C.T. 69
C.T. 121.01
C.T. 123

**DENTAL: New York**
*Service Area Listing*

*Service Area Name*

C.T. 125
C.T. 127.01
C.T. 129.01
C.T. 131
C.T. 133
C.T. 135
C.T. 137
C.T. 139
C.T. 141
C.T. 143
C.T. 145
C.T. 147
C.T. 149
C.T. 151
C.T. 153
C.T. 155
C.T. 157
C.T. 161
C.T. 163
C.T. 165
C.T. 167
C.T. 169
C.T. 171
C.T. 173
C.T. 175
C.T. 177
C.T. 179
C.T. 181
C.T. 183
C.T. 187
C.T. 189
C.T. 193
C.T. 195
C.T. 197
C.T. 199
C.T. 201
C.T. 211
C.T. 213.02
C.T. 217.02
C.T. 219
C.T. 221
C.T. 223
C.T. 225
C.T. 227.02–227.03
C.T. 229.02
C.T. 367
C.T. 369.02
Mott Haven/Point Norris
County—Bronx
Parts:
C.T. 11
C.T. 15
C.T. 17
C.T. 23
C.T. 25
C.T. 27.01–27.02
C.T. 31
C.T. 33
C.T. 35
C.T. 37
C.T. 39
C.T. 41
C.T. 43
C.T. 47
C.T. 49
C.T. 65
C.T. 71
C.T. 73
C.T. 75
C.T. 77
C.T. 79
C.T. 81

**DENTAL: New York**
*Service Area Listing*

*Service Area Name*

C.T. 83
C.T. 85
C.T. 87
C.T. 89
C.T. 119
C.T. 121.02
C.T. 127.02
C.T. 129.02
Sunset Park
County—Kings
Parts:
C.T. 2
C.T. 18
C.T. 20
C.T. 22
C.T. 72
C.T. 74
C.T. 76
C.T. 78
C.T. 80
C.T. 82
C.T. 84
C.T. 86
C.T. 88
C.T. 90
C.T. 92
C.T. 94
C.T. 96
C.T. 98
C.T. 100–102
C.T. 104
C.T. 106
C.T. 108
C.T. 118
C.T. 122
C.T. 143
C.T. 145
C.T. 147

**DENTAL: New York**
*Population Group Listing*

*Population Group*

Inmates—MDC Brooklyn
County—Kings
Parts:
MDC Brooklyn
Low Inc—Beacon City
County—Dutchess
Parts:
Beacon City
Low Inc—Cortland
County—Cortland
Parts:
Cortland City
Cortlandville Town
Homer Town
Preble Town
Scott Town
Solon Town
Truxton Town
Virgil Town
Low Inc—Mt Vernon
County—Westchester
Parts:
C.T. 25–45
Low Inc—Port Jervis
County—Orange
Parts:
Deerpark Town
Greenville Town
Port Jervis City

**DENTAL: New York**
*Population Group Listing*

*Population Group*

County—Sullivan
Parts:
Lumberland Town
Low Inc—Pulaski Pcsa
County—Oswego
Parts:
Albion Town
Boylston Town
Mexico Town
Orwell Town
Redfield Town
Richland Town
Sandy Creek Town
Williamstown Town
Medicaid—City & Town Of Newburgh
County—Orange
Parts:
Newburgh City
Newburgh Town
Medicaid—Ogdensburg
County—St Lawrence
Parts:
De Peyster Town
Lisbon Town
Morristown Town
Ogdensburg Town
Oswegatchie Town
Waddington Town
Medicaid—Syracuse
County—Onondaga
Parts:
C.T. 1–10
C.T. 13–16
C.T. 17.01–17.02
C.T. 18–24
C.T. 27–35
C.T. 36.01–36.02
C.T. 37–46
C.T. 48–60
C.T. 61.01–61.03

**DENTAL: North Carolina**
*County Listing*

*County Name*

*Alleghany
Population Group: MSFW—Johnston/Sampson
*Anson
*Beaufort
Service Area: Richland
*Bertie
*Bladen
Catawba
Population Group: MSFW—Johnston/Sampson
*Clay
*Cleveland
Population Group: MSFW—Johnston/Sampson
Cumberland
Service Area: Eastern Cumberland
*Duplin
Franklin
Gaston
Population Group: Medicaid—Gatson Co
*Gates
*Graham
*Granville
Facility: FCI Butner
*Harnett
Population Group: Low Inc—Harnett Co

**DENTAL: North Carolina**
*County Listing*

*County Name*

*Henderson
Population Group: Low Inc/MFW—Henderson
*Jones
Madison
Service Area: Hot Springs
*Martin
*Northampton
*Pender
*Robeson
Population Group: Pov Pop—Pembroke
*Sampson
Population Group: MSFW—Johnston/Sampson
*Tyrrell
*Washington

**DENTAL: North Carolina**
*Service Area Listing*

*Service Area Name*

Eastern Cumberland
County—Cumberland
Parts:
C.T. 14
C.T. 26–29
Hot Springs
County—Madison
Parts:
Hot Springs Twp
Laurel Twp
Revere Rice Cove Twp
Spring Creek Twp
Walnut Twp
Richland
County—Beaufort
Parts:
Richland Twp

**DENTAL: North Carolina**
*Population Group Listing*

*Population Group*

Low Inc—Harnett Co
County—Harnett
Parts:
Low Income
Low Inc/MFW—Henderson
County—Henderson
Parts:
Low Inc/MFW
Medicaid—Gatson Co
County—Gaston
Parts:
Medicaid Eligible
MSFW—Johnston/Sampson
County—Alleghany
Parts:
Banner Twp
Bentonsville Twp
County—Catawba
Parts:
Elevation Twp
Ingrams Twp
County—Cleveland
Parts:
Meadow Twp
County—Sampson
Parts:
Migrant & Seasonal Farm
Pov Pop—Pembroke
County—Robeson

**DENTAL: North Carolina**
*Population Group Listing*

*Population Group*

Parts:
Burnt Swamp Twp
Pembroke Twp
Philadelphus Twp
Smiths Twp

**DENTAL: North Carolina**
*Facility Listing*

*Facility Name*

FCI Butner
County—Granville

**DENTAL: North Dakota**
*County Listing*

*County Name*

*Benson
*Billings
*Burke
*Dunn
*Foster
*Golden Valley
*Kidder
*McKenzie
*Sioux
*Slope
*Towner

**DENTAL: Ohio**
*County Listing*

*County Name*

*Adams
Population Group: Low Inc—Adams Co
Hamilton
Service Area: Avondale
Service Area: East/Lower Price Hill/S Fairmont
Service Area: Millvale
Service Area: Winton Hills (Cincinnati)
Lucas
Population Group: Low Inc—Old West End/Center City/Door
Mahoning
Population Group: Low Inc—Ne Youngstown

**DENTAL: Ohio**
*Service Area Listing*

*Service Area Name*

Avondale
County—Hamilton
Parts:
C.T. 32
C.T. 34
C.T. 66–69
East/Lower Price Hill/S Fairmont
County—Hamilton
Parts:
C.T. 87
C.T. 89
C.T. 91–96
C.T. 103
Millvale
County—Hamilton
Parts:
C.T. 28
C.T. 77
C.T. 85.02
C.T. 86.01

**DENTAL: Ohio**
*Service Area Listing*

*Service Area Name*

Winton Hills (Cincinnati)
County—Hamilton
Parts:
C.T. 80

**DENTAL: Ohio**
*Population Group Listing*

*Population Group*

Low Inc—Adams Co
County—Adams
Parts:
Low Income
Low Inc—Ne Youngstown
County—Mahoning
Parts:
C.T. 8001–8007
C.T. 8034–8035
C.T. 8037
C.T. 8040–8044
Low Inc—Old West End/Center City/Door
County—Lucas
Parts:
C.T. 8
C.T. 14–16
C.T. 21–23
C.T. 24.01–24.02
C.T. 25–28
C.T. 31–37

**DENTAL: Oklahoma**
*County Listing*

*County Name*

*Adair
*Beaver
*Caddo
Canadian
Facility: FCI El Reno
*Choctaw
*Coal
Creek
*Dewey
*Haskell
*Le Flore
Service Area: Talihina
*Lincoln
*McCurtain
*Murray
*Okfuskee
Pottawatomie
Service Area: Konawa
*Pushmataha
Service Area: Talihina
*Seminole
Service Area: Konawa
*Tillman
Tulsa
Population Group: Am In—Tulsa

**DENTAL: Oklahoma**
*Service Area Listing*

*Service Area Name*

Konawa
County—Pottawatomie
Parts:
C.T. 5012.01
C.T. 5013.98
County—Seminole
Parts:
Konawa CCD

**DENTAL: Oklahoma**
*Service Area Listing*

*Service Area Name*

Seminole South CCD
Talihina
County—Le Flore
Parts:
S. Le Flore CCD
Talihina CCD
County—Pushmataha
Parts:
N. Pushmataha CCD

**DENTAL: Oklahoma**
*Population Group Listing*

*Population Group*

Am In—Tulsa
County—Tulsa
Parts:
American Indian

**DENTAL: Oklahoma**
*Facility Listing*

*Facility Name*

FCI El Reno
County—Canadian

**DENTAL: Oregon**
*County Listing*

*County Name*

Clackamas
*Curry
Service Area: Port Orford
*Gilliam
*Harney
Population Group: Dent Ind—Harney Co
*Hood River
Population Group: Low Inc/MFW—Hood River Co
Jackson
Population Group: Dent Ind—Jackson Co
*Josephine
Population Group: Low Inc—Josephine Co
Lane
Population Group: Low Inc—Lowell
*Malheur
Population Group: Low Inc/MFW—Malheur Co
Marion
Population Group: Low Inc/MSFW—Marion/Polk/Yamhill
*Morrow
Multnomah
Population Group: Dent Ind—Multnomah Co
Polk
Population Group: Low Inc/MSFW—Marion/Polk/Yamhill
*Sherman
*Tillamook
Population Group: Low Inc—Tillamook Co
*Umatilla
Population Group: Low Inc/MFW—Umatilla Co
*Wasco
Population Group: Low Inc/MFW—Wasco Co
Washington
Population Group: Low Inc/MFW—Washington Co
*Wheeler
Yamhill

**DENTAL: Oregon**
*County Listing*

*County Name*

Population Group: Low Inc/MSFW—Marion/Polk/Yamhill

**DENTAL: Oregon**
*Service Area Listing*

*Service Area Name*

Port Orford
County—Curry
Parts:
Port Orford CCD

**DENTAL: Oregon**
*Population Group Listing*

*Population Group*

Dent Ind—Harney Co
County—Harney
Parts:
Dentally Indigent
Dent Ind—Jackson Co
County—Jackson
Parts:
Dentally Indigent
Dent Ind—Multnomah Co
County—Multnomah
Parts:
Dentally Indigent
Low Inc—Josephine Co
County—Josephine
Parts:
Low Income
Low Inc—Lowell
County—Lane
Parts:
Lowell CCD
Low Inc—Tillamook Co
County—Tillamook
Parts:
Low Income
Low Inc/MFW—Hood River Co
County—Hood River
Parts:
Low Income
MFW
Low Inc/MFW—Malheur Co
County—Malheur
Parts:
Low Income/MFW
Low Inc/MFW—Umatilla Co
County—Umatilla
Parts:
Low Income
MFW
Low Inc/MFW—Wasco Co
County—Wasco
Parts:
Low Income
MFW
Low Inc/MFW—Washington Co
County—Washington
Parts:
Low Income/MFW
Low Inc/MSFW—Marion/Polk/Yamhill
County—Marion
Parts:
Low Income/MFW
County—Polk
Parts:
Low Inc/MFW
County—Yamhill
Parts:
Low Income/MFW

**DENTAL: Pennsylvania**
*County Listing*

*County Name*

Adams
  Population Group: MFW—Adams/Franklin
Beaver
  Population Group: Low Inc—Beaver Co
Berks
  Population Group: Low Inc—Welsh Mountain
*Bradford
  Population Group: Low Inc—Bradford Co
Chester
  Population Group: Low Inc—Welsh Mountain
Dauphin
  Population Group: Dent Ind—Harrisburg
Fayette
  Service Area: Greensboro
*Franklin
  Population Group: MFW—Adams/Franklin
*Greene
  Service Area: Greensboro
*Huntingdon
  Service Area: Cromwell
Lancaster
  Population Group: Low Inc—Welsh Mountain
  Population Group: Low Inc—Se Lancaster City
*Lawrence
  Population Group: Low Inc—Lawrence Co
*McKean
  Facility: FCI Mckean
Mercer
  Population Group: Low Inc—Sharon/Farrell
Philadelphia
  Population Group: Low Inc—Lower North Philadelphia
*Schuylkill
  Facility: FCI—Schuylkill
  Facility: State Corr. I.—Frackville
*Union
  Population Group: Inmates—FPC Allenwood
  Population Group: Inmates—LSCI Allenwood
  Facility: FCI Allenwood
  Facility: USP—Lewisburg
  Facility: USP Allenwood
York
  Service Area: York City

**DENTAL: Pennsylvania**
*Service Area Listing*

*Service Area Name*

Cromwell
  County—Huntingdon
    Parts:
      Clay Twp
      Cromwell Twp
      Dublin Twp
      Orbisonia Boro
      Rockhill Furnace Boro
      Saltillo Boro
      Shade Gap Boro
      Springfield Twp
      Tell Twp
      Three Springs Boro
Greensboro
  County—Fayette
    Parts:
      German Township
      Masontown Borough
      Nicholson Township
      Point Marion Borough
      Springhill Township
  County—Greene
    Parts:
      Dunkard Township
      Greene Township
      Greensboro Borough
      Monongahela Township
York City
  County—York
    Parts:
      C.T. 1–3
      C.T. 5
      C.T. 7
      C.T. 9–12
      C.T. 15–16

**DENTAL: Pennsylvania**
*Population Group Listing*

*Population Group*

Dent Ind—Harrisburg
  County—Dauphin
    Parts:
      C.T. 201–217
Inmates—FPC Allenwood
  County—Union
    Parts:
      FPC Allenwood
Inmates—LSCI Allenwood
  County—Union
    Parts:
      LSCI Allenwood
Low Inc—Beaver Co
  County—Beaver
    Parts:
      Low Income
Low Inc—Bradford Co
  County—Bradford
Low Inc—Lawrence Co
  County—Lawrence
    Parts:
      Low Income
Low Inc—Lower North Philadelphia
  County—Philadelphia
    Parts:
      C.T. 125–149
      C.T. 151–182
      C.T. 192
      C.T. 195
      C.T. 200–201
Low Inc—Se Lancaster City
  County—Lancaster
    Parts:
      C.T. 1
      C.T. 7–9
      C.T. 14–16
Low Inc—Sharon/Farrell
  County—Mercer
    Parts:
      C.T. 301–309
Low Inc—Welsh Mountain
  County—Berks
    Parts:
      Brecknock Twp
      Caernarvon Twp
  County—Chester
    Parts:
      Honey Brook Twp
      Honey Brook Boro
  County—Lancaster
    Parts:
      Adamstown Boro
      Akron Boro
      Brecknock Twp
      Caernarvon Twp
      Christiana Boro
      Denver Boro
      Earl Twp
      East Cocalico Twp
      East Earl Twp
      Ephrata Boro
      Ephrata Twp
      Leacock Twp
      New Holland Boro
      Paradise Twp
      Sadsbury Twp
      Salisbury Twp
      Terre Hill Boro
      Upper Leacock Twp
      West Earl Twp
MFW—Adams/Franklin
  County—Adams
    Parts:
      MFW
  County—Franklin
    Parts:
      MFW

**DENTAL: Pennsylvania**
*Facility Listing*

*Facility Name*

FCI—Schuylkill
  County—Schuylkill
FCI Allenwood
  County—Union
FCI Mckean
  County—McKean
State Corr. I.—Frackville
  County—Schuylkill
USP—Lewisburg
  County—Union
USP Allenwood
  County—Union

**DENTAL: Rhode Island**
*County Listing*

*County Name*

Newport
  Population Group: Low Inc—Newport Co
Providence
  Population Group: Low Inc—Nw Woonsocket
  Population Group: Low Inc—Providence City
  Population Group: Low Inc—C Falls/N Pawtucket
  Facility: Allen Berry Hlth Ctr
  Facility: Central Hlth Ctr Providence
Washington
  Population Group: Low Inc—Wakefield/Kingstown/Narraga

**DENTAL: Rhode Island**
*Population Group Listing*

*Population Group*

Low Inc—C Falls/N Pawtucket
  County—Providence
    Parts:
      C.T. 108–111

**DENTAL: Rhode Island**
*Population Group Listing*

*Population Group*

C.T. 149
C.T. 151–153
C.T. 161
Low Inc—Newport Co
County—Newport
Parts:
Low Income
Low Inc—Nw Woonsocket
County—Providence
Parts:
C.T. 172
C.T. 174
C.T. 176
C.T. 178–183
Low Inc—Providence City
County—Providence
Parts:
C.T. 1–23
C.T. 25–33
C.T. 35–37
Low Inc—Wakefield/Kingstown/Narraga
County—Washington
Parts:
Narragansett Town
S. Kingstown Town

**DENTAL: Rhode Island**
*Facility Listing*

*Facility Name*

Allen Berry Hlth Ctr
County—Providence
Central Hlth Ctr Providence
County—Providence

**DENTAL: South Carolina**
*County Listing*

*County Name*

*Abbeville
Aiken
Service Area: Springfield
*Bamberg
*Beaufort
Service Area: Sheldon
Charleston
Service Area: McClellanville/Sampit-Santee
Service Area: Sea Islands
Cherokee
*Chesterfield
Service Area: Sandhills
*Clarendon
*Colleton
Service Area: Smoaks/Lodge
*Dillon
Dorchester
Service Area: St George
Florence
Service Area: Olanta
*Georgetown
Service Area: McClellanville/Sampit-Santee
*Hampton
Facility: FCI Estill
Horry
Service Area: Little River
Service Area: Loris-Aynor
*Jasper
*Kershaw
Service Area: Bethune/Mt. Pisgah
*Lee
*Marion
*Marlboro

**DENTAL: South Carolina**
*County Listing*

*County Name*

*McCormick
*Orangeburg
Service Area: Eastern Orangeburg
Service Area: Springfield
Richland
Service Area: Eastover
*Saluda
Sumter
*Williamsburg
York
Service Area: Western York

**DENTAL: South Carolina**
*Service Area Listing*

*Service Area Name*

Bethune/Mt. Pisgah
County—Kershaw
Parts:
Bethune CCD
Mt. Pisgah CCD
Eastern Orangeburg
County—Orangeburg
Parts:
Bowman CCD
Branchville CCD
Elloree CCD
Eutawville CCD
Holly Hill CCD
Vance CCD
Eastover
County—Richland
Parts:
Eastover CCD
Hopkins CCD
Horrell Hill CCD
Little River
County—Horry
Parts:
C.T. 301
C.T. 401–402
C.T. 603
Loris-Aynor
County—Horry
Parts:
Aynor CCD
Loris CCD
McClellanville/Sampit-Santee
County—Charleston
Parts:
McClellanville CCD
County—Georgetown
Parts:
Sampit-Santee CCD
Olanta
County—Florence
Parts:
Olanta CCD
Sardis CCD
Sandhills
County—Chesterfield
Parts:
Jefferson CCD
McBee CCD
Pageland CCD
Sea Islands
County—Charleston
Parts:
Edisto Is CCD
James Is CCD
Johns Is CCD
Wadmalaw Is CCD

**DENTAL: South Carolina**
*Service Area Listing*

*Service Area Name*

Sheldon
County—Beaufort
Parts:
Sheldon CCD
Smoaks/Lodge
County—Colleton
Parts:
Lodge CCD
Smoaks CCD
Springfield
County—Aiken
Parts:
Salley CCD
Wagener CCD
County—Orangeburg
Parts:
Springfield CCD
St George
County—Dorchester
Parts:
Harleyville CCD
Reevesville CCD
Ridgeville CCD
St George CCD
Western York
County—York
Parts:
Clover CCD
Hickory Grove CCD
McConnells CCD
York CCD

**DENTAL: South Carolina**
*Facility Listing*

*Facility Name*

FCI Estill
County—Hampton

**DENTAL: South Dakota**
*County Listing*

*County Name*

*Buffalo
*Campbell
*Corson
*Dewey
*Gregory
*Harding
*Jackson
*Lyman
*Meade
Service Area: Faith
*Mellette
*Perkins
*Roberts
*Sanborn
*Shannon
*Todd
Ziebach
Service Area: Faith

**DENTAL: South Dakota**
*Service Area Listing*

*Service Area Name*

Faith
County—Meade
Parts:
Eagle Twp.
Faith City
Howard Twp.

**DENTAL: South Dakota**
*Service Area Listing*

*Service Area Name*

N. Meade Unorg.
Union Twp.
Upper Red Owl Twp.
County—Ziebach

**DENTAL: Tennessee**
*County Listing*

*County Name*

*Bledsoe
*Claiborne
Davidson
Population Group: Pov/Homeless—Nashville
Fayette
Grainger
*Grundy
*Hancock
*Jackson
*Johnson
*Macon
*Morgan
*Pickett
*Scott
Shelby
Service Area: Free The Children Target Area
Facility: FCI Memphis
Union

**DENTAL: Tennessee**
*Service Area Listing*

*Service Area Name*

Free The Children Target Area
County—Shelby
Parts:
C.T. 5
C.T. 18–20

**DENTAL: Tennessee**
*Population Group Listing*

*Population Group*

Pov/Homeless—Nashville
County—Davidson
Parts:
C.T. 113–114
C.T. 117–129
C.T. 133–148
C.T. 160–166
C.T. 168–172

**DENTAL: Tennessee**
*Facility Listing*

*Facility Name*

FCI Memphis
County—Shelby
South Central Corr Ctr .

**DENTAL: Texas**
*County Listing*

*County Name*

*Aransas
Archer
*Armstrong
*Atascosa
Bastrop (g)
Facility: FCI Bastrop
*Bee (g)
Facility: Garza West & East Units
Bexar
Service Area: East Side (San Antonio)
Service Area: South Side (San Antonio)
Service Area: West Side (San Antonio)
Facility: Bexar Co State Jail
*Borden
*Briscoe
*Brooks
*Burleson
Cameron
*Carson
*Castro
*Cochran
*Coke
Coryell
*Crosby
*Culberson
Dallas
Service Area: South Dallas
*Dawson
*De Witt
*Dickens
Dimmit
Service Area: Dimmit/Zavala
*Donley
*Duval
*Edwards
El Paso
Service Area: Southeast El Paso
*Floyd
*Foard
*Frio
*Gaines
*Garza
*Glasscock
*Goliad
*Gonzales
*Grimes
Population Group: Inmates—FPC Bryan
*Hall
*Hansford
*Hartley
Hidalgo
*Houston
*Howard
Population Group: Inmates—FCI Big Spring
*Hudspeth
*Irion
*Jim Hogg
*Jim Wells
*Kent
*King
*Kinney
*Knox
*La Salle
Liberty
*Loving
*Madison
*Maverick
*Medina
*Mitchell
*Morris
*Motley
*Nacogdoches
Population Group: Low Inc—Nacogdoches Co
*Oldham
*Pecos
*Presidio
*Reeves

**DENTAL: Texas**
*County Listing*

*County Name*

*Roberts
*Robertson
*San Augustine
*San Jacinto
*Schleicher
*Shackelford
*Sherman
*Somervell
*Starr
*Sterling
*Stonewall
*Terrell
*Terry
*Throckmorton
Travis
Service Area: Dove Springs
Service Area: East Austin
Service Area: South Austin
*Trinity
Upshur
*Uvalde
*Val Verde
*Ward
Webb
*Wharton
Population Group: Low Inc—Wharton Co
*Willacy
*Wise
*Yoakum
*Zapata
Zavala
Service Area: Dimmit/Zavala

**DENTAL: Texas**
*Service Area Listing*

*Service Area Name*

Dimmit/Zavala
County—Dimmit
County—Zavala
Dove Springs
County—Travis
Parts:
C.T. 24.11–24.13
East Austin
County—Travis
Parts:
C.T. 4.02
C.T. 8.01–8.04
C.T. 9.01–9.02
C.T. 10
C.T. 18.11–18.12
C.T. 21.04–21.13
C.T. 22.01–22.02
C.T. 22.05
East Side (San Antonio)
County—Bexar
Parts:
C.T. 1101–1104
C.T. 1109–1110
C.T. 1301–1306
C.T. 1307.85
C.T. 1308–1313
C.T. 1401
South Austin
County—Travis
Parts:
C.T. 23.04
C.T. 23.10–23.12
C.T. 24.16
South Dallas
County—Dallas

**DENTAL: Texas**
*Service Area Listing*

*Service Area Name*

Parts:
C.T. 25
C.T. 27.01–27.02
C.T. 28–29
C.T. 33–38
C.T. 39.01–39.02
C.T. 40
C.T. 93.03–93.04
C.T. 115
C.T. 116.01
South Side (San Antonio)
County—Bexar
Parts:
C.T. 1402–1412
C.T. 1416–1418
C.T. 1501–1522
C.T. 1609
C.T. 1610.85
C.T. 1611–1612
C.T. 1619–1620
Southeast El Paso
County—El Paso
Parts:
C.T. 17–21
C.T. 28–32
C.T. 35–36
C.T. 37.01–37.02
C.T. 38.01–38.02
C.T. 39.01–39.03
C.T. 40.01–40.02
C.T. 41.03–41.07
C.T. 42.01–42.02
C.T. 103.10
C.T. 104.01–104.04
C.T. 105
West Side (San Antonio)
County—Bexar
Parts:
C.T. 1105–1108
C.T. 1601–1606
C.T. 1607.85
C.T. 1616
C.T. 1701–1716
C.T. 1901–1902

**DENTAL: Texas**
*Population Group Listing*

*Population Group*

Inmates—FCI Big Spring
County—Howard
Parts:
FCI Big Spring
Inmates—FPC Bryan
County—Grimes
Parts:
FPC Bryan
Low Inc—Nacogdoches Co
County—Nacogdoches
Parts:
Low Income
Low Inc—Wharton Co
County—Wharton
Parts:
Low Income

**DENTAL: Texas**
*Facility Listing*

*Facility Name*

Bexar Co State Jail
County—Bexar

**DENTAL: Texas**
*Facility Listing*

*Facility Name*

FCI Bastrop
County—Bastrop
Garza West & East Units
County—Bee

**DENTAL: Utah**
*County Listing*

*County Name*

*Daggett
*Duchesne
Population Group: Pov Pop—Duchesne Co
*Emery
Service Area: Castle Dale
*Piute
*Rich
Salt Lake
Facility: Utah St. Prison (Draper)
*San Juan
Service Area: Montezuma Creek
Utah
Population Group: Pov/MFW—Utah Co
*Washington
Service Area: Hildale
*Wayne

**DENTAL: Utah**
*Service Area Listing*

*Service Area Name*

Castle Dale
County—Emery
Parts:
Castle Dale-Huntington Cc
Emery Ferron CCD
Hildale
County—Washington
Parts:
Hildale Town
Montezuma Creek
County—San Juan
Parts:
Oljato CCD
Red Mesa CCD

**DENTAL: Utah**
*Population Group Listing*

*Population Group*

Pov Pop—Duchesne Co
County—Duchesne
Parts:
Pov Pop
Pov/MFW—Utah Co
County—Utah
Parts:
Migrant
Pov Pop

**DENTAL: Utah**
*Facility Listing*

*Facility Name*

Utah St. Prison (Draper)
County—Salt Lake

**DENTAL: Vermont**
*County Listing*

*County Name*

*Essex
Grand Isle

**DENTAL: Virginia**
*County Listing*

*County Name*

Accomack
*Accomack
Service Area: Accomack/Northampton
Service Area: Accomack/Northampton
*Buchanan
*Charlotte
*Dickenson
*King And Queen
*Lee
*Nelson
Service Area: Lovingston
Newport News
Service Area: Newport News
Northampton
*Northampton
Service Area: Accomack/Northampton
Service Area: Accomack/Northampton
Richmond City
Service Area: East End Richmond
*Russell

**DENTAL: Virginia**
*Service Area Listing*

*Service Area Name*

Accomack/Northampton
County—Accomack
County—Northampton
County—Northampton
East End Richmond
County—Richmond City
Parts:
C.T. 201–212
Lovingston
County—Nelson
Parts:
Lovingston Dist
Massies Mill Dist
Schuyler Dist
Newport News
County—Newport News
Parts:
C.T. 302
C.T. 302.99
C.T. 303.98
C.T. 304–306
C.T. 308–309
C.T. 313

**DENTAL: Virginia**
*Facility Listing*

*Facility Name*

FCI—Petersburg

**DENTAL: Washington**
*County Listing*

*County Name*

*Adams
Population Group: Low Inc/MFW—Othello/Royal City
Benton
Population Group: Low Inc/MFW—Benton/Franklin
*Chelan
Population Group: MFW—Chelan/Douglas
*Columbia
Population Group: MSFW-Columbia & Walla Walla
*Douglas
Population Group: MFW—Chelan/Douglas
*Ferry

**DENTAL: Washington**
*County Listing*

*County Name*

Franklin
  Population Group: Low Inc/MFW—Benton/Franklin
  Facility: Coyote Ridge Corr Inst
*Grant
  Population Group: Low Inc/MFW—Central Grant Co
  Population Group: Low Inc/MFW—Othello/Royal City
*Island
  Population Group: Low Inc—Island Co
Kitsap
  Population Group: Low Inc—Central Bremerton
*Lewis
  Service Area: Morton
*Mason
  Facility: Wa Corr/Reception Ctr
*Okanogan
  Population Group: MSFW—Okanogan Co
Pierce
  Population Group: Medicaid—Pierce Co
  Facility: Wa Corr Ctr For Women
*Skagit
  Population Group: Low Inc/MFW—Skagit/Whatcom
Snohomish
  Population Group: Low Inc—Snohomish Co
Spokane
  Population Group: Pov Pop—Spokane
*Wahkiakum
*Walla Walla
  Population Group: MSFW-Columbia & Walla Walla
  Facility: Wa State Pen
Whatcom
  Population Group: Low Inc/MFW—Skagit/Whatcom
Yakima
  Population Group: MSFW—Toppenish/Grandview

**DENTAL: Washington**
*Service Area Listing*

*Service Area Name*

Morton
  County—Lewis
    Parts:
      Big Bottom Division
      Mineral Division
      Morton Division
      Mossyrock Division

**DENTAL: Washington**
*Population Group Listing*

*Population Group*

Low Inc—Central Bremerton
  County—Kitsap
    Parts:
      C.T. 805–806
      C.T. 810–813
Low Inc—Island Co
  County—Island
    Parts:
      Low Income
Low Inc—Snohomish Co
  County—Snohomish
    Parts:
      Low Income

**DENTAL: Washington**
*Population Group Listing*

*Population Group*

Low Inc/MFW—Benton/Franklin
  County—Benton
    Parts:
      Low Income
      MFW
  County—Franklin
    Parts:
      Low Income
      MFW
Low Inc/MFW—Central Grant Co
  County—Grant
    Parts:
      Ephrata-Soap Lake CCD
      George CCD
      Gloyd CCD
      Moses Lake CCD
      Quincy CCD
      Warden CCD
      Wilson Creek CCD
Low Inc/MFW—Othello/Royal City
  County—Adams
    Parts:
      Low Inc/MFW—Adams Co
  County—Grant
    Parts:
      Low Inc/MFW—S Slopes C
Low Inc/MFW—Skagit/Whatcom
  County—Skagit
    Parts:
      Low Income
      MFW
  County—Whatcom
    Parts:
      Low Income
      MFW
Medicaid—Pierce Co
  County—Pierce
    Parts:
      Medicaid Eligible
MFW—Chelan/Douglas
  County—Chelan
    Parts:
      MFW
  County—Douglas
    Parts:
      MFW
MSFW—Okanogan Co
  County—Okanogan
    Parts:
      MSFW
MSFW—Toppenish/Grandview
  County—Yakima
    Parts:
      Mabton CCD
      S Yakima CCD
      Sunnyside CCD
      Toppenish/Wapato CCD
MSFW-Columbia & Walla Walla
  County—Columbia
    Parts:
      MSFW
  County—Walla Walla
    Parts:
      MSFW
Pov Pop—Spokane
  County—Spokane
    Parts:
      Spokane CCD

**DENTAL: Washington**
*Facility Listing*

*Facility Name*

Coyote Ridge Corr Inst
  County—Franklin
Wa Corr Ctr For Women
  County—Pierce
Wa Corr/Reception Ctr
  County—Mason
Wa State Pen
  County—Walla Walla

**DENTAL: West Virginia**
*County Listing*

*County Name*

*Calhoun
*Hampshire
  Service Area: Baker
*Hardy
  Service Area: Baker
Kanawha
  Service Area: Cedar Grove
*Lincoln
*McDowell
*Monongalia
  Service Area: Clay/Battelle (WV/PA)
  Population Group: Inmates—FCI Morgantown
*Monroe
  Population Group: Inmates—FPC Alderson
Wayne
  Service Area: Wayne/Fort Gay
*Wetzel
  Service Area: Clay/Battelle (WV/PA)

**DENTAL: West Virginia**
*Service Area Listing*

*Service Area Name*

Baker
  County—Hampshire
    Parts:
      Capon Dist
  County—Hardy
    Parts:
      Capon Dist
      Lost River Dist
Cedar Grove
  County—Kanawha
    Parts:
      C.T. 118
Clay/Battelle (WV/PA)
  County—Monongalia
    Parts:
      C.T. 114
  County—Wetzel
    Parts:
      C.T. 304
Wayne/Fort Gay
  County—Wayne
    Parts:
      Butler Dist.
      Stonewall Dist.
      Union Dist.

**DENTAL: West Virginia**
*Population Group Listing*

*Population Group*

Inmates—FCI Morgantown
  County—Monongalia
    Parts:
      FCI Morgantown
Inmates—FPC Alderson
  County—Monroe

**DENTAL: West Virginia**
*Population Group Listing*

*Population Group*

Parts:
FPC Alderson

**DENTAL: Wisconsin**
*County Listing*

*County Name*

*Adams
Facility: FCI Oxford
*Forest
Service Area: Mountain
*Langlade
Service Area: Mountain
Milwaukee
Service Area: Inner City West
Service Area: Inner City North (Milwaukee)
Population Group: Low Inc—Inner City South
*Monroe
Population Group: Low Inc—Westby/Cashton
*Oconto
Service Area: Mountain
*Vernon
Population Group: Low Inc—Westby/Cashton

**DENTAL: Wisconsin**
*Service Area Listing*

*Service Area Name*

Inner City North (Milwaukee)
County—Milwaukee
Parts:
C.T. 66–72
C.T. 79–86
C.T. 101–107
C.T. 114–118
C.T. 139–142
C.T. 145–147
C.T. 151
Inner City West
County—Milwaukee
Parts:
C.T. 62
C.T. 87–90
C.T. 96–100
C.T. 119–123
C.T. 133–138
C.T. 148–149
Mountain
County—Forest
Parts:
Blackwell Twn.
Freedom Twn.
Wabeno Twn.
County—Langlade
Parts:
Evergreen Twn.
Langlade Twn.
White Lake Vil.
Wolf River Twn.
County—Oconto
Parts:
Armstrong Twn.
Bagley Twn.
Brazeau Twn.
Breed Twn.
Doty Twn.
Lakewood Twn.
Riverview Twn.
Townsend Twn.

**DENTAL: Wisconsin**
*Population Group Listing*

*Population Group*

Low Inc—Inner City South
County—Milwaukee
Parts:
C.T. 155–159
C.T. 162–169
C.T. 174–177
C.T. 178.98
C.T. 179
C.T. 180.97–180.98
Low Inc—Westby/Cashton
County—Monroe
Parts:
Cashton Vil
Jefferson Town
Melvina Vil
Norwalk Vil
Portland Town
Ridgeville Town
Sheldon Town
Wellington Town
County—Vernon
Parts:
Christiana Town
Clinton Town
Forest Town
Ontario Vil
Westby City
Whitestown Town

**DENTAL: Wisconsin**
*Facility Listing*

*Facility Name*

FCI Oxford
County—Adams

**DENTAL: American Samoa**
*County Listing*

*County Name*

Eastern District
Service Area: Terr. Of American Samoa
Manu'A District
Service Area: Terr. Of American Samoa
Rose Island
Service Area: Terr. Of American Samoa
Swains Island
Service Area: Terr. Of American Samoa
Western District
Service Area: Terr. Of American Samoa

**DENTAL: American Samoa**
*Service Area Listing*

*Service Area Name*

Terr. Of American Samoa
County—Eastern District
County—Manu'A District
County—Rose Island
County—Swains Island
County—Western District

**DENTAL: Fed Ste Micronesia**
*County Listing*

*County Name*

*Chuuk State
*Kosrae State
*Pohnpei State
*Yap State

**DENTAL: Guam**
*County Listing*

*County Name*

*Guam

**DENTAL: Marshall Islands**
*County Listing*

*County Name*

Ailinginae
Service Area: Marshall Islands
Ailinglaplap
Service Area: Marshall Islands
Ailuk
Service Area: Marshall Islands
Arno
Service Area: Marshall Islands
Aur
Service Area: Marshall Islands
Bikar
Service Area: Marshall Islands
Bikini
Service Area: Marshall Islands
Bokak
Service Area: Marshall Islands
Ebon
Service Area: Marshall Islands
Enewetak
Service Area: Marshall Islands
Erikub
Service Area: Marshall Islands
Jabat
Service Area: Marshall Islands
Jaluit
Service Area: Marshall Islands
Jemo Island
Service Area: Marshall Islands
Kili
Service Area: Marshall Islands
Kwajalein
Service Area: Marshall Islands
Lae
Service Area: Marshall Islands
Lib
Service Area: Marshall Islands
Likiep
Service Area: Marshall Islands
Majuro
Service Area: Marshall Islands
Maloelap
Service Area: Marshall Islands
Mejit
Service Area: Marshall Islands
Mili
Service Area: Marshall Islands
Namorik
Service Area: Marshall Islands
Namu
Service Area: Marshall Islands
Rongelap
Service Area: Marshall Islands
Rongrik
Service Area: Marshall Islands
Taka
Service Area: Marshall Islands
Ujae
Service Area: Marshall Islands
Ujelang
Service Area: Marshall Islands
Utrik
Service Area: Marshall Islands
Wotho
Service Area: Marshall Islands
Wotje
Service Area: Marshall Islands

**DENTAL: Marshall Islands**
*Service Area Listing*

*Service Area Name*

Marshall Islands
County—Ailinginae
County—Ailinglaplap
County—Ailuk
County—Arno
County—Aur
County—Bikar
County—Bikini
County—Bokak
County—Ebon
County—Enewetak
County—Erikub
County—Jabat
County—Jaluit
County—Jemo Island
County—Kili
County—Kwajalein
County—Lae
County—Lib
County—Likiep
County—Majuro
County—Maloelap
County—Mejit
County—Mili
County—Namorik
County—Namu
County—Rongelap
County—Rongrik
County—Taka
County—Ujae
County—Ujelang
County—Utrik
County—Wotho
County—Wotje

**DENTAL: N. Mariana Islands**
*County Listing*

*County Name*

*Mariana Island District

**DENTAL: Republic of Palau**
*County Listing*

*County Name*

*Republic Of Palau

**DENTAL: Puerto Rico**
*County Listing*

*County Name*

*Adjuntas
Aguada
Aguadilla
*Aguas Buenas
*Aibonito
Anasco
*Arecibo
*Arroyo
*Barceloneta
*Barranquitas
*Bayamon
Population Group: Low Inc—Bayamon
Cabo Rojo
*Caguas
Population Group: Low Inc—Caguas
*Camuy
*Canovanas
*Carolina
*Catano
*Cayey

**DENTAL: Puerto Rico**
*County Listing*

*County Name*

*Ceiba
*Ciales
*Cidra
*Coamo
*Comerio
*Corozal
*Culebra
*Dorado
*Fajardo
Population Group: Low Inc—Fajardo
*Florida
*Guanica
*Guayama
Guayanilla
*Guaynabo
Population Group: Low Inc—Guaynabo
*Gurabo
*Hatillo
Hormigueros
*Humacao
Population Group: Low Inc—Humacao
*Isabela
*Jayuya
Juana Diaz
*Juncos
Population Group: Low Inc—Juncos
*Lajas
*Lares
*Las Marias
*Las Peidras
*Loiza
*Luquillo
*Manati
Population Group: Low Inc—Manati
*Maricao
*Maunabo
Mayaguez
Population Group: Low Inc—Mayaguez
Moca
*Morovis
*Naguabo
*Naranjito
*Orocovis
Population Group: Low Inc—Orocovis
*Patillas
Penuelas
Ponce
Population Group: Low Inc—Ponce
*Quebradillas
*Rincon
*Rio Grande
Sabana Grande
*Salinas
San German
*San Juan
Population Group: Low Inc—San Juan
*San Lorenzo
*San Sebastian
*Santa Isabel
*Toa Alta
*Toa Baja
*Trujillo Alto
*Utuado
*Vega Alta
*Vega Baja
*Vieques
Villalba
*Yabucoa
Yauco

**DENTAL: Puerto Rico**
*Population Group Listing*

*Population Group*

Low Inc—Bayamon
County—Bayamon
Parts:
Low Income
Low Inc—Caguas
County—Caguas
Parts:
Low Income
Low Inc—Fajardo
County—Fajardo
Parts:
Low Income
Low Inc—Guaynabo
County—Guaynabo
Parts:
Low Income
Low Inc—Humacao
County—Humacao
Parts:
Low Income
Low Inc—Juncos
County—Juncos
Parts:
Low Income
Low Inc—Manati
County—Manati
Parts:
Low Income
Low Inc—Mayaguez
County—Mayaguez
Parts:
Low Income
Low Inc—Orocovis
County—Orocovis
Parts:
Low Income
Low Inc—Ponce
County—Ponce
Parts:
Low Income
Low Inc—San Juan
County—San Juan
Parts:
Low Income

**DENTAL: Virgin Islands**
*County Listing*

*County Name*

*St. Croix
Service Area: Fredericksted

**DENTAL: Virgin Islands**
*Service Area Listing*

*Service Area Name*

Fredericksted
County—St. Croix
Parts:
Fredericksted
Northwest
Southwest

[FR Doc. 96–32425 Filed 12–30–96; 8:45 am]
BILLING CODE 4160–15–P

federal register

Tuesday
December 31, 1996

# Part III

# Department of Defense
# General Services Administration
# National Aeronautics and Space Administration

**48 CFR Ch. I**

**Federal Acquisition Regulations; Final Rule**

**DEPARTMENT OF DEFENSE**

**GENERAL SERVICES ADMINISTRATION**

**NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**

**48 CFR Chapter 1**

## Federal Acquisition Circular 90–44; Introduction

**AGENCIES:** Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

**ACTION:** Summary presentation of final and interim rules.

**SUMMARY:** This document summarizes the Federal Acquisition Regulation (FAR) rules issued by the FAR Council in this Federal Acquisition Circular (FAC) 90–44. Each rule follows this document in the order listed below. A companion document, the Small Entity Compliance Guide, follows this FAC and may be located on the internet at http://www.gsa.gov/far/compliance.

**DATES:** For effective dates and comment dates, see separate documents which follow.

**FOR FURTHER INFORMATION CONTACT:** The analyst whose name appears (in the table below) in relation to each FAR case or subject area. For general information, contact Beverly Fayson, Room 4037, GS Building, Washington, DC 20405, (202) 501–4755. Please cite FAC 90–44 and specific FAR case number(s).

**SUPPLEMENTARY INFORMATION:** Federal Acquisition Circular 90–44 amends the Federal Acquisition Regulation (FAR) as specified below:

| Item | Subject | FAR case | Analyst |
|---|---|---|---|
| I | Automatic Data Processing Equipment Leasing Costs (Interim) | 96–010 | Olson |
| II | Major System Definition | 96–322 | O'Neill |
| III | Preaward Debriefings | 96–304 | DeStefano |
| IV | Certification Requirements—Drug-Free Workplace | 96–311 | DeStefano |
| V | Consideration of Late Offers | 95–019 | DeStefano |
| VI | Foreign Differential Pay (Interim) | 96–012 | Olson |
| VII | Final Indirect Cost Rates | 95–018 | Klein |
| VIII | Modification of Existing Contracts (Interim) | 96–606 | DeStefano |

Item I—Automatic Data Processing Equipment Leasing Costs (FAR Case 96–010)

This interim rule deletes the cost principle at FAR 31.205–2, Automatic Data Processing Equipment (ADPE) Leasing Costs, the ADPE definition at 31.001, and references to the term ADPE found elsewhere in Part 31.

Item II—Major System Definition (FAR Case 96–322)

This final rule amends the definition of ''major system'' at FAR 2.101 to increase the dollar thresholds applicable to the Department of Defense. The rule implements 10 U.S.C. 2302(5) as amended by Section 805 of the National Defense Authorization Act for Fiscal Year 1997 (Pub. L. 104–201).

Item III—Preaward Debriefings (FAR Case 96–304)

This final rule revises FAR Subpart 15.10 to implement Section 4104 of the Clinger-Cohen Act of 1996 (Pub. L. 104–106). Section 4104 requires that, prior to contract award, contracting officers provide a debriefing to any interested offeror on the reasons for that offeror's exclusion from the competitive range in a competitive negotiation.

Item IV—Certification Requirements—Drug-Free Workplace (FAR Case 96–311)

This final rule amends FAR Parts 9, 13, 23, and 52 to delete the requirement for an offeror to provide a certification regarding a drug-free workplace. The rule implements Section 4301(a)(3) of the Clinger-Cohen Act of 1996 (Pub. L. 104–106).

Item V—Consideration of Late Offers (FAR Case 95–019)

This final rule amends the late bid rule to allow an offer to be accepted if the late receipt was due primarily to Government mishandling after receipt at the Government installation. The rule recognizes the use of hand-carried offers (including delivery by a commercial carrier) as a common business practice and provides flexibility in determining when an offer (bid or proposal) was received at the Government activity, by applying standards used by the General Accounting Office. The rule also expands the definition of acceptable evidence to support acceptance of a late offer and adds a new exception at 52.215–10(a)(5) and 52.215–36(a)(3) which allows consideration of a proposal that was misdirected or misdelivered (not necessarily through mishandling) to an office other than that designated for receipt of offers in the solicitation. These changes do not apply to commercial item solicitations which contain the provision at 52.212–1(f), Late Offers.

Item VI—Foreign Differential Pay (FAR Case 96–012)

This interim rule deletes the prohibition at FAR 31.205–6(e)(2) on the calculation of foreign differential pay based directly on an employee's specific increase in income taxes resulting from assignment overseas.

Item VII—Final Indirect Cost Rates (FAR Case 95–018)

This final rule amends FAR Subpart 42.7 and Part 52 to improve procedures for providing payments to contractors under cost-type contracts by permitting, with certain restrictions, contractor use of billing rates contained in certified final indirect cost rate proposals, providing for Government release of 75 to 90 percent of all fee withholds under physically completed contracts, after receipt of the contractor's certified final indirect cost rate proposal, and establishing a timeframe for contractor submission of final invoices or vouchers.

Item VIII—Modification of Existing Contracts (FAR Case 96–606)

This interim rule amends FAR 43.102 to provide for modification of existing contracts without requiring consideration, upon request of the contractor, to incorporate changes authorized by the Clinger-Cohen Act of 1996 (Pub. L. 104–106).

Dated: December 19, 1996.

Edward C. Loeb,

*Director, Federal Acquisition Policy Division.*

Federal Acquisition Circular

FAC 90–44

Federal Acquisition Circular (FAC) 90–44 is issued under the authority of the Secretary of Defense, the

Administrator of General Services, and the Administrator for the National Aeronautics and Space Administration.

Unless otherwise specified, all Federal Acquisition Regulation (FAR) and other directive material contained in FAC 90–44 is effective December 31, 1996 except the following items:

Items III, IV, and VIII, January 1, 1997; and

Items V and VII, March 3, 1997.

Dated: December 19, 1996.

Roland A. Hassebrock,

*Col., USAF Acting Director, Defense Procurement.*

Dated: December 18, 1996.

Ida M. Ustad,

*Deputy Associate Administrator, Office of Acquisition Policy, General Services Administration.*

Dated: December 19, 1996.

Tom Luedtke,

*Deputy Associate Administrator for Procurement, National Aeronautics and Space Administration.*

[FR Doc. 96–32804 Filed 12–30–96; 8:45 am]

**BILLING CODE 6820–EP–M**

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## 48 CFR Parts 1 and 31

**[FAC 90–44; FAR Case 96–010; Item I]**

**RIN 9000–AH41**

## Federal Acquisition Regulation; Automatic Data Processing Equipment Leasing Costs

**AGENCIES:** Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

**ACTION:** Interim rule.

**SUMMARY:** The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council have agreed to an interim rule which deletes the definition of automatic data processing equipment (ADPE) and the cost principle concerning ADPE leasing costs. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993. This is not a major rule under 5 U.S.C. 804.

**DATES:** *Effective Date:* December 31, 1996.

*Comment Due Date:* To be considered in the formulation of a final rule, comments should be submitted to the address given below on or before March 3, 1997.

**ADDRESSES:** Comments should be submitted to: General Services Administration, FAR Secretariat, 18th & F Streets NW, Room 4037, Washington, DC 20405.

E-Mail comments submitted over the Internet should be addressed to: 96–010@www.ARNET.gov.

**FOR FURTHER INFORMATION CONTACT:** Mr. Jeremy Olson at (202) 501–3221 in reference to this FAR case. For general information, contact the FAR Secretariat, Room 4037, GS Building, Washington, DC 20405 (202) 501–4755. Please cite FAC 90–44, FAR case 96–010.

**SUPPLEMENTARY INFORMATION:**

### A. Background

The cost principle at FAR 31.205–2, Automatic Data Processing Equipment (ADPE) Leasing Costs, was implemented when ADPE was an emerging technology, had limited applications, and was a substantial cost element on Government contracts. For these early computer systems, the hardware itself constituted the major expense, and that fact, coupled with the risks of ownership of this rapidly evolving technology, justified the detailed scrutiny required under the cost principle. In the current technological environment, however, where hardware costs are no longer such a significant expense and computer systems have become ubiquitous in the workplace, the continued application of FAR 31.205–2 is no longer appropriate and is an unnecessary accounting and administrative burden on contractors. The cost principle at FAR 31.205–36, Rental Costs, adequately protects the Government's interests in this cost area without prescribing overly detailed annual requirements.

This interim rule deletes the cost principle at 31.205–2, the ADPE definition at 31.001, and references to the term ''ADPE'' found elsewhere in Part 31.

### B. Regulatory Flexibility Act

The interim rule is not expected to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, because most contracts awarded to small entities use simplified acquisition procedures, or are awarded on a competitive, fixed-price basis, and do not require application of the FAR cost principles. An Initial Regulatory Flexibility Analysis has, therefore, not been performed. Comments are invited from small businesses and other interested parties. Comments from small entities concerning the affected FAR subparts also will be considered in accordance with 5 U.S.C. 601. Such comments must be submitted separately and cite 5 U.S.C. 601, *et. seq.* (FAR case 96–010) in correspondence.

### C. Paperwork Reduction Act

The interim rule deletes the information collection requirement at FAR 31.205–2, which was previously approved by the Office of Management and Budget (OMB) under Control Number 9000–0072.

### D. Determination To Issue an Interim Rule

A determination has been made under the authority of the Secretary of Defense (DOD), the Administrator of General Services (GSA), and the Administrator of the National Aeronautics and Space Administration (NASA) that, pursuant to 41 U.S.C. 418b, urgent and compelling reasons exist to publish an interim rule prior to affording the public an opportunity to comment. The rule is necessary because the cost principle at FAR 31.205–2 imposes unnecessary administrative and accounting requirements on contractors and the Government, since it requires contractors to annually demonstrate compliance with a number of specific criteria, including obtaining contracting officer approval in certain circumstances. In order for contractors, and ultimately, the Government, to experience cost savings as quickly as possible, it is necessary that an interim rule be published to eliminate this burdensome and obsolete requirement. However, pursuant to Public Law 98–577 and FAR 1.501, public comments received in response to this interim rule will be considered in the formation of the final rule.

### List of Subjects in 48 CFR Parts 1 and 31

Government procurement.

Dated: December 19, 1996.

Edward C. Loeb,

*Director, Federal Acquisition Policy Division.*

Therefore, 48 CFR parts 1 and 31 are amended as set forth below:

1. The authority citation for 48 CFR parts 1 and 31 continues to read as follows:

Authority: 40 U.S.C. 486(c); 10 U.S.C. chapter 137; and 42 U.S.C. 2473(c).

## PART 1—FEDERAL ACQUISITION REGULATION SYSTEM

**1.106 [Amended]**

2. Section 1.106 is amended in the list following the introductory paragraph by removing the FAR segment ''31.205–2'' and the corresponding OMB control number ''9000–0072''.

## PART 31—CONTRACT COST PRINCIPLES AND PROCEDURES

**31.001 [Amended]**

3. Section 31.001 is amended by removing the definition ''Automatic data processing equipment (ADPE)''.

**31.109 [Amended]**

4. Section 31.109 is amended by removing paragraph (h)(10) and redesignating paragraphs (h)(11) through (h)(17) as (h)(10) through (h)(16), respectively.

**31.205–2 [Removed and reserved]**

5. Section 31.205–2 is removed and reserved.

6. Section 31.205–36 is amended in paragraph (a) by revising the first sentence to read as follows:

**31.205–36 Rental costs.**

(a) This subsection is applicable to the cost of renting or leasing real or personal property acquired under ''operating leases'' as defined in Statement of Financial Accounting Standards No. 13 (FAS–13), Accounting for Leases. * * *

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[FR Doc. 96–32805 Filed 12–30–96; 8:45 am]

BILLING CODE 6820–EP–M

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## 48 CFR Part 2

**[FAC 90–44; FAR Case 96–322; Item II]**

**RIN 9000–AH42**

## Federal Acquisition Regulation; Major System Definition

**AGENCIES:** Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

**ACTION:** Final rule.

**SUMMARY:** The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council have agreed on a final rule amending the Federal Acquisition Regulation (FAR) to revise the dollar thresholds in the definition of ''major system'' for the Department of Defense. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993. This is not a major rule under 5 U.S.C. 804.

**EFFECTIVE DATE:** December 31, 1996.

**FOR FURTHER INFORMATION CONTACT:** Mr. Jack O'Neill at (202) 501–3856 in reference to this FAR case. For general information, contact the FAR Secretariat, Room 4037, GS Building, Washington, DC 20405 (202) 501–4755. Please cite FAC 90–44, FAR case 96–322.

**SUPPLEMENTARY INFORMATION:**

A. Background

Section 805 of the National Defense Authorization Act for Fiscal Year 1997 (Pub. L. 104–201) amends the definition of ''major system'' in 10 U.S.C. 2302. This rule revises the definition at FAR 2.101 to conform with Section 805.

B. Regulatory Flexibility Act

The final rule does not constitute a significant FAR revision within the meaning of FAR 1.501 and Public Law 98–577, and publication for public comments is not required. Therefore, the Regulatory Flexibility Act does not apply. However, comments from small entities concerning the affected FAR subpart will be considered in accordance with 5 U.S.C. 610. Such comments must be submitted separately and cite 5 U.S.C. 601, *et seq.* (FAC 90–44, FAR case 96–322), in correspondence.

C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the changes to the FAR do not impose recordkeeping or information collection requirements, or collections of information from offerors, contractors, or members of the public which require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

List of Subjects in 48 CFR Part 2

Government procurement.

Dated: December 19, 1996.

Edward C. Loeb,

*Director, Federal Acquisition Policy Division.*

Therefore, 48 CFR Part 2 is amended as set forth below:

## PART 2—DEFINITIONS OF WORDS AND TERMS

1. The authority citation for 48 CFR Part 2 continues to read as follows:

Authority: 40 U.S.C. 486(c); 10 U.S.C. chapter 137; and 42 U.S.C. 2473(c).

2. Section 2.101 is amended in the definition of ''Major system'' by revising paragraph (a), and adding at the end of paragraph (c) the parenthetical ''(10 U.S.C. 2302 and 41 U.S.C. 403).'' to read as follows:

**2.101 Definitions.**

* * * * *

*Major system* * * *

(a) The Department of Defense is responsible for the system and the total expenditures for research, development, test, and evaluation for the system are estimated to be more than $115,000,000 (based on fiscal year 1990 constant dollars) or the eventual total expenditure for the acquisition exceeds $540,000,000 (based on fiscal year 1990 constant dollars);

* * * * *

[FR Doc. 96–32806 Filed 12–30–96; 8:45 am]

BILLING CODE 6820–EP–M

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## 48 CFR Parts 5, 13, 14, 15, 19, 25, 33, and 36

**[FAC 90–44; FAR Case 96–304; Item III]**

**RIN 9000–AH13**

## Federal Acquisition Regulation; Preaward Debriefings

**AGENCIES:** Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

**ACTION:** Final rule.

**SUMMARY:** The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council have agreed on a final rule amending the Federal Acquisition Regulation (FAR) to implement Section 4104 of the Clinger-Cohen Act of 1996. The rule requires that, prior to contract award, contracting officers provide a debriefing to any interested offeror on the reasons for that offeror's exclusion from the competitive range in a competitive negotiation. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993. This is not a major rule under 5 U.S.C. 804. The Federal Acquisition Reform Act of 1996 was subsequently renamed the Clinger-Cohen Act of 1996.

**EFFECTIVE DATE:** January 1, 1997.

**FOR FURTHER INFORMATION CONTACT:** Mr. Ralph DeStefano at (202) 501–1758 in reference to this FAR case. For general information, contact the FAR Secretariat, Room 4037, GS Building, Washington, DC 20405 (202) 501–4755. Please cite FAC 90–44, FAR case 96–304.

**SUPPLEMENTARY INFORMATION:**

A. Background

Section 4104 of the Clinger-Cohen Act of 1996 (Public Law 104–106) requires that, prior to contract award, contracting officers provide a debriefing to any interested offeror on the reasons for that offeror's exclusion from the competitive range in a competitive negotiation. The contracting officer may refuse a preaward debriefing request if it is not in the best interest of the Government to

conduct a debriefing at that time. Section 4104 also requires that the debriefing include the following information: The agency's evaluation of the significant elements in the offeror's proposal; a summary of the rationale for the offeror's exclusion; and reasonable responses to relevant questions posed by the debriefed offeror as to whether the source selection procedures in the solicitation and applicable regulations were followed by the agency.

A proposed rule requesting public comments was published in the Federal Register at 61 FR 32580, June 24, 1996. Five comments were received from four respondents and were considered in developing the final rule.

B. Regulatory Flexibility Act

The Department of Defense, the General Services Administration, and the National Aeronautics and Space Administration certify that this final rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, because the rule provides for earlier debriefings to unsuccessful offerors but does not significantly alter the amount of information provided to unsuccessful offerors.

C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the changes to the FAR do not impose recordkeeping or information collection requirements, or collections of information from offerors, contractors, or members of the public which require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

List of Subjects in 48 CFR Parts 5, 13, 14, 15, 19, 25, 33, and 36

Government procurement.

Dated: December 19, 1996.

Edward C. Loeb,

*Director, Federal Acquisition Policy Division.*

Therefore, 48 CFR Parts 5, 13, 14, 15, 19, 25, 33, and 36 are amended as set forth below:

1. The authority citation for 48 CFR Parts 5, 13, 14, 15, 19, 25, 33, and 36 continues to read as follows:

Authority: 40 U.S.C. 486(c); 10 U.S.C. chapter 137; and 42 U.S.C. 2473(c).

**Chapter 1 [Amended]**

2. In the list below, for each section listed in the left column, remove the citation listed in the middle column, and insert the citation in the last column:

| Section | Remove | Insert |
|---|---|---|
| 5.303(b)(2) | 15.1002(c) | 15.1003(b) |
| 13.106–2(c)(3) | 15.1002(c)(2) | 15.1003(b)(2) |
| 15.412(d) | 15.1002(c)(1) | 15.1003(b)(1) |
| 15.609(c) | 15.1002(b) | 15.1003 |
| 19.302(d)(1) | 15.1002(b)(2) | 15.1003(a)(2) |
| 19.501(h)(1) | 15.1002(b)(2) | 15.1003(a)(2) |
| 19.501(h)(2) | 15.1002(b)(2) | 15.1003(a)(2) |
| 25.405(e) | 15.1002 | 15.1003 |
| 33.103(f)(3) | 15.1004 | 15.1006 |
| 33.104(c)(1) | 15.1004 | 15.1006 |

## PART 14—SEALED BIDDING

3. Section 14.503–1 is amended by revising the second sentence of paragraph (g) to read as follows:

**14.503–1 Step one.**

* * * * *

(g) * * * Upon written request, the contracting officer shall debrief unsuccessful offerors (see 15.1005 and 15.1006).

* * * * *

## PART 15—CONTRACTING BY NEGOTIATION

4. Section 15.612 is amended by revising paragraph (f) to read as follows:

**15.612 Formal source selection.**

* * * * *

(f) *Notices and debriefings.* See 15.1003, 15.1004, 15.1005, and 15.1006.

5. Subpart 15.10 is revised to read as follows:

### Subpart 15.10—Preaward, Award, and Postaward Notifications, Protests, and Mistakes

Sec.

15.1001 Definition.
15.1002 Applicability.
15.1003 Notifications to unsuccessful offerors.
15.1004 Notification to successful offeror.
15.1005 Preaward debriefing of offerors.
15.1006 Postaward debriefing of offerors.
15.1007 Protests against award.
15.1008 Discovery of mistakes.

**15.1001 Definition.**

*Day*, as used in this subpart, has the meaning set forth at 33.101.

**15.1002 Applicability.**

This subpart applies to the use of competitive proposals, as described in 6.102(b), and a combination of competitive procedures, as described in 6.102(c). To the extent practicable, however, the procedures and intent of this subpart, with reasonable modification, should be followed for acquisitions described in 6.102(d): broad agency announcements, small business innovation research contracts, and architect-engineer contracts. However, they do not apply to multiple award schedules, as described in 6.102(d)(3).

**15.1003 Notifications to unsuccessful offerors.**

(a) *Preaward notices*—(1) *Preaward notices of exclusion from competitive range.* The contracting officer shall promptly notify offerors when they are excluded from the competitive range or otherwise excluded from further consideration. The notice shall—

(i) State the basis for the determination and that a proposal revision will not be considered;

(ii) Advise the offeror that, if a preaward or postaward debriefing is desired, a written request must be submitted to the contracting officer within three days; and

(iii) Indicate that, absent receipt of a timely written request, the Government is not obligated to provide a preaward or a postaward debriefing.

(2) *Preaward notices for small business set-asides.* In a small business set-aside (see subpart 19.5), upon completion of negotiations and determinations of responsibility, but prior to award, the contacting officer shall notify each unsuccessful offeror in writing of the name and location of the apparent successful offeror. The notice also shall state that—

(i) The Government will not consider subsequent revisions of the unsuccessful offeror's proposal; and

(ii) No response is required unless a basis exists to challenge the small

business size status of the apparent successful offeror. The notice is not required when the contracting officer determines in writing that the urgency of the requirement necessitates award without delay.

(b) *Postaward notices.* Within three days after the date of contract award, the contracting officer shall provide written notification to each unsuccessful offeror (unless preaward notice was given under paragraph (a) of this section).

(1) The notice shall include—

(i) The number of offerors solicited;

(ii) The number of proposals received;

(iii) The name and address of each offeror receiving an award;

(iv) The items, quantities, and unit prices of each award (if the number of items or other factors makes listing unit prices impracticable, only the total contract price need be furnished); and

(v) In general terms, the reason the offeror's proposal was not accepted, unless the price information in paragraph (b)(1)(iv) of this section readily reveals the reason. In no event shall an offeror's cost breakdown, profit, overhead rates, trade secrets, manufacturing processes and techniques, or other confidential business information be disclosed to any other offeror.

(2) Upon request, the contracting officer shall furnish the information described in paragraphs (b)(1) (i) through (v) of this section to unsuccessful offerors in solicitations using the simplified acquisition procedures in part 13.

**15.1004 Notification to successful offeror.**

The contracting officer shall award a contract with reasonable promptness to the successful offeror (selected in accordance with 15.611(d)) by transmitting a written notice of the award to that offeror (but see 15.608(b)). When an award is made to an offeror for less than all of the items that may be awarded to that offeror and additional items are being withheld for subsequent award, each notice shall state that the Government may make subsequent awards on those additional items within the offer acceptance period.

**15.1005 Preaward debriefing of offerors.**

Offerors excluded from the competitive range or otherwise excluded from further consideration prior to the final source selection decision may request a debriefing before award (10 U.S.C. 2305(b)(6)(A) and 41 U.S.C. 253b(f)–(h)). The process for requesting and conducting preaward debriefings is as follows:

(a) The offeror may request a preaward debriefing by submitting a written request for debriefing to the contracting officer within three days of the receipt of notice of exclusion from the competitive range. If the offeror does not submit a timely request, the offeror need not be given either a preaward or a postaward debriefing. Offerors are entitled to no more than one debriefing on each acquisition.

(b) The contracting officer should provide a debriefing to the offeror as soon as practicable. If providing a preaward debriefing is not in the best interest of the Government at the time it is requested, the contracting officer may delay the debriefing, but shall provide the debriefing no later than the time postaward debriefings are provided under 15.1006. In that event, the contracting officer shall include the information at 15.1006(d) in the debriefing.

(c) Debriefings may be done orally, in writing, or by any other method acceptable to the contracting officer.

(d) The contracting officer or designee shall chair any debriefing session held. Individuals who conducted the evaluation shall provide support.

(e) At a minimum, preaward debriefings shall include—

(1) The agency's evaluation of significant elements in the offeror's proposal;

(2) A summary of the rationale for excluding the offeror from the competitive range; and

(3) Reasonable responses to relevant questions about whether source selection procedures contained in the solicitation, applicable regulations, and other applicable authorities were followed in the process of excluding the offeror from the competitive range.

(f) Preaward debriefings shall not disclose—

(1) The number of offerors;

(2) The identity of other offerors;

(3) The content of other offerors' proposals;

(4) The ranking of other offerors;

(5) The evaluation of other offerors; or

(6) Any of the information prohibited in 15.1006(e).

(g) The contracting officer shall include an official summary of the debriefing in the contract file.

**15.1006 Postaward debriefing of offerors.**

(a) An offeror shall be debriefed and furnished the basis for the source selection decision and contract award, if its written request is received by the contracting officer within three days after the offeror receives notice of contract award. Offerors that requested a postaward debriefing at the time they were eliminated from the competitive range or otherwise excluded from further consideration prior to the final source selection decision shall also be provided a debriefing at this time. An offeror that failed to submit a timely request under 15.1003(a) or 15.1005(a) is not entitled to a debriefing. When practicable, debriefing requests received more than three days after the offeror receives notice of contract award may be accommodated. However, accommodating such untimely debriefing requests does not extend the time within which suspension of performance can be required, as this accommodation is not a ''required debriefing'' as described in part 33. To the maximum extent practicable, the debriefing should occur within five days after receipt of the written request.

(b) Debriefings of successful and unsuccessful offerors may be done orally, in writing, or by any other method acceptable to the contracting officer.

(c) The contracting officer or designee shall chair any debriefing session held. Individuals who conducted the evaluation shall provide support.

(d) At a minimum, the debriefing information shall include—

(1) The Government's evaluation of the significant weaknesses or deficiencies in the offeror's proposal, if applicable;

(2) The overall evaluated cost or price and technical rating, if applicable, of the successful offeror and the debriefed offeror;

(3) The overall ranking of all offerors when any ranking was developed by the agency during the source selection;

(4) A summary of the rationale for award;

(5) For acquisitions of commercial end items, the make and model of the item to be delivered by the successful offeror; and

(6) Reasonable responses to relevant questions about whether source selection procedures contained in the solicitation, applicable regulations, and other applicable authorities were followed.

(e) The debriefing shall not include point-by-point comparisons of the debriefed offeror's proposal with those of other offerors. Moreover, the debriefing shall not reveal any information exempt from release under the Freedom of Information Act including—

(1) Trade secrets;

(2) Privileged or confidential manufacturing processes and techniques;

(3) Commercial and financial information that is privileged or confidential, including cost

breakdowns, profit, indirect cost rates, and similar information; and

(4) The names of individuals providing reference information about an offeror's past performance.

(f) The contracting officer shall include an official summary of the debriefing in the contract file.

**15.1007 Protests against award.**

(a) Before filing a protest, prior to award of a contract, of the exclusion of an offeror from the competitive range (or otherwise from further consideration), use of alternative dispute resolution techniques is encouraged (see subpart 33.2).

(b) Protests against award in negotiated acquisitions shall be treated substantially the same as in sealed bidding (see subpart 33.1).

(c) If, within one year of contract award, a protest causes the agency to issue either a new solicitation or a new request for best and final offers on the protested contract award, the agency shall make available to all prospective offerors for the new solicitation, or original offerors that are requested to submit new best and final offers—

(1) Information provided in any debriefings conducted on the original award about the successful offeror's proposal; and

(2) Other nonproprietary information provided to the original offerors.

**15.1008 Discovery of mistakes.**

For treatment of mistakes in an offeror's proposal that are discovered before award, see 15.607. Mistakes in a contractor's proposal that are disclosed after award shall be processed in accordance with 14.407–4.

## PART 36—CONSTRUCTION AND ARCHITECT-ENGINEER CONTRACTS

6. Section 36.607 is amended by revising paragraph (b) to read as follows:

**36.607 Release of information on firm selection.**

* * * * *

(b) Debriefings of successful and unsuccessful firms will be held after final selection has taken place and will be conducted, to the extent practicable, in accordance with 15.1004, 15.1006 (b) through (f), and 15.1007(c). Note that 15.1006 (d)(2) through (d)(5) do not apply to architect-engineer contracts.

[FR Doc. 96–32807 Filed 12–30–96; 8:45 am]

BILLING CODE 6820–EP–M

## 48 CFR Parts 9, 13, 23, and 52

**[FAC 90–44; FAR Case 96–311; Item IV]**

**RIN 9000–AH06**

## Federal Acquisition Regulation; Certification Requirements—Drug-Free Workplace

**AGENCIES:** Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

**ACTION:** Final rule.

**SUMMARY:** The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council have agreed on a final rule amending the Federal Acquisition Regulation (FAR) to delete the requirement for an offeror to provide a certification regarding a drug-free workplace. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993. This is not a major rule under 5 U.S.C. 804.

**EFFECTIVE DATE:** January 1, 1997.

**FOR FURTHER INFORMATION CONTACT:** Mr. Ralph DeStefano at (202) 501–1758 in reference to this FAR case. For general information, contact the FAR Secretariat, Room 4037, GS Building, Washington, DC 20405 (202) 501–4755. Please cite FAC 90–44, FAR case 96–311.

**SUPPLEMENTARY INFORMATION:**

A. Background

This final rule implements Section 4301(a)(3) of the Clinger-Cohen Act of 1996 (Pub. L. 104–106). Section 4301(a)(3) amended 41 U.S.C. 701 to eliminate the requirement for an offeror to certify that it will take certain actions to provide a drug-free workplace.

A proposed rule with request for public comment was published in the Federal Register at 61 FR 31814, June 20, 1996. No substantive comments were received. The final rule includes only editorial changes to the proposed rule.

B. Regulatory Flexibility Act

The Department of Defense, the General Services Administration, and the National Aeronautics and Space Administration certify that this final rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, because, although the rule eliminates a certification requirement, the underlying policy regarding maintenance of a drug-free workplace has not changed.

C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the changes to the FAR do not impose recordkeeping or information collection requirements, or collections of information from offerors, contractors, or members of the public which require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

List of Subjects in 48 CFR Parts 9, 13, 23, and 52

Government procurement.

Dated: December 19, 1996.

Edward C. Loeb,

*Director, Federal Acquisition Policy Division.*

Therefore, 48 CFR Parts 9, 13, 23, and 52 are amended as set forth below:

1. The authority citation for 48 CFR Parts 9, 13, 23, and 52 continues to read as follows:

Authority: 40 U.S.C. 486(c); 10 U.S.C. chapter 137; and 42 U.S.C. 2473(c).

## PART 9—CONTRACTOR QUALIFICATIONS

2. Section 9.406–2 is amended by revising paragraph (b)(1)(ii) to read as follows:

**9.406–2 Causes for debarment.**

* * * * *

(b)(1) * * *

(ii) Violations of the Drug-Free Workplace Act of 1988 (Public Law 100–690), as indicated by—

(A) Failure to comply with the requirements of the clause at 52.223–6, Drug-Free Workplace; or

(B) Such a number of contractor employees convicted of violations of criminal drug statutes occurring in the workplace as to indicate that the contractor has failed to make a good faith effort to provide a drug-free workplace (see 23.504).

* * * * *

3. Section 9.407–2 is amended by revising paragraph (a)(4) to read as follows:

**9. 407–2 Causes for suspension.**

(a) * * *

(4) Violations of the Drug-Free Workplace Act of 1988 (Public Law 100–690), as indicated by—

(i) Failure to comply with the requirements of the clause at 52.223–6, Drug-Free Workplace; or

(ii) Such a number of contractor employees convicted of violations of criminal drug statutes occurring in the workplace as to indicate that the contractor has failed to make a good

faith effort to provide a drug-free workplace (see 23.504);

* * * * *

## PART 13—SIMPLIFIED ACQUISITION PROCEDURES

**13.111 [Amended]**

4. Section 13.111 is amended by removing paragraph (g) and redesignating paragraphs (h) and (i) as (g) and (h), respectively.

## PART 23—ENVIRONMENT, CONSERVATION, OCCUPATIONAL SAFETY, AND DRUG-FREE WORKPLACE

5. Section 23.504 is amended by revising the introductory text of paragraph (a), paragraphs (a)(3) and (b); and by removing paragraph (c) and redesignating (d) as (c). The revised text reads as follows:

**23.504 Policy.**

(a) No offeror other than an individual shall be considered a responsible source (see 9.104–1(g) and 19.602–1(a)(2)(i)) for a contract that exceeds the simplified acquisition threshold, unless it agrees that it will provide a drug-free workplace by—

* * * * *

(3) Providing all employees engaged in performance of the contract with a copy of the statement required by paragraph (a)(1) of this section;

* * * * *

(b) No individual shall be awarded a contract of any dollar value unless that individual agrees not to engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance while performing the contract.

* * * * *

5b. In addition to the amendments set forth above, section 23.504 is further amended by removing ''calendar'' from paragraphs (a)(4)(ii), (a)(5), (a)(6), and the newly designated paragraph (c).

6. Section 23.505 is amended by revising the section heading and the introductory text of paragraph (a); in paragraph (a)(2) by removing ''; or'' and inserting a period; and by removing paragraph (b), redesignating paragraph (c) as (b) and revising the introductory text of newly designated (b). The revised text reads as follows:

**23.505 Contract clause.**

(a) Contracting officers shall insert the clause at 52.223–6, Drug-Free Workplace, except as provided in paragraph (b) of this section, in solicitations and contracts—

* * * * *

(b) Contracting officers shall not insert the clause at 52.223–6, Drug-Free Workplace, in solicitations and contracts, if—

* * * * *

7. Section 23.506 is amended by revising paragraph (d) to read as follows:

**23.506 Suspension of payments, termination of contract, and debarment and suspension actions.**

* * * * *

(d) The specific causes for suspension of contract payments, termination of a contract for default, or suspension and debarment are—

(1) The contractor has failed to comply with the requirements of the clause at 52.223–6, Drug-Free Workplace; or

(2) The number of contractor employees convicted of violations of criminal drug statutes occurring in the workplace indicates that the contractor has failed to make a good faith effort to provide a drug-free workplace.

* * * * *

## PART 52—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

**52.223–5 [Removed and reserved]**

8. Section 52.223–5 is removed and reserved.

9a. Section 52.223–6 is amended—

(a) In the introductory paragraph by removing ''23.505(b)'' and inserting ''23.505'';

(b) By revising the date of the clause heading;

(c) In the introductory text of paragraph (a) by removing the comma following the word ''clause'' and inserting an emdash ''—'';

(d) At the end of paragraph (b)(6)(ii) by removing the period and inserting ''; and'';

(e) By revising paragraph (c); and

(f) In paragraph (d) by removing the ''s'' from the word ''paragraphs''.

The revised text reads as follows:

**52.223–6 Drug-Free Workplace.**

* * * * *

Drug-Free Workplace (Jan. 1997)

* * * * *

(c) The Contractor, if an individual, agrees by award of the contract or acceptance of a purchase order, not to engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance while performing this contract.

* * * * *

9b. In addition to the amendments set forth above, section 52.223–6 is further amended by removing ''calendar'' from the introductory text of paragraph (b) each time it appears, from paragraphs (b)(4)(ii) and (b)(5), and the introductory paragraph of (b)(6).

[FR Doc. 96–32808 Filed 12–30–96; 8:45 am]

BILLING CODE 6820–EP–M

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## 48 CFR Parts 14, 15, and 52

**[FAC 90–44; FAR Case 95–019; Item V]**

**RIN 9000–AG89**

## Federal Acquisition Regulation; Consideration of Late Offers

**AGENCIES:** Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

**ACTION:** Final rule.

**SUMMARY:** The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council have agreed on a final rule amending the Federal Acquisition Regulation (FAR) to broaden the conditions under which late offers for procurements other than commercial items can be considered. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993. This is not a major rule under 5 U.S.C. 804.

**EFFECTIVE DATE:** March 3, 1997.

**FOR FURTHER INFORMATION CONTACT:** Mr. Ralph DeStefano at (202) 501–1758 in reference to this FAR case. For general information, contact the FAR Secretariat, Room 4037, GS Building, Washington, DC 20405 (202) 501–4755. Please cite FAC 90–44, FAR case 95–019.

**SUPPLEMENTARY INFORMATION:**

A. Background

This final rule amends the late bid rule to allow an offer to be accepted if the late receipt was due primarily to Government mishandling after receipt at the Government installation. The rule recognizes the use of hand-carried offers (including delivery by a commercial carrier) as a common business practice, and provides flexibility in determining when an offer (bid or proposal) was received at the Government activity, by applying standards used by the General Accounting Office. The rule also expands the definition of acceptable evidence to support acceptance of a late offer and adds a new exception at FAR 52.215–10(a)(5) and 52.215–36(a)(3) which allows consideration of a proposal that was misdirected or misdelivered (not necessarily through mishandling) to an office other than that designated for receipt of offers in the solicitation. These changes do not apply

to commercial item solicitations which contain the provision at FAR 52.212–1(f), Late Offers.

A proposed rule was published in the Federal Register at 51 FR 18480, April 25, 1996. Six comments were received from four respondents. All comments were considered in developing the final rule.

B. Regulatory Flexibility Act

The Department of Defense, the General Services Administration, and the National Aeronautics and Space Administration certify that this final rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, because the rule applies only in situations where late offers are received. The late offers to which this case applies are only a small portion of all offers received.

C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the changes to the FAR do not impose recordkeeping or information collection requirements, or collections of information from offerors, contractors, or members of the public which require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

List of Subjects in 48 CFR Parts 14, 15, and 52

Government procurement.

Dated: December 19, 1996.

Edward C. Loeb,

*Director, Federal Acquisition Policy Division.*

Therefore, 48 CFR Parts 14, 15, and 52 are amended as set forth below:

1. The authority citation for 48 CFR Parts 14, 15, and 52 continues to read as follows:

Authority: 40 U.S.C. 486(c); 10 U.S.C. chapter 137; and 42 U.S.C. 2473(c).

## PARTS 14—SEALED BIDDING

2. Section 14.304–1 is amended by revising paragraphs (a)(2) and (c) to read as follows:

### 14.304–1 General.

* * * * *

(a) * * *

(2) It was sent by mail (or telegram or facsimile, if authorized) or hand-carried (including delivery by a commercial carrier) if it is determined by the Government that the late receipt was due primarily to government mishandling after receipt at the Government installation;

* * * * *

(c) Acceptable evidence to establish the time of receipt at the Government installation includes the time/date stamp of such installation on the bid wrapper, other documentary evidence of receipt maintained by the installation, or oral testimony or statements of Government personnel.

* * * * *

## PART 15—CONTRACTING BY NEGOTIATION

3. Section 15.412 is amended by revising paragraph (c)(2) to read as follows:

### 15.412 Late proposals, modifications, and withdrawals of proposals.

* * * * *

(c) * * * (2) the circumstances meet the specific requirements of the provision at 52.215–10, Late Submissions, Modifications, and Withdrawals of Proposals.

* * * * *

## PART 52—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

4. Section 52.214–5 is amended by revising the clause date and paragraph (a)(2), redesignating paragraphs (b), (c), and (d), as (c), (d), and (e), respectively, and adding a new paragraph (b) to read as follows:

### 52.214–5 Submission of Bids.

* * * * *

Submission of Bids (Feb. 1997)

(a) * * * (2) showing the time and date specified for receipt, the solicitation number, and the name and address of the bidder.

(b) Bidders using commercial carrier services shall ensure that the bid is addressed and marked on the outermost envelope or wrapper as prescribed in subparagraphs (a)(1) and (2) of this provision when delivered to the office specified in the solicitation.

* * * * *

5. Section 52.214–7 is amended by revising the clause date and paragraph (a)(2) to read as follows:

### 52.214–7 Late Submissions, Modifications, and Withdrawals of Bids.

* * * * *

Late Submissions, Modifications, and Withdrawals of Bids (Feb. 1997)

(a) * * *

(2) Was sent by mail (or telegram or facsimile, if authorized) or hand-carried (including delivery by a commercial carrier) if it is determined by the Government that the late receipt was due primarily to Government mishandling after receipt at the Government installation;

* * * * *

6. Section 52.214–23 is amended by revising the clause date and paragraphs (a)(2) and (e) to read as follows:

### 52.214–23 Late Submissions, Modifications, and Withdrawals of Technical Proposals under Two-Step Sealed Bidding.

* * * * *

Late Submissions, Modifications, and Withdrawals of Technical Proposals Under Two-Step Sealed Bidding (Feb. 1997)

(a) * * *

(2) Was sent by mail (or telegram or facsimile, if authorized) or hand-carried (including delivery by a commercial carrier) if it is determined by the Government that the late receipt was due primarily to Government mishandling after receipt at the Government installation;

* * * * *

(e) Acceptable evidence to establish the time of receipt at the Government installation includes the time/date stamp of that installation on the proposal wrapper, other documentary evidence of receipt maintained by the installation, or oral testimony or statements of Government personnel.

* * * * *

7. Section 52.214–32 is amended by revising the clause date and paragraph (a)(1) to read as follows:

### 52.214–32 Late Submissions, Modifications, and Withdrawals of Bids (Overseas).

* * * * *

Late Submissions, Modifications. and Withdrawals of Bids (Overseas) (Feb. 1997)

(a) * * *

(1) Was sent by mail (or telegram or facsimile, if authorized) or hand-carried (including delivery by a commercial carrier) if it is determined by the Government that the late receipt was due primarily to Government mishandling after receipt at the Government installation; or

* * * * *

8. Section 52.214–33 is amended by revising the clause date and paragraphs (a)(1) and (d) to read as follows:

### 52.214–33 Late Submissions, Modifications, and Withdrawals of Technical Proposals Under Two-Step Sealed Bidding (Overseas).

* * * * *

Late Submissions, Modifications, and Withdrawals of Technical Proposals Under Two-Step Sealed Bidding (Overseas) (Feb. 1997)

(a) * * *

(1) Was sent by mail (or telegram or facsimile, if authorized) or hand-carried (including delivery by a commercial carrier) if it is determined by the Government that the late receipt was due primarily to Government mishandling after receipt at the Government installation;

* * * * *

(d) Acceptable evidence to establish the time of receipt at the Government installation includes the time/date stamp of that installation on the proposal wrapper, other documentary evidence of receipt maintained

by the installation, or oral testimony or statements of Government personnel.

* * * * *

9. Section 52.215–9 is amended by revising the clause date and paragraph (a)(2); by redesignating paragraphs (b) through (e) as (c) through (f), respectively and adding a new paragraph (b) to read as follows:

**52.215–9 Submission of Offers.**

* * * * *

Submission of Offers (Feb. 1997)

(a) * * * (2) showing the time and date specified for receipt, the solicitation number, and the name and address of the offeror.

(b) Offerors using commercial carrier services shall ensure that the proposal is addressed and marked on the outermost envelope or wrapper as prescribed in subparagraphs (a) (1) and (2) of this provision when delivered to the office specified in the solicitation.

* * * * *

10. Section 52.215–10 is amended by revising the clause date and paragraphs (a) and (b); by removing paragraph (c) and redesignating paragraphs (d) through (i) as (c) through (h) respectively; and revising the newly designated (d). The revised text reads as follows:

**52.215–10 Late Submissions, Modifications, and Withdrawals of Proposals.**

* * * * *

Late Submissions, Modifications, and Withdrawals of Proposals (Feb. 1997)

(a) Any proposal received at the office designated in the solicitation after the exact time specified for receipt of offers will not be considered unless it is received before award is made and—

(1) It was sent by registered or certified mail not later than the fifth calendar day before the date specified for receipt of offers (e.g., an offer submitted in response to a solicitation requiring receipt of offers by the 20th of the month must have been mailed by the 15th);

(2) It was sent by mail (or telegram or facsimile, if authorized) or hand-carried (including delivery by a commercial carrier) if it is determined by the Government that the late receipt was due primarily to Government mishandling after receipt at the Government installation;

(3) It was sent by U.S. Postal Service Express Mail Next Day Service-Post Office to Addressee, not later than 5:00 p.m. at the place of mailing two working days prior to the date specified for receipt of proposals. The term ''working days'' excludes weekends and U.S. Federal holidays.

(4) It was transmitted through an electronic commerce method authorized by the solicitation and was received by the Government not later than 5:00 p.m. one working day prior to the date specified for receipt of proposals;

(5) There is acceptable evidence to establish that it was received at the activity designated for receipt of offers and was under the Government's control prior to the time set for receipt of offers, and the Contracting Officer determines that accepting the late offer would not unduly delay the procurement; or

(6) It is the only proposal received.

(b) Any modification of a proposal or quotation, including a modification resulting from the Contracting Officer's request for ''best and final'' offer, is subject to the same conditions as in subparagraphs (a)(1) through (a)(5) of this provision.

* * * * *

(d) Acceptable evidence to establish the time of receipt at the Government installation includes the time/date stamp of that installation on the proposal wrapper, other documentary evidence of receipt maintained by the installation, or oral testimony or statements of Government personnel.

* * * * *

11. Section 52.215–36 is amended by revising the clause date and paragraphs (a) and (b); by removing paragraph (c) and redesignating paragraphs (d), (e), (f), and (g) as (c), (d), (e), and (f); and revising the newly designated paragraph (c) to read as follows:

**52.215–36 Late Submissions, Modifications, and Withdrawals of Proposals (Overseas).**

* * * * *

Late Submissions, Modifications, and Withdrawals of Proposals (Overseas) (Feb. 1997)

(a) Any proposal received at the office designated in the solicitation after the exact time specified for receipt will not be considered unless it is received before award is made and—

(1) It was sent by mail (or telegram or facsimile, if authorized) or hand-carried (including delivery by a commercial carrier) if it is determined by the Government that the late receipt was due primarily to Government mishandling after receipt at the Government installation;

(2) It was transmitted through an electronic commerce method authorized by the solicitation and was received by the Government not later than 5:00 p.m. one working day prior to the date specified for receipt of proposals;

(3) There is acceptable evidence to establish that it was received at the activity designated for receipt of offers and was under the Government's control prior to the time set for receipt of offers, and the Contracting Officer determines that accepting the late offer would not unduly delay the procurement; or

(4) It is the only proposal received.

(b) Any modification of a proposal or quotation, including a modification resulting from the Contracting Officer's request for ''best and final'' offer, is subject to the same conditions as in subparagraphs (a)(1), (2), and (3) of this provision.

(c) Acceptable evidence to establish the time of receipt at the Government installation includes the time/date stamp of the installation on the proposal wrapper, other documentary evidence of receipt maintained by the installation, or oral testimony or statements of Government personnel.

* * * * *

[FR Doc. 96–32809 Filed 12–30–96; 8:45 am]

BILLING CODE 6820–EP–M

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## 48 CFR Part 31

**[FAC 90–44; FAR Case 96–012; Item VI]**

**RIN 9000–AH43**

## Federal Acquisition Regulation; Foreign Differential Pay

**AGENCIES:** Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

**ACTION:** Interim rule.

**SUMMARY:** The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council have agreed to an interim rule to amend the Federal Acquisition Regulation (FAR) by deleting the prohibition on the calculation of foreign differential pay based directly on an employee's specific increase in income taxes resulting from assignment overseas. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993. This is not a major rule under 5 U.S.C. 804.

**DATES:** *Effective Date:* December 31, 1996.

*Comments Due:* To be considered in the formulation of a final rule, comments should be submitted to the address given below on or before March 3, 1997.

**ADDRESSES:** Comments should be submitted to: General Services Administration, Ms. Beverly Fayson, FAR Secretariat, 18th & F Streets NW, Room 4037, Washington, DC 20405.

E-mail comments submitted over internet should be addressed to: 96–012@www.ARNET.gov.

**FOR FURTHER INFORMATION CONTACT:** Mr. Jeremy Olson at (202) 501–3221 in reference to this FAR case. For general information, contact the FAR Secretariat, Room 4037, GS Building, Washington, DC 20405 (202) 501–4755. Please cite FAC 90–44, FAR case 96–012.

**SUPPLEMENTARY INFORMATION:**

### A. Background

The current cost principle at FAR 31.205–6 prohibits contractors from calculating any increased compensation for foreign overseas differential pay on the basis of an employee's specific

increase in income taxes resulting from foreign assignment. Instead, contractors must employ an alternative, less accurate approach. This prohibition was intended to prevent a conflict with the policy at 31.205–41(b)(1) that Federal income taxes are unallowable costs. However, FAR 31.205–6(e)(1) explicitly states that contractors may properly consider increased Federal income taxes in the allowable foreign differential pay provided to overseas employees.

B. Regulatory Flexibility Act

The interim rule is not expected to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, because most contracts awarded to small entities use the simplified acquisition procedures, or are awarded on a competitive, fixed-price basis, and do not require application of the FAR cost principles. An Initial Regulatory Flexibility Analysis has, therefore, not been performed. Comments are invited from small businesses and other interested parties. Comments from small entities concerning the affected FAR subpart also will be considered in accordance with 5 U.S.C. 610. Such comments must be submitted separately and cite 5 U.S.C. 601, *et seq.* (FAC 90–44, FAR case 96–012) in correspondence.

C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the interim rule does not impose any reporting or recordkeeping requirements which require Office of Management and Budget approval under 44 U.S.C. 3501, *et seq.*

D. Determination to Issue an Interim Rule

A determination has been made under the authority of the Secretary of Defense (DOD), the Administrator of General Services (GSA), and the Administrator of the National Aeronautics and Space Administration (NASA) that, pursuant to 41 U.S.C. 418b, urgent and compelling reasons exist to publish an interim rule prior to affording the public an opportunity to comment. The rule is necessary because the cost principle at FAR 31.205–6 imposes unnecessary administrative and accounting requirements, since it prohibits contractors from calculating differential pay on the basis of an employee's specific increase in income taxes resulting from foreign assignment. Instead, contractors must employ an alternative, less accurate approach that may result in an employee being undercompensated (or overcompensated). It is necessary that an interim rule be published to eliminate expeditiously this unnecessarily burdensome requirement that results in unnecessary administrative costs to contractors and may cause financial hardship on certain individuals. However, pursuant to Public Law 98–577 and FAR 1.501, public comments received in response to this interim rule will be considered in the formation of the final rule.

List of Subjects in 48 CFR Part 31

Government procurement.

Dated: December 19, 1996.

Edward C. Loeb,

*Director, Federal Acquisition Policy Division.*

Therefore, 48 CFR part 31 is amended as set forth below:

## PART 31—CONTRACT COST PRINCIPLES AND PROCEDURES

1. The authority citation for 48 CFR part 31 continues to read as follows:

Authority: 40 U.S.C. 486(c); 10 U.S.C. chapter 137; and 42 U.S.C. 2473(c).

2. Section 31.205–6 is amended by revising paragraph (e)(2) to read as follows:

**31.205–6 Compensation for personal services.**

* * * * *

(e) * * *

(2) Differential allowances for additional Federal, State, or local income taxes resulting from domestic assignments are unallowable.

* * * * *

[FR Doc. 96–32810 Filed 12–30–96; 8:45 am]

BILLING CODE 6820–EP–M

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## 48 CFR Parts 42 and 52

**[FAC 90–44; FAR Case 95–018; Item VII]**

**RIN 9000–AG88**

## Federal Acquisition Regulation; Final Indirect Cost Rates

**AGENCIES:** Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

**ACTION:** Final rule.

**SUMMARY:** The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council have agreed on a final rule amending the Federal Acquisition Regulation (FAR) concerning the procedures relating to final indirect cost rates to permit, with certain restrictions, increased interim payments to contractors under certain circumstances. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993. This is not a major rule under 5 U.S.C. 804.

**EFFECTIVE DATE:** March 3, 1997.

**FOR FURTHER INFORMATION CONTACT:** Ms. Linda Klein at (202) 501–3775 in reference to this FAR case. For general information, contact the FAR Secretariat, Room 4037, GS Building, Washington, DC 20405 (202) 501–4755. Please cite FAC 90–44, FAR case 95–018.

**SUPPLEMENTARY INFORMATION:**

A. Background

This final rule amends FAR Subpart 42.7 and Part 52 to improve procedures for providing payments to contractors under cost-type contracts by (1) permitting, with certain restrictions, contractor use of billing rates contained in certified final indirect cost rate proposals; (2) providing for Government release of 75 to 90 percent of all fee withholds under physically completed contracts, after receipt of the contractor's certified final indirect cost rate proposal; and (3) establishing a timeframe for contractor submission of final invoices or vouchers.

A proposed rule was published in the Federal Register at 61 FR 26766, May 28, 1996. One source submitted comments which were considered in the development of the final rule.

B. Regulatory Flexibility Act

The Department of Defense, the General Services Administration, and the National Aeronautics and Space Administration certify that this final rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, because the rule merely provides for earlier payments to contractors under cost-type contracts.

C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the changes to the FAR do not impose recordkeeping or information collection requirements, or collections of information from offerors, contractors, or members of the public which require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

List of Subjects in 48 CFR Parts 42 and 52

Government procurement.

Dated: December 19, 1996.

Edward C. Loeb,

*Director, Federal Acquisition Policy Division.*

Therefore, 48 CFR Parts 42 and 52 are amended as set forth below:

1. The authority citation for 48 CFR Parts 42 and 52 continues to read as follows:

Authority: 40 U.S.C. 486(c); 10 U.S.C. chapter 137; and 42 U.S.C. 2473(c).

## PART 42—CONTRACT ADMINISTRATION

2. Section 42.704 is amended by adding paragraph (e) to read as follows:

### 42.704 Billing rates.

* * * * *

(e) When the contractor provides to the cognizant contracting officer the certified final indirect cost rate proposal in accordance with 42.705–(b) or 42.705–(b), the contractor and the Government may mutually agree to revise billing rates to reflect the proposed indirect cost rates, as approved by the Government to reflect historically disallowed amounts from prior years' audits, until the proposal has been audited and settled. The historical decrement will be determined by either the cognizant contracting officer (42.705–1(b)) or the cognizant auditor (42.705–2(b)).

3. Section 42.705 is revised to read as follows:

### 42.705 Final indirect cost rates.

(a) Final indirect cost rates shall be established on the basis of—

(1) Contracting officer determination procedure (see 42.705–1) or

(2) Auditor determination procedure (see 42.705–2).

(b) Within 120 days after settlement of the final indirect cost rates (or longer, if approved in writing by the contracting officer), the contractor shall submit a completion invoice or voucher reflecting the settled amounts and rates on all contracts physically completed in the year covered by the proposal.

## PART 52—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

4. Section 52.216–7 is amended by revising the clause date; redesignating paragraph (d)(4) as (d)(5) and adding a new (d)(4); and by revising paragraph (h)(1) to read as follows:

### 52.216–7 Allowable Cost and Payment.

* * * * *

Allowable Cost and Payment (Feb 1997)

* * * * *

(d) * * *

(4) Within 120 days after settlement of the final indirect cost rates covering the year in which this contract is physically complete (or longer, if approved in writing by the Contracting Officer), the Contractor shall submit a completion invoice or voucher to reflect the settled amounts and rates.

* * * * *

(h) *Final payment.* (1) Upon approval of a completion invoice or voucher submitted by the Contractor in accordance with paragraph (d)(4) of this clause, and upon the Contractor's compliance with all terms of this contract, the Government shall promptly pay any balance of allowable costs and that part of the fee (if any) not previously paid.

* * * * *

5. Section 52.216–8 is amended by revising the clause date and paragraph (b) to read as follows:

### 52.216–8 Fixed Fee.

* * * * *

Fixed Fee (Feb 1997)

* * * * *

(b) Payment of the fixed fee shall be made as specified in the Schedule; provided that after payment of 85 percent of the fixed fee, the Contracting Officer may withhold further payment of fee until a reserve is set aside in an amount that the Contracting Officer considers necessary to protect the Government's interest. This reserve shall not exceed 15 percent of the total fixed fee or $100,000, whichever is less. The Contracting Officer shall release 75 percent of all fee withholds under this contract after receipt of the certified final indirect cost rate proposal covering the year of physical completion of this contract, provided the Contractor has satisfied all other contract terms and conditions, including the submission of the final patent and royalty reports, and is not delinquent in submitting final vouchers on prior years' settlements. The Contracting Officer may release up to 90 percent of the fee withholds under this contract based on the Contractor's past performance related to the submission and settlement of final indirect cost rate proposals.

(End of clause)

6. Section 52.216–9 is amended by revising the clause date and paragraph (c) to read as follows:

### 52.216–9 Fixed Fee—Construction.

* * * * *

Fixed Fee—Construction (Feb 1997)

* * * * *

(c) After the payment of 85 percent of the fixed fee, the Contracting Officer may withhold further payment of fee until a reserve is set aside in an amount that the Contracting Officer considers necessary to protect the Government's interest. This reserve shall not exceed 15 percent of the total fixed fee or $100,000, whichever is less. The Contracting Officer shall release 75 percent of all fee withholds under this contract after receipt of the certified final indirect cost rate proposal covering the year of physical completion of this contract, provided the Contractor has satisifed all other contract terms and conditions, including the submission of the final patent and royalty reports, and is not delinquent in submitting final vouchers on prior years' settlements. The Contracting Officer may release up to 90 percent of the fee withholds under this contract based on the Contractor's past performance related to the submission and settlement of final indirect cost rate proposals.

(End of clause)

7. Section 52.216–10 is amended by revising the clause date and paragraph (c) to read as follows:

### 52.216–10 Incentive Fee.

* * * * *

Incentive Fee (Feb. 1997)

* * * * *

(c) *Withholding of payment.* Normally, the Government shall pay the fee to the Contractor as specified in the Schedule. However, when the Contracting Officer considers that performance or cost indicates that the Contractor will not achieve target, the Government shall pay on the basis of an appropriate lesser fee. When the Contractor demonstrates that performance or cost clearly indicates that the Contractor will earn a fee significantly above the target fee, the Government may, at the sole discretion of the Contracting Officer, pay on the basis of an appropriate higher fee. After payment of 85 percent of the applicable fee, the Contracting Officer may withhold further payment of fee until a reserve is set aside in an amount that the Contracting Officer considers necessary to protect the Government's interest. This reserve shall not exceed 15 percent of the applicable fee or $100,000, whichever is less. The Contracting Officer shall release 75 percent of all fee withholds under this contract after receipt of the certified final indirect cost rate proposal covering the year of physical completion of this contract, provided the Contractor has satisfied all other contract terms and conditions, including the submission of the final patent and royalty reports, and is not delinquent in submitting final vouchers on prior years' settlements. The Contracting Officer may release up to 90 percent of the fee withholds under this contract based on the Contractor's past performance related to the submission and settlement of final indirect cost rate proposals.

* * * * *

8. Section 52.216–13 is amended by revising the clause date, redesignating paragraph (c)(4) as (c)(5) and adding a new paragraph (c)(4); and by revising the date and paragraph (h) of Alternate I to read as follows:

* * * * *

### 52.216–13 Allowable Cost and Payment—Facilities.

* * * * *

Allowable Cost and Payment—Facilities (Feb 1997)

* * * * *

(c) * * *

(4) Within 120 days after settlement of the final indirect cost rates covering the year in

which this contract is physically complete (or longer, if approved in writing by the Contracting Officer), the Contractor shall submit a completion invoice or voucher to reflect the settled amounts and rates.

* * * * *

*Alternate I* (Feb 1997). * * *

* * * * *

(h) *Final Payment.* Upon approval of a completion invoice or voucher submitted by the Contractor in accordance with paragraph (c)(4) of this clause, and upon the Contractor's compliance with all terms of this contract, the Government shall promptly pay any balance of allowable costs not previously paid.

[FR Doc. 96–32811 Filed 12–30–96; 8:45 am]

BILLING CODE 6820–EP–M

## 48 CFR Part 43

**[FAC 90–44; FAR Case 96–606; Item VIII]**

**RIN 9000–AH44**

## Federal Acquisition Regulation; Modification of Existing Contracts

**AGENCIES:** Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

**ACTION:** Interim rule.

**SUMMARY:** The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council have agreed to an interim rule to amend the Federal Acquisition Regulation (FAR) to implement Sections 4402 (d) and (e) of the Clinger-Cohen Act of 1996, which authorizes regulations to provide for modification of existing contracts without requiring consideration, upon request of the contractor, to incorporate changes authorized by the Act. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993. This is not a major rule under 5 U.S.C. 804. The Federal Acquisition Reform Act of 1996 was subsequently renamed the Clinger-Cohen Act of 1996.

**DATES:** *Effective Date:* January 1, 1997.

*Comments Due:* To be considered in the formulation of a final rule, comments should be submitted to the address given below on or before March 3, 1997.

**ADDRESSES:** Comments should be submitted to: General Services Administration, Ms. Beverly Fayson, FAR Secretariat, 18th & F Streets NW, Room 4037, Washington, DC 20405.

E-Mail comments submitted over the Internet should be addressed to: 96–606@www.ARNet.gov.

**FOR FURTHER INFORMATION CONTACT:** Mr. Ralph DeStefano at (202) 501–1758 in reference to this FAR case. For general information contact the FAR Secretariat, Room 4037, GS Building, Washington, DC 20405 (202) 501–4755. Please cite FAC 90–44, FAR case 96–606.

**SUPPLEMENTARY INFORMATION:**

### A. Background

Section 4402(d) of the Clinger-Cohen Act of 1996 (Pub. L. 104–106) states that regulations implementing the Act may provide for modification of existing contracts without consideration, upon request of the contractor, to incorporate changes authorized by the Act. Section 4402(e)(2) also states that nothing in the Act requires the renegotiation or modification of existing contracts to incorporate changes authorized by the Act. This interim rule adopts the policy of encouraging, but not requiring, appropriate modifications without consideration, upon the request of the contractor. If the contracting officer determines that modification of an existing contract is appropriate to incorporate changes authorized by the Act, the modification should insert the current version of the applicable FAR clauses into the contract.

### B. Regulatory Flexibility Act

The changes in this interim rule may have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, because it enables industry and the Government to gain significant benefits, including the potential reduction of contract costs, by authorizing the incorporation into existing contracts any of the Clinger-Cohen Act changes that will benefit the contracting parties. An Initial Regulatory Flexibility Analysis (IRFA) has been prepared and will be provided to the Chief Counsel for Advocacy of the Small Business Administration. A copy of the IRFA may be obtained from the FAR Secretariat. Comments are invited. Comments from small entities concerning the affected FAR subpart also will be considered in accordance with 5 U.S.C. 610. Such comments must be submitted separately and cite 5 U.S.C. 601, *et seq.* (FAC 90–44, FAR case 96–606), in correspondence. The IRFA is summarized as follows:

This rule will apply to all large and small entities that currently have a Government contract. Most likely, contractors will not request modification of contracts under $25,000, because the usually short period of performance under these contracts will discourage modification. The number of active contracts over $25,000 held by small entities at any point in time is not readily available. However, in Fiscal Year 1995, small entities were awarded 31,421 contracts (number does not include modifications to contracts) over $25,000. Small entities may or may not request modification of those contracts depending on whether they determine that modification of their specific contracts to incorporate Clinger-Cohen Act of 1996 changes will be advantageous. This rule imposes no new reporting, recordkeeping, or other compliance requirements. This rule is the only practical alternative to implement subsections 4402 (d) and (e) of the Act.

### C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the interim rule does not impose any new reporting or recordkeeping requirements which require Office of Management and Budget approval under 44 U.S.C. 3501, *et seq.*

### D. Determination To Issue an Interim Rule

A determination has been made under the authority of the Secretary of Defense (DOD), the Administrator of General Services (GSA), and the Administrator of the National Aeronautics and Space Administration (NASA) that, pursuant to 41 U.S.C. 418b, urgent and compelling reasons exist to publish an interim rule prior to affording the public an opportunity to comment. The rule is necessary because immediate promulgation of an interim rule will provide significant benefits to industry and the Government. Sections 4402 (d) and (e) of the Clinger-Cohen Act of 1996 authorize contracting officers, if requested by the prime contractor, to modify contracts without requiring consideration to incorporate changes authorized by the Act.

Implementation of Sections 4402 (d) and (e) as an interim rule will enable industry and the Government to gain immediate benefits, including the potential reduction of contract costs. The interim rule authorizes the adoption of any of the rules implementing the Clinger-Cohen Act of 1996 that will benefit the contracting parties. The interim rule should involve no substantial risk to industry, since contractors must affirmatively request adoption of the rules for an existing contract. However, pursuant to Public Law 98–577 and FAR 1.501, public comments received in response to this interim rule will be considered in the formation of the final rule.

### List of Subjects in 48 CFR Part 43

Government procurement.

Dated: December 19, 1996.

Edward C. Loeb,

*Director, Federal Acquisition Policy Division.*

Therefore, 48 CFR part 43 is amended as set forth below:

## PART 43—CONTRACT MODIFICATIONS

1. The authority citation for 48 CFR part 43 continues to read as follows:

Authority: 40 U.S.C. 486(c); 10 U.S.C. chapter 137; and 42 U.S.C. 2473(c).

2. Section 43.102 is amended by revising paragraph (c) to read as follows:

**43.102 Policy.**

* * * * *

(c) The Federal Acquisition Streamlining Act of 1994, Public Law 103–355 (FASA), and Section 4402 of the Clinger-Cohen Act of 1996, Public Law 104–106, authorize, but do not require, contracting officers, if requested by the prime contractor, to modify contracts without requiring consideration to incorporate changes authorized by FASA or Clinger-Cohen Act amendments into existing contracts. Contracting officers are encouraged, if appropriate, to modify contracts without requiring consideration to incorporate these new policies. The contract modification should be accomplished by inserting into the contract, as a minimum, the current version of the applicable FAR clauses.

[FR Doc. 96–32812 Filed 12–30–96; 8:45 am]

BILLING CODE 6820–EP–M

## 48 CFR Chapter 1

## Federal Acquisition Regulation; Small Entity Compliance Guide

**AGENCIES:** Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

**ACTION:** Small entity compliance guide notice.

**SUMMARY:** This document is issued under the joint authority of the Secretary of Defense, the Administrator of General Services and the Administrator for the National Aeronautics and Space Administration as the Federal Acquisition Regulation (FAR) Council. This Small Entity Compliance Guide has been prepared in accordance with Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104–121). It consists of a summary of rules appearing in Federal Acquisition Circular (FAC) 90–44 which amend the FAR. None of the rules had a Final Regulatory Flexibility Analysis prepared in accordance with 5 U.S.C. 604. Further information regarding these rules may be obtained by referring to FAC 90–44 which precedes this notice. This document may be obtained from the Internet at http://www.gsa.gov/far/SECG.

**FOR FURTHER INFORMATION CONTACT:**

Beverly Fayson, FAR Secretariat, (202) 501–4755.

**SUPPLEMENTARY INFORMATION:**

LIST OF RULES IN FAC 90–44

| Item | Subject | FAR case | Analyst |
|---|---|---|---|
| I | Automatic Data Processing Equipment Leasing Costs (Interim) | 96–010 | Olson. |
| II | Major System Definition | 96–322 | O'Neill. |
| III | Preaward Debriefings | 96–304 | DeStefano. |
| IV | Certification Requirements—Drug-Free Workplace | 96–311 | DeStefano. |
| V | Consideration of Late Offers | 95–019 | DeStefano. |
| VI | Foreign Differential Pay (Interim) | 96–012 | Olson. |
| VII | Final Indirect Cost Rates | 95–018 | Klein. |
| VIII | Modification of Existing Contracts (Interim) | 96–606 | DeStefano. |

Item I—Automatic Data Processing Equipment Leasing Costs (FAR Case 96–010)

This interim rule deletes the cost principle at 31.205–2, Automatic Data Processing Equipment (ADPE) Leasing Costs, the ADPE definition at 31.001, and references to the term ADPE found elsewhere in part 31.

Item II—Major System Definition (FAR Case 96–322)

This final rule amends the definition of ''major system'' at FAR 2.101 to increase the dollar thresholds applicable to the Department of Defense. The rule implements 10 U.S.C. 2302(5) as amended by Section 805 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201).

Item III—Preaward Debriefings (FAR Case 96–304)

This final rule revises FAR Subpart 15.10 to implement Section 4104 of the Clinger-Cohen Act of 1996 (Pub. L. 104–106). Section 4104 requires that, prior to contract award, contracting officers provide a debriefing to any interested offeror on the reasons for that offeror's exclusion from the competitive range in a competitive negotiation.

Item IV—Certification Requirements—Drug-Free Workplace (FAR Case 96–311)

This final rule amends FAR Parts 9, 13, 23, and 52 to delete the requirement for an offeror to provide a certification regarding a drug-free workplace. The rule implements Section 4301(a)(3) of the Clinger-Cohen Act of 1996 (Public Law 104–106).

Item V—Consideration of Late Offers (FAR Case 95–019)

This final rule amends the late bid rule to allow an offer to be accepted if the late receipt was due primarily to Government mishandling after receipt at the Government installation. The rule recognizes the use of hand-carried offers (including delivery by a commercial carrier) as a common business practice and provides flexibility in determining when an offer (bid or proposal) was received at the Government activity, by applying standards used by the General Accounting Office. The rule also expands the definition of acceptable evidence to support acceptance of a late offer and adds a new exception at 52.215–10(a)(5) and 52.215–36(a)(3) which allows consideration of a proposal that was misdirected or misdelivered (not necessarily through mishandling) to an office other than that designated for receipt of offers in the solicitation. These changes do not apply to commercial item solicitations which contain the provision at 52.212–1(f), Late Offers.

Item VI—Foreign Differential Pay (FAR Case 96–012)

This interim rule deletes the prohibition at FAR 31.205–6(e)(2) on the calculation of foreign differential pay

based directly on an employee's specific increase in income taxes resulting from assignment overseas.

Item VII—Final Indirect Cost Rates (FAR Case 95–018)

This final rule amends FAR Subpart 42.7 and Part 52 to improve procedures for providing payments to contractors under cost-type contracts by (1) permitting, with certain restrictions, contractor use of billing rates contained in certified final indirect cost rate proposal; (2) providing for Government release of 75 to 90 percent of all fee withholds under physically completed contracts, after receipt of the contractor's certified final indirect cost rate proposals; and (3) establishing a timeframe for contractor submission of final invoices or vouchers.

Item VIII—Modification of Existing Contracts (FAR Case 96–606)

This interim rule is issued pursuant to the Clinger-Cohen Act of 1996 (Pub. L. 104–106) to amend the Federal Acquisition Regulation. It implements Section 4402(d) and (e) which authorizes regulations to provide for modification of existing contracts without requiring consideration, upon request of the contractor, to incorporate changes authorized by the Act.

Dated: September 19, 1996.

Edward C. Loeb,

*Director, Federal Acquisition Policy Division.*

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# Part IV

# Department of Transportation

## Federal Aviation Administration

**14 CFR Part 91, et al.**

**Special Flight Rules, Noise Limitations and Proposed Air Tour Routes in the Vicinity of Grand Canyon National Park; Final Rule, Proposed Rule and Notice**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Parts 91, 93, 121, and 135**

**[Docket No. 28537; Amendment Nos. 91–253, 93–73, 121–262, 135–66]**

**RIN 2120–AF93**

## Special Flight Rules in the Vicinity of Grand Canyon National Park

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

**ACTION:** Final rule.

**SUMMARY:** This final rule is one part of an overall strategy to further reduce the impact of aircraft noise on the park environment and to assist the National Park Service in achieving its statutory mandate, imposed by Public Law 100–91, to provide for the substantial restoration of natural quiet and experience in Grand Canyon National Park. This action is issued concurrently with: a Notice of Proposed Rulemaking regarding Noise Limitations for Aircraft Operations in the Vicinity of Grand Canyon National Park; a Notice of Availability of Proposed Commercial Air Tour Routes for Grand Canyon National Park and Request for Comments; and the Environmental Assessment issued with this final rule. This action amends part 93 of the Federal Aviation Regulations by adding a new subpart to codify the provisions of Special Federal Aviation Regulation No. 50–2, Special Flight Rules in the Vicinity of Grand Canyon National Park; modifies the dimensions of the Grand Canyon National Park Special Flight Rules Area; establishes new and modifies existing flight-free zones; establishes new and modifies existing flight corridors; and establishes reporting requirements for commercial sightseeing companies operating in the Special Flight Rules Area. In addition, to provide further protection for park resources, this final rule prohibits commercial sightseeing operations in the Zuni and Dragon corridors during certain time periods, and limits the number of aircraft that can be used for commercial sightseeing operations in the Grand Canyon National Park Special Flight Rules Area.

**EFFECTIVE DATE:** May 1, 1997.

**FOR FURTHER INFORMATION CONTACT:** Mr. Neil Saunders, Airspace and Rules Division, ATA–400, Office of Air Traffic Airspace Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; Telephone: (202) 267–8783. For the Environmental Assessment contact Mr. William J. Marx, Manager, Environmental Programs Division, ATA–300, Office of Air Traffic Airspace Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; Telephone: (202) 267–3075.

**SUPPLEMENTARY INFORMATION:**

History

Beginning in the summer of 1986, the FAA initiated regulatory action to address increasing air traffic over Grand Canyon National Park (GCNP). On March 26, 1987, the FAA issued Special Federal Aviation Regulation (SFAR) No. 50 (subsequently amended on June 15, 1987; 52 FR 22734) establishing flight regulations in the vicinity of the Grand Canyon. The purpose of the SFAR was to reduce the risk of midair collision, reduce the risk of terrain contact accidents below the rim level, and reduce the impact of aircraft noise on the park environment.

In 1987, Congress enacted Public Law (Pub. L.) 100–91, commonly known as the National Parks Overflights Act. Public Law 100–91 stated, in part, that noise associated with aircraft overflights at GCNP was causing ''a significant adverse effect on the natural quiet and experience of the park and current aircraft operations at the Grand Canyon National Park have raised serious concerns regarding public safety, including concerns regarding the safety of park users.''

Section 3 of Public Law 100–91 required the Department of the Interior (DOI) to submit to the FAA recommendations to protect resources in the Grand Canyon from adverse impacts associated with aircraft overflights. The law mandated that the recommendations: (1) Provide for substantial restoration of the natural quiet and experience of the park and protection of public health and safety from adverse effects associated with aircraft overflight; (2) with limited exceptions, prohibit the flight of aircraft below the rim of the canyon; and (3) designate flight-free zones except for purposes of administration and emergency operations.

In December 1987, the DOI transmitted its ''Grand Canyon Aircraft Management Recommendation'' to the FAA, which included both rulemaking and nonrulemaking actions. Public Law 100–91 required the FAA to prepare and issue a final plan for the management of air traffic above the Grand Canyon, implementing the recommendations of the DOI without change unless the FAA determined that executing the recommendations would adversely affect aviation safety. After the FAA determined that some of the DOI recommendations would adversely affect aviation safety, the recommendations were modified to resolve those concerns.

On May 27, 1988, the FAA issued SFAR No. 50–2 revising the procedures for operation of aircraft in the airspace above the Grand Canyon (53 FR 20264, June 2, 1988). SFAR No. 50–2 established a Special Flight Rules Area (SFRA) from the surface to 14,499 feet above mean sea level (MSL) in the area of the Grand Canyon. The SFAR prohibited flight below a certain altitude in each of five sectors of this area, with certain exceptions. The SFAR established four flight-free zones from the surface to 14,499 feet MSL covering large areas of the park. The SFAR provided for special routes for commercial sightseeing operators, which are required to conduct operations under part 135, as authorized by special operations specifications. Finally, the SFAR contained certain terrain avoidance and communications requirements for flights in the area.

A second major provision of section 3 of Public Law 100–91 required the DOI to submit a report to Congress ''* * * discussing * * * whether [SFAR No. 50–2] has succeeded in substantially restoring the natural quiet in the park; and * * * such other matters, including possible revisions in the plan, as may be of interest. The report was to include comments by the FAA ''regarding the effect of the plan's implementation on aircraft safety.'' Public Law 100–91 mandated a number of studies related to the effect of overflights on parks.

On September 12, 1994, the DOI submitted its final report and recommendations to Congress. This report, entitled, ''Report on Effects of Aircraft Overflights on the National Park System'' (Report to Congress), was published in July 1995. The Report to Congress recommended numerous revisions to SFAR No. 50–2 in order to substantially restore natural quiet in GCNP. Recommendation No. 10, which is of particular interest to this rulemaking, states: ''Improve SFAR 50–2 to Effect and Maintain the Substantial Restoration of Natural Quiet at Grand Canyon National Park.'' This recommendation incorporated the following general concepts: Simplification of the commercial sightseeing route structure; expansion of flight-free zones; accommodation of the forecast growth in the air tour industry; phased-in use of quieter aircraft technology; temporal restrictions (''flight-free'' time periods); use of the full range of methods and tools for

problem solving; and institution of changes in approaches to park management, including the establishment of an acoustic monitoring program by the National Park Service (NPS) in coordination with the FAA.

On June 15, 1995, the FAA published a final rule that extended the provisions of SFAR No. 50–2 to June 15, 1997 (60 FR 31608). This action allowed the FAA sufficient time to review the NPS recommendations and to initiate and complete appropriate rulemaking action.

Interagency Working Group

On December 22, 1993, Secretary of Transportation Federico Peña and Secretary of the Interior Bruce Babbitt formed an interagency working group (IWG) to explore ways to limit or reduce the impacts from overflights on national parks, including GCNP. Secretary Babbitt and Secretary Peña concurred that increased flight operations at GCNP and other national parks have significantly diminished the national park experience for some park visitors, and that measures can and should be taken to preserve a quality park experience for visitors, while providing access to the airspace over national parks. The FAA has been working closely with the NPS to identify and deal with the impacts of aviation on parks, and the two agencies will continue to identify and pursue the most effective solutions.

The FAA's role in the IWG has been to promote, develop, and foster aviation safety, and to provide for the safe and efficient use of airspace, while recognizing the need to preserve, protect, and enhance the environment by minimizing the adverse effects of aviation on the environment. The NPS' role in the IWG has been to protect public land resources in national parks, preserve environmental values of those areas, including wilderness areas, and provide for public enjoyment of those areas.

In March 1994, the two agencies jointly issued an advance notice of proposed rulemaking (ANPRM) seeking public comment on policy recommendations addressing the effects of aircraft overflights on national parks, including GCNP (59 FR 12740; March 17, 1994). The recommendations presented for comment included voluntary measures, altitude restrictions, flight-free periods, flight-free zones, allocation of noise equivalencies, and incentives to encourage use of quiet aircraft technology. In response to the ANPRM, the FAA received 644 comments that specifically addressed GCNP. These comments were summarized in the NPRM published on July 31, 1996 (61 FR 40120; Notice 96–11).

President's Memorandum

The President, on April 22, 1996, issued a Memorandum for the Heads of Executive Departments and Agencies to address the significant impacts on visitor experience in national parks. Specifically, the President directed the Secretary of Transportation to issue proposed regulations for GCNP that would place appropriate limits on sightseeing aircraft to reduce the noise immediately and make further substantial progress towards restoration of natural quiet, as defined by the Secretary of the Interior, while maintaining aviation safety in accordance with Public Law 100–91.

Notice of Proposed Rulemaking Draft Environmental Assessment

On July 31, 1996 the FAA published an NPRM (61 FR 40120; Notice 96–11), to reduce the impact of aircraft noise on GCNP and to assist the NPS in achieving its statutory mandate imposed by Public Law 100–91 to provide for the substantial restoration of natural quiet and experience in GCNP. Notice 96–11 proposed the following: Codification and amendment to the SFAR 50–2, Special Flight Rules in the Vicinity of GCNP; modification of the dimensions of the Grand Canyon National Park Special Flight Rules Area; establishment of new flight-free zones and flight corridors, as well as modification of existing flight-free zones and flight corridors; establishment of flight-free periods (curfews) and/or an interim moratorium on additional commercial sightseeing air tours or tour operators (caps); and establishment of reporting requirements for commercial sightseeing companies operating in the SFRA. In addition to these areas, the FAA sought comment on a number of questions and alternatives regarding curfews and caps, as well as on the issue of quiet aircraft technology. The comment period for the proposed rule, originally set for 60 days, was subsequently extended for 45 days (61 FR 54716; October 21, 1996) as directed by the Congress in the Federal Aviation Authorization Act of 1996.

On August 21, 1996, the notice of availability of the draft Environmental Assessment (EA) was published in the Federal Register (61 FR 43196). Comments on the draft EA were to be received on or before October 4, 1996. This date was subsequently extended, as directed by Congress in the Federal Aviation Authorization Act of 1996, to November 18, 1996.

Comments received in response to this Notice of Availability of the draft EA have been addressed in the final EA published concurrently with this final rule.

Public Meetings

On September 16–20, 1996, in Scottsdale, AZ, and Las Vegas, NV, the FAA held public meetings to obtain additional comment on the Notice 96–11 and on the draft environmental assessment. Comments and the transcripts of these meetings have been placed in the rulemaking docket.

The following information summarizes what occurred at the public meetings on the Grand Canyon NPRM and draft EA, held in Scottsdale, Arizona, September 16 and 17, 1996, and Las Vegas, Nevada, September 19 and 20, 1996.

Senator Reid of Nevada, by proxy in Las Vegas, noted his opposition to the proposed rule. He indicated that 44 percent of the Canyon was already covered by flight-free zones, and that only 14 percent of park airspace is available to the operators now. He also opined that (1) the requirements of Public Law 100–91 (i.e., substantial restoration of natural quiet) have been accomplished by the SFAR; and (2) the new rule would have major adverse impacts on safety and economics. He foresaw devastating financial impacts on the air tour industry and on local communities. Congresswoman Vucanovich of Nevada, also by proxy in Las Vegas, indicated that she was concerned about the effects of the proposed rule on the air tour industry, noting that there were no flight routes specified in Notice 96–11. She believed that flight-free periods/curfews would raise both economic and safety issues. She also believed that an Environmental Impact Statement (EIS), as opposed to an EA, was required under the National Environmental Policy Act (NEPA) based on the highly controversial nature of the NPRM.

The air tour operators talked about potential adverse economic impacts of the NPRM, potential negative impacts on safety—such as compressing more flights into the smaller areas as the result of curfews and additional flight-free zones—and the importance of quiet aircraft technology, and incentives to manufacture and use quieter aircraft, noting specifically that quieter aircraft are far more expensive to purchase and operate than are noisier aircraft. A number of operators emphasized their belief that ''SFAR 50–2 works,'' both from safety and environmental standpoints. Many of these same operators questioned the NPS's

definitions of natural quiet and substantial restoration thereof, and challenged the science involved, including noise modeling conducted by both FAA and NPS, in measuring the noise impacts of commercial air tour overflights and in assessing the degree to which natural quiet has been restored under SFAR 50–2. Several operators and representatives of aircraft manufacturers offered concrete suggestions as to the kinds of incentives that might prove useful.

As for other aviation interests, general aviation groups expressed concerns about their constituents' ability to transit the park safely and conveniently.

Representatives of environmental groups and individual environmentalists pointed out that the addition of two flight-free zones is misleading, in that aircraft noise can travel from 13–16 miles laterally, so the flight-free zones are not free of noise. A number of environmentalists indicated that the NPS's definition of substantial restoration of natural quiet is too liberal and allows too much aircraft noise. They also pointed out that, in contrast to the lack of control on air tour overflight volume, there are tight controls on all commercial activities on the ground in parks. Environmentalists spoke favorably about the promise of quieter aircraft technology and supported the development of incentives to manufacture and use quieter aircraft.

Representatives of Native American tribes living in and around the Grand Canyon expressed major disappointment with what they viewed as the failure by the FAA and NPS to consult with them adequately on the NPRM and the draft EA. They emphasized that the net effect of the revised rule would be to relocate noise impacts from the park to tribal lands, with concomitant adverse effects on their natural and cultural resources and on the health and safety of tribe members and visitors to tribal lands. They believed that the situation called for an EIS, not an EA.

While the FAA held separate meetings in both Scottsdale, AZ, and Las Vegas, NV, on the NPRM and the EA, a number of commenters at the NPRM meetings addressed the EA as well, and vice versa. The majority of comments from all ''sides'' of the issue were negative with regard to the EA itself, which many found inadequate for a variety of reasons, including the fact that the range of alternatives was limited to either no action or the proposed alternative, and an overall lack of specificity. Several commenters pointed to inconsistencies between FAA and NPS noise modeling methodologies, which led the agencies to two different conclusions as to the potential effectiveness of the revised rule. Air tour operators pointed out that the potential adverse impacts of the NPRM on their operations, including safety concerns, were not justified in view of FAA's findings that the proposed alternative would not provide any significant improvement in natural quiet, while environmentalists argued that the EA failed to include any alternative which would substantially restore natural quiet to the park. More than a few commenters felt that NEPA compliance in this case required an EIS, not an EA.

One of the few areas of common ground to emerge from these meetings was widespread support for further use of quieter aircraft technology and for the development and implementation of incentives to manufacture and use quieter aircraft.

Congressional Hearings

From October 10 to 11, 1996, Congressional hearings were held by the Aviation Subcommittee of the Senate Committee on Commerce, Science, and Transportation in Las Vegas, Nevada, and Tempe, Arizona. The hearings were held to gather testimony from various entities involved in or affected by the FAA's proposed Special Flight Rules in the Vicinity of Grand Canyon National Park. Senator McCain of Arizona chaired and made opening statements at both field hearings indicating that they were there to examine the impacts of the proposed rule and the draft environmental assessment. He expressed his disappointment in the lack of mention of quiet aircraft technology in Notice 96–11, indicating that he hoped FAA would provide appropriate incentives in the final rule.

The Nevada Congressional delegation (Senator Bryan and Congressman Ensign in person, Senator Reid and Congresswoman Vucanovich by proxy) indicated, at the Las Vegas hearing, their opposition to Notice 96–11 as written, noting safety concerns as well as ones related to economics, NEPA compliance, and the lack of quiet aircraft technology incentives.

The issues raised by Senator McCain and the Arizona delegation were also addressed by others testifying at the field hearings. There were points and counterpoints raised as to the effectiveness of SFAR 50–2 in substantially restoring natural quiet in the Grand Canyon, as mandated by Public Law 100–91; NPS's definition of substantial restoration (50 percent or more of the park quiet at least 75–100 percent of the day); methodology involved in measuring and modeling noise impacts; potential impacts of the new rule on safety in the SFRA; effects of the new rule on general aviation; potential adverse impacts of the rule on the economy of Las Vegas and Nevada; adequacy of the consultation process with Native American tribes; and controls on other users of the park vis-à-vis air tour overflights.

Many of the air tour operators, some of whom had also voiced concerns about the safety implications of Notice 96–11, predicted dire economic consequences for the industry if the NPRM, which included possible caps on operations, curfews, and two additional flight-free zones, went into effect. In response to the operators' economic concerns, Senator McCain reminded them that they had unanimously opposed his bill, which became Public Law 100–91, in 1987, claiming that it would put the entire industry out of business. Instead, he noted, the number of air tour overflights of Grand Canyon had increased from approximately 40,000 per annum in 1987 to the 95,000 reported by the Arizona Republic newspaper during the 12-month period which ended September 30, 1996.

Aside from a commitment to air safety, perhaps the only issue on which all of the interests represented at the field hearings could agree was the need for quiet aircraft technology incentives for both manufacturers and air tour operators. From Senator McCain and members of the Nevada Congressional delegation to the Native American Indian tribal leaders and from environmental groups to air tour operators and aircraft manufacturers, as well as aviation and tourism industry representatives, quieter aircraft technology incentives were viewed as integral to efforts to substantially restore natural quiet to the Grand Canyon while maintaining a viable air tour industry. Among specific suggestions made were providing more attractive routes to quieter aircraft, setting aside a portion of air tour overflight fees to provide loans to air tour operators to invest in further quiet aircraft technology, and lowering fees for those operators using quieter aircraft.

The FAA has considered the statements made at the hearings in developing this final rule and the Notice of Proposed Rulemaking regarding Noise Limitations for Aircraft Operations in the Vicinity of the Grand Canyon National Park found in this part of today's Federal Register.

Consultation with Affected Native American Tribes

The Navajo, Hualapai, and Havasupai Native American reservations border GCNP, and several other tribes have cultural ties to the Grand Canyon. The DOT and DOI have satisfied their obligation to consult with these tribes, on a government-to-government basis concerning the possible effects of this rule, as required under applicable statutes, regulations, and Executive Orders. Although they did not elect to do so, the tribes were invited to participate as cooperating agencies in the environmental review process. Their major concerns were recognition of their sovereignty over the airspace, air access, potential noise increases over tribal lands and religious/historic/cultural sites, and the lack of early coordination during the development of the proposed rule. Both DOT and DOI have addressed tribal concerns, including the effects of the rule on economic opportunities of the tribes, in preparing this final rule. The consultation process, and the mitigation commitments made to address tribal concerns, are described in detail in the final EA, a copy of which has been included in the docket for the final rule.

The consultation process, which began with the development of Notice 96–11, for reduction of aircraft noise, will continue. This will include a dialogue in which potentially affected tribes will have the opportunity to identify, on a confidential basis, any religious, cultural, or historic area that may be potentially affected by significant noise increases. The FAA has committed to mitigate any such impacts during the development of air tour routes for GCNP.

Public Input

As previously mentioned, on July 31, 1996, the FAA published Notice 96–11 in the Federal Register proposing several actions to reduce the impact of aircraft noise on GCNP and assist the NPS in its efforts to substantially restore natural quiet and experience in the park. Interested persons were invited to participate in this rulemaking action by submitting written data, views, or arguments. In response to this notice, the FAA received approximately 14,000 comments. Almost 95 percent of these comments were form letters, or virtual form letters, stating a position either favoring restrictions on air tour overflights or opposing them, with no substantive discussion. While all comments received were considered before issuing this final rule, the specific comments addressed in this preamble are those that contained substantive information.

The following is an analysis of the pertinent general comments received in response to Notice 96–11. Later in the document the FAA has included a section-by-section analysis of the rule, including a discussion of the relevant comments related to each of these sections, and rationale of the final rule.

Discussion of Pertinent General Comments

Comments were received from industry associations (e.g., Grand Canyon Air Tour Council, United States Air Tour Association, Aircraft Owners and Pilots Association, Helicopter Association International); environmental groups (e.g., Sierra Club, National Parks and Conservation Association); air tour operators; aircraft manufacturers; government officials; and Native American tribes (e.g., Havasupai Tribe, Hualapai Tribe).

Approximately one-third of the comments support overflight restrictions to reduce aircraft noise over GCNP. Many of these commenters say that, even with the current SFAR, the noise problem has worsened as the air tour industry has grown. These commenters want to see the proposal strengthened to preserve the natural quiet of the park and recommend permanent caps on the number of air tour flights (based on the number of flights in 1987 when Public Law 100–91 was passed); expansion of the flight-free zones; stricter curfews; and incentives for the use of quiet aircraft (combined with caps and curfews).

Approximately two-thirds of the comments oppose further overflight restrictions. These commenters argue that SFAR 50–2 has been successful in reducing noise (as shown by visitor surveys); air tour operations allow everyone access to the park and have less environmental impact on the park than do ground visitors; the proposed flight corridors and flight-free zones could create safety problems by causing denser traffic patterns; and the air tour industry would face severe economic consequences.

*Statutory Authorities*

A few commenters state that Notice 96–11 is basically allowing the NPS to regulate the airspace over the national parks, thereby diluting the authority of the FAA. Others state that the FAA has no authority to regulate noise over the national parks, that the FA Act (now codified in 49 U.S.C.) authorizes the FAA to regulate safety, and to regulate noise only as it concerns aircraft certification.

Several commenters focus on the authority provided in Public Law 100–91. Some of these commenters do not believe that Public Law 100–91 gives the FAA the authority to do more than it has already done in issuing SFAR 50–2. One commenter states that since Public Law 100–91 requires NPS to submit its report on the effectiveness of the airspace management plan to Congress, only Congress was intended to review the NPS recommendations and provide specific guidance on what further agency action, if any, would be appropriate.

A presenter at the Congressional hearing, as well as an individual from the Navajo Area Office of the BIA commenting to the docket, adds that Public Law 102–581 (The Airport and Airway Safety, Capacity, Noise Improvement Transportation Act of 1992) (also related to aircraft noise at the Grand Canyon), called for a report to Congress outlining the FAA's plan to manage increased air traffic over GCNP. As in Public Law 100–91, this report would be used only by Congress for any further action. Another commenter states that the FAA and NPS have done only half of the task mandated under Public Law 100–91 since they have not yet proposed the air tour routes that will be followed. An air tour operator comments that the proposal does not comply with Public Law 100–91 because the statute requires an overflight system that will substantially protect the ground visitor from aircraft noise, while the proposal is based on a standard called percent time audible.

One commenter believes that the FAA has violated the Administrative Procedure Act by not providing a reasonable opportunity for public comment on the meanings of the terms ''natural quiet'' and ''substantial restoration of natural quiet.''

Two commenters state that the proposal violates the Americans with Disabilities Act and provisions of the FA Act that guarantee air access to elderly and disabled persons. Counter to these commenters, another commenter states that most handicapped visitors see the park from the rim overlooks and paved rim trails and that such visitors should not be an excuse for the park's inability to achieve its Congressional mandated goal of substantial restoration of natural quiet.

*FAA Response:* The FAA has broad authority and responsibility to regulate the operation of aircraft and the use of the navigable airspace and to establish safety standards for and regulate the certification of airmen, aircraft, and air carriers. 49 U.S.C. 40101, *et seq.* Subtitle VII of Title 49 U.S.C. provides guidance

to the Administrator in carrying out this responsibility. Moreover, the FAA's authority is not limited to regulation for aviation safety and efficiency.

The FAA has authority to manage the navigable airspace to protect persons and property on the ground. The Administrator is authorized to ''prescribe air traffic regulations on the flight of aircraft (including regulations on safe altitudes) for— * * * (B) protecting individuals and property on the ground.'' 49 U.S.C. 40103(b)(2). In addition, under 49 U.S.C. 44715(a) the Administrator of the FAA, in consultation with the Environmental Protection Agency, is directed to issue such regulations as the FAA may find necessary to control and abate aircraft noise and sonic boom to ''relieve and protect the public health and welfare.''

The FAA construes these provisions, taken together, to authorize the adoption of this regulation. It is the general policy of the Federal Government that the FAA, like other agencies, will exercise its authority in a manner that will enhance the environment. Section 101 of the National Environmental Policy Act of 1969, as amended 42 U.S.C. 4321 and Executive Order 11514, as amended by Executive Order 11991.

The unambiguous intent of Public Law 100–91 with respect to the Grand Canyon was for the FAA to work cooperatively with the NPS to devise a plan that would safely provide for a substantial restoration of natural quiet while maintaining a viable air tour industry. For this reason Sections 3(b)(3) (A) and (B) provided for an evaluation of the initial plan and any necessary revisions based upon that evaluation. Because the report recommended regulatory action rather than legislative action, the FAA was not constrained to wait for Congressional response. For GCNP, the law specifically addressed the substantial restoration of natural quiet, not the protection of ground visitors.

Public Law 102–581 required the FAA to submit to Congress a report on increased air traffic over GCNP. This report, like the report required to be submitted by Public Law 100–91, did not limit the ability of the FAA to use its general regulatory authority to take appropriate actions in implementing provisions of either report. Indeed, Public Law 102–581 specifically requires a plan of action to ''manage increased air traffic over Grand Canyon National Park to ensure aviation safety and to meet the requirements established by such Section 3 of the Act of August 18, 1987, including any measures to encourage or require the use of quiet aircraft technology by commercial air tour operators.'' Public Law 102–581, Section 134(b)(4).

Both the FAA and NPS recognize that additional work will be necessary in delineation of air tour routes to be followed as well as other actions. In consultation with the NPS, FAA has proposed air tour routes in a separate notice issued concurrently with this final rule. Additionally, in a separate Notice of Proposed Rule Making issued today, further actions to facilitate the substantial restoration of natural quiet to the Grand Canyon have been proposed. Both this final rule and the NPRM acknowledge the need for the development of a Noise Management Plan to further mitigate impacts from commercial overflights. These actions are also taken in full recognition that the restoration of natural quiet to the Canyon will require these additional steps to meet the definitions established for natural quiet. The rationale for the establishment of the percent time audible is included in the NPS report to Congress. While this methodology may differ from some measurements, it assures protection of the ground visitor from aircraft noise. Furthermore, the threshold of audibility used in the NPS model is louder than the level which would be detected by an attentive listener, guaranteeing that virtually all visitors would notice the noise while engaged in normal visitor activities.

The terms ''natural quiet'' and ''substantial restoration of natural quiet'' are taken from language in Public Law 100–91. These terms were defined in the Report to Congress issued by the NPS under the direction of that Act. That report has been available to the public and its role in the development of this regulatory proposal has been clearly defined in previous notices, including the ANPRM on this rule. The concepts of ''natural quiet'' and ''substantial restoration of natural quiet'' have been the subject of academic research, agency disclosure and adversarial dialogue for a number of years and are used as recognized technical benchmarks in the analysis of the effects of this rule. As such, the terms do not need additional comment under the Administrative Procedure Act.

In addition, the Grand Canyon Enlargement Act specifically provides that the Department of Interior shall submit to the FAA and EPA pursuant to 49 U.S.C. 44715 any recommendations for rules or regulations or other actions he believes appropriate to protect the public health, welfare, and safety or natural environment within the park. After reviewing the submission of the Secretary, the FAA is to take appropriate action.

This action does not violate provisions of the Americans with Disabilities Act or any other guarantees of air access to elderly or disabled persons. The disabled and the elderly will still have a variety of opportunities to view the Grand Canyon by air. In addition, opportunities for ground visits to GCNP will also be as available as they are at present. Provisions for ground access include issuance of special permits to the elderly and handicapped for access to areas closed to automobiles at certain times of the year. Visitor facilities within the park, including overnight accommodations, restaurants and developments are accessible to the handicapped and the elderly.

*Impact on Tribal Lands*

An individual from a local office of the Bureau of Indian Affairs (BIA) and representatives of Native American tribes affected by this rulemaking state that the FAA and NPS have violated certain treaties, statutes, and Executive Orders by not consulting with the affected tribes during the development of Notice 96–11 and by not analyzing the impact the proposed rule would have on these tribes and their lands.

*FAA Response:* The FAA disagrees that treaties, statutes, and executive orders have been violated by not consulting with affected Native American tribes. Public involvement is an important part of the rulemaking process. Public hearing activities have included public meetings with interested parties and consultation with Native Americans. The FAA has not yet received concurrence from the Arizona Historic Preservation Officer and the Tribal Historic Preservation Office for the Hualapai Tribe in a determination of no adverse effect pursuant to Section 106. The FAA will continue to consult and work with Native American Nations and Tribes during development of the air tour routes to address any requested measures to minimize noise increases over specifically identified traditional cultural sites as part of the Section 106 process. This includes areas potentially affected by traffic and air tour routes outside the Flight Free Zones.

An initial determination of no adverse effect by the FAA was based upon an analysis of cultural resources in the vicinity of the GCNP as identified by the NPS and knowledge shared by Native American tribes with comtemporary and ancestral involvement with the Grand Canyon. Native Americans tribes may have been reluctant to identify the locations of other specific sites of concern due to a desire to limit public access and preserve their sacred character and integrity. The FAA

commits to preserve the confidentiality of the locations of any specifically identified traditional cultural sites that the Native Americans elect to disclose to the FAA during consultation to establish the air tour routes. The FAA further commits to complete Section 106 consultation before it finalizes and permanently implements the air tour routes and to adopt all measures necessary to support a determination of no adverse effect. The FAA will also adopt all measures necessary to assure that the routes developed to implement the proposed final rule do not substantially interfere with the use of sacred religious sites of the Native American tribes in the vicinity of the GCNP.

As discussed in detail in Chapter 4.2 of the Environmental Assessment (EA), the FAA will continue to consult and work with Native American Tribes pursuant to Section 106, during development of the air tour routes to address any requested measures to minimize noise increases over traditional cultural properties as part of the Section 106 process. This includes areas potentially affected by traffic and air tour routes outside the Flight Free Zones, like the 10–12 miles radius around the confluence of the Little Colorado and Colorado Rivers that was identified by the Hopi Tribe.

The FAA will protect any confidentiality requested to limit public access and preserve the character and integrity of sacred sites. The FAA will complete Section 106 consultation before it finalizes and permanently implements the air tour routes and will adopt all measures necessary to support a determination of no adverse effect. The FAA will also adopt all measures necessary to assure that the routes developed to implement the proposed final rule do not substantially interfere with the religious practices of the Native American tribes.

On June 28, 1995, the FAA and NPS jointly published a notice announcing a public meeting to provide the interested parties with an opportunity to comment on improving SFAR 50–2 (60 FR 33452). The meeting, held on August 30, 1995, yielded 62 speakers representing air tour operators, environmentalists, government, tourist boards, corporations, Native American tribes, and other individuals. An additional 349 public comments were subsequently received during the comment period that ended on September 8, 1995.

The FAA sponsored public meetings, in Scottsdale, Arizona, on September 16 and Las Vegas, Nevada, on September 19, 1996, to receive comments on the NPRM. These meetings were announced in the Federal Register on August 30 (61 FR 45921) and in newspapers in Phoenix, Flagstaff, and Kingman, Arizona, and Las Vegas, Nevada, on several dates in early September.

On August 27 and 28, 1996, the FAA hosted a meeting in Flagstaff, Arizona, at which tribal representatives were given the opportunity to express their views on the rule. FAA invited two representatives each from the Hualapai, Havasupai, Hopi, San Juan Southern Paiute, Paiute of Utah, and Kaibab Piaute Tribes, the Pueblo of Zuni, and the Navajo Nation. During the meetings, the Native American representatives were given a detailed briefing by the FAA on changes proposed in the NPRM. Following the briefing, there was a question-and-answer session where FAA and NPS representatives fielded questions on the revised rule. Minutes of the meeting were provided to each tribe that was invited.

Subsequently, from October 14 to 21, 1996, representatives of the FAA met on-site in Arizona, New Mexico, and Utah with representatives of each tribe to further assess the concerns of the Native Americans. Each tribe was offered a briefing on the proposed rule and given the opportunity to ask questions of the FAA representatives.

Other opportunities have been provided for the tribes to make their views known to the DOT. The Hualapai Tribe submitted comments to the Advance Notice for Proposed Rulemaking (ANPRM) jointly issued by the DOT and DOI. One member of the Hualapai Tribe spoke at the Flagstaff public meeting, and the Hualapai Tribe submitted written comments in response to the public meeting. The Hualapai Tribe commented on the need for a socio-economic analysis of the proposed flight restrictions on the Hualapai Nation. The Chairman of the Hualapai Tribe spoke at the Las Vegas public meeting. Written comments have been received into the docket from the Hualapai, Hopi, and Havasupai Tribes.

Additionally, informal discussions covering aircraft overflight matters, among other issues, have taken place between NPS personnel and tribal leaders locally. The DOT and the DOI have received correspondence identifying interests of the Hualapai Tribe, and the DOT and the FAA met with Hualapai leaders on several occasions and heard first hand many of their specific concerns.

*Special Federal Aviation Regulation No. 50–2*

Several commenters believe that SFAR 50–2 is working and further regulation is not necessary. According to these commenters complaints about noise have been practically eliminated and no accidents have occurred since the SFAR's implementation. Environmentalist groups, however, state that while SFAR 50–2 has improved natural quiet in the front country, erosion of natural quiet is occurring in the backcountry. According to these commenters, Notice 96–11 does not bring GCNP into compliance with Public Law 100–91.

*FAA Response:* Notwithstanding the value of SFAR 50–2, this regulatory action responds to a clear legislative mandate to substantially restore natural quiet, expressed in Public Law 100–91. As discussed in Notice 96–11, the NPS Report to Congress was based on a number of studies evaluating whether SFAR 50–2 resulted in a substantial restoration of natural quiet. NPS found that, while flight-free zones have helped to limit the areas where aircraft are audible, aircraft of all types are still audible for some percentage of the time at virtually all areas where sound data were collected. NPS also found a correlation between the percentage of time that aircraft are audible and how visitors feel about aircraft sound. Even when aircraft are audible for relatively low percentages of the time, some visitors notice the aircraft and believe that the sound has interfered with their appreciation of natural quiet. Finally, in its Report to Congress, the NPS indicated that if no changes are made to SFAR 50–2, progress to date in the restoration of natural quiet will be lost due to an increase in air tour operations. An NPS analysis using 1989 FAA survey data of commercial sightseeing route activity indicated that 43 percent of GCNP met the NPS criterion for substantially restoring natural quiet. However, a subsequent NPS analysis using 1995 FAA survey data indicated that 31 percent of GCNP met the NPS criterion for substantially restoring natural quiet. These findings led the NPS to conclude that the noise mitigation benefits of SFAR 50–2 are being significantly eroded.

These findings indicate that the current SFAR was not sufficiently adequate in substantially restoring the natural quiet to GCNP. The FAA believes that further regulatory action is therefore necessary to best ensure the substantial restoration of the natural quiet as called for by Public Law 100–91. Additionally, substantial restoration of natural quiet will be further advanced by the NPRM and Notice of Availability of Proposed Commercial Air Tour Routes for Grand Canyon National Park

and the Comprehensive Noise Management Plan.

*Restoration of Natural Quiet*

While some commenters are concerned that the proposed action goes too far in regulating the air tour industry in order to satisfy a small group of park users, others believe that it does not go far enough. Some commenters state that the proposal, at best, would only modestly improve natural quiet. Other comments are concerned that ''overregulation'' in this instance would set a precedent for national parks all over the country.

Another commenter states that the proposal would not achieve the goal of Public Law 100–91 because it would not meet the NPS definition of ''natural quiet.'' According to some commenters the NPS definition of ''substantial restoration of natural quiet'' is not supported by Public Law 100–91 or the Congressional record. According to these commenters NPS has separated the concept of ''natural quiet'' from complaints from park visitors by making ''natural quiet'' a park resource that must be protected whether noise is disturbing park visitors or not. These commenters object to the NPS definition and to using it as a justification for rulemaking. One commenter states that the FAA is on record as having concerns about the NPS definition and recommends withdrawal of Notice 96–11 until the FAA develops a proposed definition and invites comment.

One commenter finds the NPS definition too liberal since it allows half the park to be noisy 25 percent of the day and the other half 100 percent of the day. A presenter at the Congressional hearing says that the intent of Public Law 100–91 was to restore the natural quiet within the flight-free zones only and not the entire park.

The Grand Canyon Air Tour Council (GCATC), which represents a number of air tour operators, states that, because the proposed restrictions do not apply to NPS-operated and other non-tour aircraft (e.g., military, Native American reservations), these aircraft could consume the entire 25 percent audible aircraft cap as defined in ''substantial restoration of natural quiet.'' Thus, air tour operators would be even further restricted.

*FAA Response:* The NPS defined ''natural quiet'' and identified it as a natural resource in its 1986 ''Aircraft Management Plan Environmental Assessment for Grand Canyon National Park'' which underwent extensive public review in 1986 (i.e., ''the absence of man-made sounds * * * considered a natural resource''). The term was subsequently discussed in numerous public documents, which have also undergone public review, including NPS Management Policies (1988), and the Advance Notice of Proposed Rulemaking (ANPRM) concerning Overflights of Units of the National Park System published in the Federal Register on March 17, 1994.

The authority of the NPS to define the ''substantial restoration of natural quiet'' is recognized in Public Law 100–91, Public Law 102–581, and in the general authorities of the NPS. The NPS's Management Policies (1988, page 1:3) states that the terms ''park resources and values'' refer to the ''full spectrum of tangible and intangible attributes'', including ''intangible qualities'' such as natural quiet, for which parks have been established and are being managed. National park areas are set aside to preserve their resources as well as their special qualities and experiences unimpaired for the enjoyment of present and future generations. The NPS has the authority and responsibility to manage these areas, including their resources, values and visitors.

The NPS definition of ''substantial restoration of natural quiet'' involves time, area, and acoustic components. Because many park visitors typically spend limited time in particular sound environments during specific park visits, the amount of aircraft noise present during those specific time periods can have great implications for the visitor's opportunity to experience natural quiet in those particular times and spaces. Those visitors with longer exposures, such as backcountry and river users, have more opportunity to experience a greater variety of natural ambient and aircraft sound conditions, but typically they move through a number of sound environments. Based on its studies, the NPS concluded that the visitors' opportunity to experience natural quiet during their visits and the extent of noise impact depends on a number of factors. These factors include the number of flights, the sound levels of those aircraft, as well as other sound sources at the natural sound environment, and the duration (or amount of time) during that visit that aircraft were audible in specific locations. Integrated measures of noise (such as DNL and $L_{eq}$) are commonly used to quantify time varying noises such as are described above. Most of the FAA's experience has been in assessing noise impacts in airport and residential environments where people are exposed to a variety of sound conditions in the same basic sound environment over a very long period of time. However, because park environments and the set of conditions typically experienced by park visitors is completely different, the NPS concluded that these integrated measures were, by themselves, inadequate to represent the effect of overflights on park environments and a person's visit. However, the FAA and the NPS agree that $L_{eq}$ integrated over a short time period correlates with park visits and can be useful in assessing park noise impacts.

This action only considers the air tour contribution to the GCNP noise. In other words, noise contributed from other sources is treated separately for purposes of noise modeling analysis.

The NPS will continue to strictly control its rescue, law enforcement, maintenance and critical resource management overflights to minimize their number and effect on park resources and visitors. These flights are made for lifesaving and essential management purposes and will not be a factor in any restrictions on air tour operations.

*Discrimination Against Air Tourists vs. Other Users*

A number of commenters state that SFAR 50–2 and Notice 96–11 discriminate against air tour visitors to the park, who have little environmental impact on the park, while ignoring the noise, litter, and pollution problems associated with ground users. A few commenters believe that NPS is purposely trying to eliminate air tours from the park. Other commenters point out that air tour visitors are not being discriminated against since all commercial enterprises that use the Grand Canyon are restricted.

*FAA Response:* The FAA does not agree. The actions by the FAA in addressing mitigation measures associated with noise from commercial air tour operations is additive to actions being taken by the NPS to preserve and protect for future generations the resources of GCNP. Recent actions include the development of a General Management Plan which will greatly restrict automobile use in congested rim areas, provide high occupancy public transit, and establish pedestrian and bicycle trails. Other actions have included restrictions on the operation of diesel buses, on diesel and steam locomotives serving the park, and on outboard engines on river rafts. In addition, the NPS has a long standing administrative practice in the control and mitigation of impacts to resources resulting from visitation through the use of reservation systems for campgrounds and other sites both on the rim and in the inner canyon, as well as providing for times when use types are restricted,

such as the ''oar only'' season for rafting on the Colorado River. As such, use allocation is a common practice within NPS areas in order to meet the demands of the general provisions of acts relating to the administration of National Park Service Areas (16 U.S.C. 1 *et seq.*) as well as specific park legislation such as Public Law 100–91.

Further, it was not the intent of Public Law 100–91 to ban aircraft from overflying the Grand Canyon. In this regard, the FAA believes that viewing of the canyon from the air is a legitimate and valuable means of appreciating the beauty of the Grand Canyon. This policy is supported by the legislative history of Public Law 100–91 and the objectives states by DOI in its December 1987 recommendations to the FAA. The agency further believes that the resources of the canyon can be protected without an exclusion of aircraft, which would have a major adverse impact on air travel through this area of the southwest. It is the intent of the rule adopted to permit the continuation of aerial viewing of the canyon, and air travel through the area, in a manner consistent with the stated purposes of section 3 of Public Law 100–91 to substantially restore the natural quiet of the Grand Canyon within the boundaries of the national park.

The NPS has had a consistent position for years regarding air tours at the Grand Canyon. As stated on page 184 of the 1994 NPS Report to Congress, one of the six management objectives for the park is: ''Provide a quality aerial viewing experience while protecting park resources (including natural quiet) and minimizing conflicts with other park visitors.''

*Number of Operators and Operator Fees*

An environmentalist group states that one third of the Grand Canyon air tour operators dodge fees and that air tour numbers may be twice those reported. Another commenter stated that tribes in the GCNP vicinity should be able to regulate and collect fees for the airspace on their lands as the NPS does.

*FAA Response:* Fee collection is beyond the scope of Notice 96–11. Through the 1993 Omnibus Budget Reconciliation Act, Congressional action required the NPS to collect a commercial tour use fee of $25 for aircraft with 25 seats or less and $50 for aircraft with more than 25 seats. Collection and enforcement of this fee is the responsibility of the NPS and the NPS can use all information available to assure that fees are collected in accordance with the law. Nevertheless, payment of fees has no direct relationship to this rule. Regarding the collection of fees by Native Americans, Congressional action would be required to authorize the collection of an overflight fee.

*Noise Level Surveys, Monitoring, Studies, and Modeling*

Some commenters state that the NPS overstated the impact of air tour overflights on park visitors in its 1992 visitor survey. For example, the commenter noted that backcountry users do not venture out of the Bright Angel Flight-free Zone, and some complaints were collected at a time when an aerial search was being made for an escaped convict and NPS service flights were on-going. Furthermore, the commenters complained that the NPS made no attempt to distinguish what type of flights were causing the annoyance.

Other commenters state that the NPS-solicited surveys show an unusually high number of complaints because more complaints are received from solicited surveys than from unsolicited reports.

Another commenter says that some of the survey questions were biased because they used the word ''noise'' instead of ''sound'' (e.g., visitor perceptions of aircraft noise versus aircraft sound).

Industry commenters also express doubts about the noise monitoring studies contracted by the NPS. Several commenters state that monitoring sites were directly under, or in close proximity to, the tour routes flown by air tour operators as directed by SFAR 50–2.

Several commenters state that although Public Law 100–91 directed the NPS to distinguish between the impacts caused by sightseeing aircraft and other types of aircraft, the noise monitoring results do not distinguish the amount of noise attributable to different types of aircraft.

Industry commenters also object to the NPS model for noise. One commenter states that the noise model used for establishing predicted aircraft noise impacts eliminated the coefficient of lateral over-the-ground attenuation. BIA states that the NPS established no baseline other than ambient sound levels, which does not differentiate among the impacts on visitors from different types of flights. Another commenter states that the noise analysis is flawed because it was based on NPS estimates of fleet sizes, aircraft use levels, and certificated noise levels for aircraft in that fleet, which do not necessarily indicate the actual noise an aircraft will produce in flight.

*FAA Response:* The NPS noise level surveys, dose-response studies, and acoustic modeling were conducted by internationally-respected acoustical research firms known for the quality of their work. These firms advised the agency on the design, analysis, and conduct of these surveys and studies. The NPS consulted extensively with these firms to ensure that the conclusions in the NPS report to Congress were drawn directly from study results. The studies were based on standard research methodologies, including statistically valid random samples, and have been reviewed by scientists not affiliated with the NPS or the FAA. They represent the only large-scale, scientifically sound studies of park noise environments and park visitor reactions to aircraft noise in outdoor recreation settings.

Acoustic modeling is the accepted approach for addressing noise concerns over large areas such as Grand Canyon. Noise level measurements only reflect individual site conditions but can be productively used to improve the accuracy of the modeling. Both the FAA and NPS used a standard aircraft noise database and made adjustments based on actual field measurements. The measured ambient background sound levels (the baseline for natural quiet taken from Grand Canyon noise level measurements) were factored into FAA and NPS modeling efforts, and both models were able to factor in terrain effects, albeit to different extents. Finally, data from an FAA survey of air tour operators was used by both agencies to provide the aircraft types, numbers, and routes used in the acoustic modeling. Although the FAA and NPS noise models are quite different, the FAA found sufficient convergence in modeling results to suggest that valid conclusions can be drawn from both models.

NPS acoustic measurements found that the sound of aircraft was measurable for some part of the time at virtually all areas where sound data was collected, including a wide variety of locations and environments well within the flight-free zones as well as near the flight routes. This is consistent with NPS modeling which suggested that aircraft sound can carry 13–16 miles in the eastern end of the Canyon and even further on the western end—enough to fully penetrate to the center of every flight-free zone created by SFAR 50–2.

Results from the 1992 survey show that almost 75 percent of fall backcountry and river oar visitors who heard aircraft responded that they were moderately to extremely annoyed (NPS Report to Congress, Page 139). The NPS

did not anticipate this level of annoyance from groups supposedly protected by the SFAR and was an important indication to the NPS that additional action was needed to protect quiet in the park. For all categories of visitors, the stronger category ''interference,'' was selected more frequently than the weaker category, ''annoyance.'' Of the visitors who heard aircraft, over 90 percent of fall backcountry visitors and 100 percent of river oar visitors responded that aircraft noise interfered with their appreciation of natural quiet (NPS Report to Congress, Page 192). Both the dose-response study and the survey found visitor results varied by activity and site.

Aircraft noise is the subject of the second largest number of complaints in the park. Complaints are an indicator that a problem may exist, but scientifically valid surveys have been consistently shown to be necessary to accurately measure visitor reactions.

The NPS found that noise from the air tour routes in place under SFAR 50–2 is clearly audible (and was measured) from many locations within Flight-free zones, accounting for the results cited by some commenters. The search for the escaped convict referred to did not affect the study which was suspended during that period.

NPS-contracted acoustic monitoring was conducted with a technician recording the type of aircraft observed and measured. The tour flights all occurred on standard routes and altitudes and were easy to separate from any other aircraft, such as NPS flights and high altitude commercial jets. In fact, pages 187–188 of the NPS report to Congress provide a breakdown of the amount of time aircraft were audible by aircraft type during the study, and also show the variety of sites both within flight-free zones and under or near flight corridors.

In the NPS deliberations that led to development of the survey questions the question of inducing bias by the use of terms, or by the wording or sequence of questions, was very carefully considered and tested before the study. The term ''noise'' was used in the survey questionnaires very carefully to allow correlations with the large body of aircraft noise research conducted primarily in airport environs. The term ''sound'' was used where possible, and the analysis of the responses suggested that the terms did not affect the results.

The data and the modeling on which the proposed rule is based are scientifically valid and the best available. The monitoring program resulting from this rule will also provide additional data which will help to further validate and refine the modeling.

In formulating the Comprehensive Noise Management Plan for GCNP, the FAA and the NPS expect to conduct further research regarding visitors' reactions to noise and natural quiet issues to validate the current studies and the two agencies' respective modeling systems.

## Section-by-Section Discussion of Final Rule

The following is a brief summary of the major proposals, and the comments, received. The FAA's response to those comments and the final rule action follow.

### *Section 93.301 Applicability*

Proposed § 93.301 described the lateral and vertical dimensions of the SFRA. Notice 96–11 solicited comments on modifying the dimensions of the SFRA by extending the SFRA north-northeast of the confluence of the Little Colorado and Colorado Rivers; extending the SFRA southward below the Bright Angel and Desert View Flight-free Zones; extending the SFRA at the western edge to cover that portion of the Grand Wash Cliffs in the park that was inadvertently omitted from the 1987 NPS Grand Canyon Aircraft Management Recommendation and the original rule; and increasing the altitude of the SFRA ceiling from 14,499 to 17,999 feet MSL.

### *Comments*

Heli USA states that the revised SFRA could affect access to the Grand Canyon West airport.

An individual from the Navajo Area Office of the BIA says that the extension of the SFRA to the north-northeast of the Little Colorado and Colorado Rivers would introduce air traffic into an area outside the current SFRA, over the Marble Canyon and Navajo land, which did not have traffic before.

The Experimental Aircraft Association (EAA), the General Aviation Manufacturers Association (GAMA), and the Aircraft Owners and Pilots Association (AOPA) object to the proposed extension of the SFRA ceiling. EAA states that the FAA has not presented any information showing that any commercial sightseeing aircraft are using or plan to use these altitudes. GAMA says that requiring turbo-charged piston-engine and turboprop turbine-powered aircraft that have optimum operating altitudes between 14,500 and 17,000 feet to take alternate routes around the SFRA will add considerable costs to implementing the rule. AOPA says that the proposed requirement is discriminatory towards general aviation because it forces all general aviation flights over the Grand Canyon to take place at a higher altitude than flights by commercial air tour operators.

Another commenter says that Notice 96–11 is counter to FAA's General Aviation Policy Statement (adopted by the FAA Administrator in 1995), which calls for fostering general aviation and maintaining safety through voluntary compliance and other means to reduce the regulatory burden on general aviation.

Another commenter contends that Notice 96–11 will impact many other aircraft who operate across Northern Arizona between 14,500 MSL and the base of Class A airspace under VFR. The commenter adds that increasing the SFRA altitude would make it impossible to fly over the SFRA without obtaining an ATC clearance to operate in Class A airspace.

The Soaring Society of America, Inc. (SSA) opposes the proposed rule as it applies to quiet and unobtrusive civil aircraft such as sailplanes and gliders. Since airplane and helicopter sightseeing overflights are the perceived cause of the noise problem in the Grand Canyon, the SSA believes the regulations should be tailored specifically toward such aircraft and the FAA should permit sailplanes and gliders to continue to operate under the current SFAR 50–2. SSA refers to the Department of the Interior's Report on Effects of Aircraft overflights on the National Park System which suggests to that society that sailplane ''noise'' is approximately equal to daytime ambient noise, therefore nothing will be gained by burdening sailplanes and gliders with the proposed rule.

*FAA Response and Final Rule Action:* In 1989, the FAA revised the southern boundaries of the SFRA in the West Canyon area to establish a corridor to the Grand Canyon West Canyon Airport. This corridor was designed to permit access to the airport to assist the economic development of the Hualapai tribes. Nothing in this final rule modifies the corridor that was established in 1989. The FAA will reserve its response to comments regarding specific routes until after the comment period closes for the Notice of Proposed Routes.

Increasing the SFRA ceiling from 14,499 feet MSL upward to but not including 18,000 feet MSL is intended to prevent commercial sightseeing operators from circumventing the intent of this rule by overflying the fly free zones between 14,500 feet MSL and 17,999 feet MSL.

The upward expansion of the SFRA does not impose a barrier to general aviation aircraft. The effect of the expansion is to regulate commercial sightseeing flight operations pursuant to § 93.315 which permits only those operations authorized in operations specifications.

The Grand Canyon attracts an unusual level of air traffic. The FAA continues to be concerned that safety could be impacted by the concentration of air traffic, including powered and nonpowered aircraft over GCNP. Therefore, it opts not to relax SFRA operating requirements for sailplanes and gliders. The FAA adopts the SFRA as proposed.

*Section 93.305 Flight-Free Zones and Flight Corridors*

Proposed § 93.305 described the lateral and vertical dimensions of the proposed flight-free zones; proposed creating two new flight-free zones: The Sanup Flight-free Zone and the Marble Canyon Flight-free Zone; proposed merging the Toroweap/Thunder River and Shinumo Flight-free Zones and extending this zone to the park boundary; proposed expanding Desert View Flight-free Zone to the north and east to the GCNP boundary; and proposed extending the current Bright Angel Flight-free Zone to the north to the GCNP boundary.

Proposed § 93.305 also described the five flight corridors that allow access through the canyon area for general aviation and transient operations and routes for commercial sightseeing flights.

The FAA proposed to add two new flight corridors in the proposed Marble Canyon Flight-free Zone. In addition, the FAA proposed to close the Fossil Canyon Corridor, extend the Zuni Point Corridor into a Y-shape in the north, and shift the southern portion of Dragon Corridor to the west. The FAA also proposed that commercial sightseeing aircraft would be allowed to operate in only one direction in the Zuni Point Corridor.

*General Comments on Flight-free Zones and Flight Corridors*

*Safety Comments:* Several commenters express concerns about safety if the proposed rule is implemented. According to these commenters, the combination of restricted corridors, changes in route structure, and curfews would increase the density of aircraft in the available airspace, thereby increasing the potential for a mid-air collision.

The NTSB commented that the compression of air traffic into smaller airspace would limit safe maneuverability in marginal weather conditions, funnel air traffic into fewer routes, and in some areas, compress slower single-engine airplanes, helicopters, and higher performance airplanes into the same airspace. This would increase the likelihood of midair collisions in GCNP. The NTSB adds that the FAA should systematically analyze the possible effects of the proposed changes on air safety and ensure that these results are considered before adopting the proposal.

One commenter disagrees with the claim that the proposed rule would create an unsafe environment. The commenter points to the FAA's 1995 Report to Congress, ''Report on the Study on Increased Air Traffic over Grand Canyon National Park,'' which states that it would be highly unlikely that operations would ever approach saturation level. The commenter also points out that the proposed rule allows pilots to make evasive flight maneuvers necessary to maintain safety.

*General Aviation:* One commenter objects to the proposed flight-free zones because they will effectively ban general aviation from flying over the park. The average general aviation aircraft is not equipped to operate at the minimum altitudes required by the proposal. According to the commenter, the proposed new flight-free areas will prohibit general aviation aircraft from flying directly from Las Vegas to either Albuquerque or Farmington. The commenter asks that general aviation aircraft be allowed to overfly the flight-free areas at altitudes above 10,499 MSL.

*Native American Tribal Lands:* In a statement given at the Congressional hearing, representatives of the Havasupai Tribe say that a foreseeable result of the proposed changes will push overflights south of GCNP resulting in adverse environmental effects. In a comment subsequently submitted to the docket, representatives of this Tribe say that while reducing the negative impacts of overflights by regulating the airspace within the park is worthwhile, the result will be to increase aircraft noise outside the park, including the Havasupai reservation. The commenter adds that there has been no analysis of the environmental effects of these regulations outside the park boundaries and that ''the FAA's unjustified rush to action must be slowed.''

*Other General Comments:* Two commenters remind the FAA that flight-free zones are not noise free zones since noise travels 13 to 16 miles; nor are they entirely flight free since high flying aircraft still overfly them. These commenters point out that while flight corridors are necessary, they are not a solution for the noise problem since they heavily affect several scenic areas in the park, such as Point Imperial, Nankoweap, Cape Final, Unkar, Hermit, Boucher, and Crystal Rapids trails.

*FAA Response and Final Rule Action:* The comments regarding safety express similar concerns: (1) Flight-free zones require changes to routes, (2) flight-free zones create smaller available airspace, (3) the effect of curfews on the density of air traffic, (4) increased possibility of midair collisions because of route changes and combining aircraft of differing flight characteristics. Each of these general areas of concern will be addressed separately.

*Flight-free zones require changes to routes:* The modified and new flight-free zones are necessary to comply with the mandate of Public Law 100–91 to achieve substantial restoration of the natural quiet in GCNP. One of the primary responsibilities of the Las Vegas Flight Standards District Office (FSDO), through a special unit, is to provide oversight of the commercial sightseeing operators in the Grand Canyon. The members of this unit are all highly experienced with this subject and have worked closely with the commercial sightseeing operators and the NPS. The Notice of Availability of Proposed Air Tour Routes of GCNP (Notice of Proposed Routes), which is published simultaneously with this final rule, explains how interested persons may obtain detailed information on the routes. The FAA will review the comments received from the public related to the notice of proposed routes and if appropriate, make modifications to the routes.

*Flight free zones create smaller available airspace:* The FAA agrees with the NTSB that the additional flight-free zones create a smaller airspace for air tour aircraft. The NTSB is concerned that the smaller airspace may limit ''safe maneuverability in marginal weather conditions.'' As in SFAR 50–2, the FAA has specifically included language in § 93.305, Flight-free zones, that will allow air tour aircraft to fly within the flight-free zones ''in an emergency or if otherwise necessary for safety of flight.'' The intent of this language is to allow flight into a flight-free zone for any safety reason including emergencies. This language will also enable pilots to deviate from course to avoid other aircraft and unsafe weather conditions. This provision will be liberally construed when applied in the interests of safety. This should resolve any concern about the ability of an aircraft to maneuver in a smaller available

airspace. Additionally, the FAA agrees with a commenter that the airspace has not approached any unsafe saturation level.

*The effect of curfews on the density of air traffic:* The FAA agrees that curfews on the west end of GCNP might create a situation whereby large numbers of aircraft could attempt to enter the air tour routes at the same time and along the same routes. Based on the FAA's safety analysis of the air tour flights originating from the Las Vegas area, the FAA has decided to exempt the routes beginning on the western end of the park from any curfew.

However, § 93.316(a) prescribes a fixed curfew. Specifically, no person shall conduct commercial sightseeing operations within the Dragon and Zuni Corridors during the following periods. (1) Summer season (May 1–September 30)—6 p.m. to 8 a.m. daily; and (2) Winter season (October 1–April 30)—5 p.m. to 9 a.m. daily. (See discussion later in the document.)

*Increased possibility of midair collisions because of the changes and combining aircraft of differing flight characteristics:* In light of these concerns the FAA will change the flow of traffic along the routes on the eastern side of the park (e.g., Dragon corridor) to a clockwise direction. This change will prevent conflict with aircraft merging from other existing and proposed routes. Also, the clockwise direction was designed for other safety reasons. (See discussion/response on Zuni Corridor.) More detail is contained in the Notice of Proposed Routes that is being published simultaneously with this final rule. Regarding combining aircraft of differing flight characteristics, the FAA will continue its practice of separating fixed-wing aircraft from rotary-wing aircraft through altitude restrictions. Experience, cooperation, and a proactive partnership developed between the commercial sightseeing operators and the FAA resulted in flight procedures that are included in the operator's FAA approved operations manual. The FAA believes that these established procedures will prevent potential conflicts.

Likewise, for safety, the rule continues to segregate commercial sightseeing operations from general aviation/transient operations in the SFRA. Commercial operators, under their operations specifications, are held to a higher operational proficiency standard that addresses the complexities of the route systems, terrain, flight corridors, weather norms, etc. It would be unrealistic to impose an equally high proficiency standard for the occasional general aviation pilot. Therefore, the FAA continues to believe that it is necessary to segregate these communities of operators.

*General Comments on Commercial Air Tour Routes*

Several commenters state that it is difficult to comment on the effects of the proposed changes since the proposed routes are not included in Notice 96–11. Nevertheless, the FAA received some general comments on potential route changes. Twin Otter says that the FAA has not proposed one quieter aircraft route, even though the NPS had proposed, in its Report to Congress, that some flight tour routes be restricted to ''quiet aircraft only.''

Southwest Safaris says the helicopter operations have been given preferential treatment by the FAA. They are allowed to fly from 500 to 1,500 feet lower than fixed-wing aircraft and to fly shorter routes in the middle of the park. According to the commenter, helicopter tours are on the rise and constitute much of the noise problem.

*FAA Response and Final Rule Action:* The FAA agrees with the comments that the operators should have an opportunity to comment on proposed routes. Simultaneously with this final rule, the FAA is publishing a Notice of Proposed Routes, which includes the proposed tour routes within the Grand Canyon. Operators will have an opportunity to comment on the proposed routes. The FAA will reserve its response to comments regarding specific routes until after the comment period closes for the Notice of Proposed Routes.

Regarding routes for ''quiet aircraft,'' simultaneously with the final rule, the FAA is publishing an NPRM, Noise Limitations for Aircraft Operations in the Vicinity of the Grand Canyon National Park, which proposes certain routes that will be limited to noise efficient aircraft only.

The FAA disagrees with the comment that helicopter operations have been given preferential treatment. Regarding altitude, the FAA's long-standing policy is to separate helicopters and fixed-wing aircraft because the two classes of aircraft generally have vastly different flight characteristics. Traditionally helicopters, normally slower and more maneuverable than fixed-wing aircraft, have been allowed to fly lower. The FAA intends to continue this safety rationale.

*Comments on Marble Canyon Flight-free Zone—Navajo Bridge and North Canyon Corridors*

Three commenters support the Marble Canyon Flight-free Zone. The Sierra Club-Grand Canyon Chapter states that the flight-free zone would be of particular benefit, particularly to fishers and river runners, and believes that the rim rather than the river bank should be the eastern boundary of the flight-free zone.

Another commenter suggests that the proposed Marble Canyon Flight-free Zone be modified to protect significant locations such as Blue Spring or other sacred places in the Little Colorado vicinity. Also, according to the commenter, no flights should be allowed over popular side canyon attractions such as North Canyon, South Canyon, Silver Grotto, and Saddle Canyon.

EAA states that the top of all three sections of this flight-free zone should be reduced from 14,000 to 8,500 feet MSL to allow general aviation flights between Las Vegas, Nevada and Farmington, New Mexico.

Twin Otter states that the flight-free zone is too small to be meaningful and would eliminate a popular air tour route.

*FAA Response and Final Rule Action:* The FAA has reconsidered its proposal for the Marble Canyon flight-free zone in light of the comments received. The FAA has determined that the proposed flight-free zone would provide only a minimal noise mitigation benefit because of the narrow dimensions. In addition, the FAA agrees that the proposed zone could have impacted general aviation flights between Las Vegas and Farmington. Therefore, the final rule eliminates the Marble Canyon Flight-free Zone.

However, the FAA is modifying the minimum sector altitude for this area. (See discussion under § 93.307, Minimum Flight Altitudes.)

*Comments on Desert View Flight-free Zone and Zuni Point Corridor*

Several commenters state that making Zuni Point Corridor one-way may present safety problems due to inclement weather and unexpected weather changes in the north canyon. GCATA states that because of the lack of a weather reporting station on the north rim, tour pilots proceeding through the Zuni Point Corridor will be required to make weather decisions in the vicinity of the ''Y'' on what direction to proceed.

Papillon states that the noise problem over the area between the Little Colorado River confluence and Imperial Point has been exacerbated by the piston-driven single and multiengine six to nine passenger airplanes. To clear the north rim, these airplanes climb. When entering the canyon via Zuni Point

Corridor, these types of airplanes should enter at a higher level, thus eliminating the noisy climb configuration.

The Sierra Club-Grand Canyon Chapter supports the enlargement of the Desert View Flight-free Zone (as does NPCA) but states that the Zuni Northwest Corridor cuts though the Critical Noise Sensitive Area that has Point Imperial at its center. This corridor is also a problem for users of the Saddle Mountain-Nankoweap Basin area. The Sierra Club-Angeles Chapter believes that the proposal should close Zuni Point Corridor because it impacts at least six trails, four permanent stream basins, important archaeological and historical sites, and Papago Point, the only major point on the south rim where one could formerly find solitude and escape the sounds of auto traffic.

*FAA Response and Final Rule Action:* Concurrent with the publication of this final rule, the FAA is publishing a Notice of Proposed Routes discussing route structures and directions of flights. The FAA will consider pertinent comments received in response to Notice 96–11 regarding routes, as well as any additional comments submitted in response to the Notice of Proposed Routes. In response to the perceived safety problems regarding weather, the FAA will route traffic in a clockwise fashion through the Dragon and Zuni Corridors. This flow will allow operators to better observe weather conditions around the North Rim so as to avoid encountering adverse weather condition in the vicinity of the North Rim, e.g., high winds, low visibility, turbulence, etc. The FAA believes this flow will enhance safety by pilots having the opportunity to take appropriate actions to avoid these conditions. Noise mitigation will be an additional benefit, as aircraft will no longer be climbing as they pass near Point Imperial.

*Comments on Bright Angel Flight-free Zone, Zuni Point, and Dragon Corridors*

NPCA notes that the NPS has estimated that the one-way restructuring of the Zuni Point Corridor will add 3,800 operations into the Dragon Corridor. Some commenters object to the northern extension of Bright Angel Flight-free Zone. Two other commenters say that the northern extension will lengthen the distance of the Grand Discovery Tour by 20 percent, which will increase operator costs and require operators to fly over the highest points of the north rim, resulting in frequent weather cancellations.

The Sierra Club-Grand Canyon Chapter supports the enlargement of the Bright Angel Flight-free Zone. Twin Otter and Grand Canyon Airlines recommend that the Dragon Corridor be converted within 2 years to a quiet airplane flight corridor. The commenters also recommend that the FAA define what operating characteristics an airplane model must have in order for it to conduct round-trip air tours within Dragon Corridor and then immediately permit such fixed-wing air tours within this corridor (just as the FAA now permits out-and-back helicopter tours).

Grand Canyon Airlines states that SFAR 50–2 management policies have encouraged rotorcraft operators to concentrate on Dragon Corridor tours. Since 1994, when helicopter operators began concentrating their tours within the Dragon Corridor, Grand Canyon Airlines has conducted 35 percent fewer air tours in this area. This commenter wants to be permitted to conduct similar round-trip Dragon Corridor tours to remain competitive if the FAA adopts the extension of the north rim air tour route.

Grand Canyon River Guides believes that the out-and-back helicopter route into Dragon Corridor should be abolished. This route allows helicopters to offer a shorter trip which is similar in cost to the least expensive tour of the larger, quieter fixed wing operators which carry more people with much less impact. According to the commenter, this shorter route is causing a very negative trend as noticed by the increased helicopter traffic on the Dragon Corridor with each passing year.

NATA is pleased that Notice 96–11 establishes the dog-leg within the Dragon Corridor because it would route air traffic away from the only location on the rim of the canyon where air tours and ground visitors interact. Papillon also agrees with the proposed change to relocate the south end of Dragon Corridor to the west.

USATA contends that the current routes that air tour operators fly encompass only 17 percent of the entire park. With the Dragon Corridor ''dog leg,'' the front country areas of the park (where 99 percent of all ground users visit) would be 100 percent protected from air tour noise. If flights were to double or even quadruple, one could expect the number of aircraft seen or heard to remain well within reason at a maximum of less than one aircraft per hour.

The Sierra Club—Grand Canyon Chapter, NPCA, and Grand Canyon River Guides do not support the changes to Bright Angel and Toroweap-Shinumo Flight-free Zones to accommodate the Dragon Corridor dog leg. They argue that these changes would degrade a portion of the park on the south rim that is currently relatively quiet. This area includes Havasupai Point. The Sierra Club suggests extension of the southwest corner of the Bright Angel Flight-free Zone (from 36°09′31″ N, 112°11′15″ W; to approximately 36°02′35″ N, 112°14′30″ W; then southeast along the GCNP boundary).

The Sierra Club also points out that the seventh point (36°01′16″ N, 112°11′39″ W) should be approximately 36°00′58″ N, 112°11′45″ W.

AOPA says that changes to the Dragon Corridor could make navigation extremely difficult and increase the chance that a pilot could inadvertently transgress into a flight-free zone.

*FAA Response and Final Rule Action:* Flight-free zones are being expanded and/or modified to aid the substantial restoration of the natural quiet, as mandated by Public Law 100–91. As stated by Senator John McCain in the legislative history of Public Law 100–91:

The purpose of flight-free areas is to provide a location where visitors can experience the park essentially free from aircraft-sound intrusions. The boundaries of these flight-free zones are meant to be drawn to maximize protection to the backcountry users and other sensitive park resources. The extent of these areas should be adequate to ensure that sound from aircraft traveling adjacent to these zones is not detectable from most locations within the zones. It is within these zones that we expect to achieve the substantial restoration of the natural quiet. (Congressional Record—Senate, p. S10799, July 28, 1987).

The FAA agrees that there should be incentives for operators to convert to noise efficient aircraft in the Dragon Corridor; those incentives are addressed in the NPRM being published simultaneously with this final rule.

The FAA agrees with the Sierra Club that the Bright Angel Flight-free Zone boundary description is incorrect, and corrects it in this action.

The FAA has adopted the proposed shift to the west in the Dragon Corridor (the ''dog-leg'') because it provides important noise mitigation to the Hermit's Basin Region and presents no safety concerns. This action responds to requests made by both the majority of the operators and NPS. By leaving the Dragon Corridor open, this action maintains certain viable commercial sightseeing routes over the canyon while providing greater noise mitigation in other parts of the park from larger flight-free zones. The legislative history of Public Law 100–91 indicates that it was not the intent of the legislation to

ban aircraft from overflying the Grand Canyon.

The change is consistent with the 1987 NPS recommendation and responds to comments made at the Flagstaff public meeting. These changes provide for noise mitigation while supporting a viable industry at the eastern end of the canyon.

The corridors will remain 2 nautical miles wide for commercial sightseeing operations and 4 nautical miles wide for general aviation and transient operations. The addition of a bend or ''dog-leg'' in the Dragon Corridor will make navigating the corridor a bit more involved but will be manageable. The revised Grand Canyon VFR Aeronautical Chart will contain latitude/longitude and VFR check points to assist pilots navigating in the area. Specifically, the corridor centerline and ''turn-point'' will be identified electronically via latitude/longitude coordinates. The ''turn-point'' will be identified by VOR/DME information from the Grand Canyon VOR. And the corridor and ''turn-point'' will be identified by topographic features as well.

*Comments on Toroweap/Shinumo Flight-free Zone and Tuckup Corridor*

Several commenters state that the extension of the Toroweap/Thunder River Flight-free Zone and the merger of Toroweap/Thunder River with the Shinumo Flight-free Zone will eliminate certain routes, thus reducing scenic viewing while extending tour times. One commenter adds that this extension is meaningless because air tour aircraft diverting around National Canyon will still be audible since the flight-free extension is too small for effective noise attenuation.

An individual from the Navajo Area Office of the BIA states that the expansion of Toroweap/Shinumo Flight-free Zone will block flight departures on the Brown 3 route from the Bar 10 airstrip which provides river runner support to the Hualapai Tribe.

Several commenters support expansion of the Toroweap/Shinumo Flight-free Zone and recommend that it be extended even farther back from the south rim to reduce the visual and noise intrusions from air tours. The Sierra Club—Grand Canyon Chapter states this is necessary to address the concern that air tours will fly just outside the flight-free zone boundary over the river corridor. They add that the existing flight-free zone located within a 1.5 nautical mile radius of the Toroweap overlook is inadequate and should be expanded.

The Sierra Club points out an error in the flight-free zone: the second point (112°3′19″ W) should be 112°13′19″ W and the third point (36°02″ N) should be 36°20′02″ N.

*FAA Response and Final Rule Action:* In analyzing the commenters' statements on the extension of the southern boundary, the FAA believes that the commenters are referring to the Blue 1 route. The FAA is soliciting comments in the NPRM that is published simultaneously with this rule regarding the feasibility of limiting a portion of the Blue 1 route in the National Canyon to noise efficient aircraft.

In response to comments regarding routes, the FAA will consider pertinent comments received in response to Notice 96–11, as well as any additional comments submitted in response to the Notice of Proposed Routes.

Any further expansion of the Toroweap Flight-free Zone will need to be considered in the context of the Comprehensive Noise Management Plan.

The FAA disagrees that the rule will result in an adverse effect on the safe operation of the Bar 10 airstrip or black river runner flights.

The FAA agrees with the Sierra Club that the Toroweap/Shinumo Flight-free Zone boundary description is incorrect, and corrects it in this action.

The FAA will reserve its response to comments regarding the Brown 3 commercial sightseeing tour route until after the comment period closes for the Notice of Proposed Routes.

*Comments on Sanup Flight-Free Zone*

The Sierra Club-Grand Canyon Chapter supports the new Sanup Flight-free Zone. The chapter suggests that boundaries be changed to give some protection to the Shivwits Rim and Sanup Plateau.

AOPA states that the new Sanup Flight-free Zone would force an increase in the minimum enroute altitude for Victor Airway 235 from 10,000 to 14,500 feet MSL between Peach Springs and Mormon Mesa navigational aids; that portion of the airway would be unusable by general aviation aircraft. One commenter feels that this increase would adversely affect safety and cause burdensome requirements for oxygen equipment because of the increased altitude.

EAA wants the ceiling of the flight-free zone lowered for general aviation operations from 14,000 to 8,500 MSL. This change would accommodate general aviation flights between Las Vegas and Albuquerque.

The FAA also received several comments regarding the possible impacts of the proposed Sanup Flight-free Zone on commercial sightseeing tour routes.

*FAA Response and Final Rule Action*: After analyzing the impact on VFR and IFR traffic, the FAA has adopted the Sanup Flight-free Zone. However, the vertical limits of the Sanup Flight-free Zone will be at 7,999 feet MSL. This will accommodate general aviation aircraft operations between Las Vegas and Albuquerque. By lowering the vertical limit of this flight-free zone, the minimum enroute altitude for V–235 remains unchanged.

In response to comments regarding routes, the FAA will consider pertinent comments received in response to Notice 96–11, as well as any additional comments submitted in response to the Notice of Proposed Routes.

*Comments on Elimination of Fossil Corridor*

GCATC states that the closure of the Fossil Canyon Corridor could possibly bring an end to Las Vegas-based air tours of GCNP. Although the FAA claims that only a low amount of traffic goes through this corridor, in fact most Las Vegas-based operators conduct air tours over the Blue 1 route which traverses the Fossil Canyon Corridor and adjacent lands. If this corridor were to close, the 200-mile air tour route from Las Vegas to Tusayan would include only approximately 20 miles over less striking portions of the Grand Canyon, including only 4 miles over GCNP. Such a decrease in Grand Canyon overflight would virtually eliminate the demand for such flights.

The individual from the Navajo Area Office of the BIA says that the Hualapai Tribe utilizes the Brown 1A route to support river runner traffic across Kaibab Plateau, which will be eliminated by the closure of the Fossil Corridor, as will the Blue 1A route be eliminated due to closure of the Fossil Corridor.

The Sierra Club-Grand Canyon Chapter and Grand Canyon River Guides support closing the Fossil Canyon Corridor.

*FAA Response and Final Rule Action:* The FAA recognizes that closing Fossil Canyon Corridor will affect some air tour routes. However, this action is necessary to aid in the goal of substantially restoring natural quiet to the park, as mandated by Public Law 100–91. The FAA believes, based on its 1995 survey of air tour operators and the routes that they fly, that Fossil Canyon Corridor is not heavily used for commercial sightseeing purposes and

those few operators who use it will have alternate routes available.

In response to comments regarding routes, the FAA will consider pertinent comments received in response to Notice 96–11, as well as any additional comments submitted in response to the Notice of Proposed Routes.

*Section 93.307 Minimum Flight Altitudes*

Proposed § 93.307 set forth different minimum altitudes in sectors and corridors for commercial sightseeing operations and transient and general aviation operations to separate these operations to the maximum extent practical. Notice 96–11 solicited comments concerning minimum altitudes for Navajo Bridge Corridor at 5,000 feet MSL for commercial tour operations and 8,000 feet MSL for general aviation and transient operations.

*Comments on Minimum Flight Altitudes*

The Northern California Aviation Users Working Group (NCAUWG) says that the NPS did not comply with Public Law 100–91 because it did not establish the ''proper minimum altitude which should be maintained by aircraft when flying over units of the National Park System.''

Kenai Helicopters, Inc. states that although Notice 96–11 does not change many of the minimum altitudes through the flight corridors, serious consideration for lower altitudes, coupled with noise attenuating flight procedures and maneuvers, should be analyzed in order to restore quiet in the flight-free zones in the best way.

The Sierra Club-Grand Canyon Chapter states that Notice 96–11 will not prevent flights below the canyon rim. This commenter suggests that the minimum flight altitude between Boundary Ridge and Supai be raised to 10,500 feet MSL to prevent aircraft from flying below the rim at Point Imperial, and that the FAA verify minimum flight altitudes for the entire SFRA to prevent below rim flights.

*FAA Response and Final Rule Action*: The FAA does not agree with these comments. The NPS Report to Congress concluded that establishing a simple minimum altitude for aircraft overflights over all units of the National Park System was neither feasible nor necessary. Instead it recommended that all reasonable methods and tools be used in issue resolution: voluntary agreements, quiet aircraft incentives, spatial zoning, altitude restrictions, operations specifications, and limits on time of operation. Public Law 100–91 mandated much more than an appropriate minimum overflight altitude for GCNP. Specifically, section 3 required the FAA to prepare and issue a comprehensive airspace management plan, which in part provided for provisions prohibiting below rim flights and designation of flight-free zones. Section 3 of Public Law 100–91 prohibits the flight of aircraft below the rim of the Canyon. Consequently, Kenai Helicopters, Inc.'s suggestion is not appropriate. Finally, the FAA believes the clockwise flow through the Zuni and Dragon Corridors will preclude aircraft from flying below the rim at Point Imperial.

In order to simplify the northeast sector of the SFRA, the FAA has combined the Marble Canyon and the North Canyon sector into one sector and renamed this section the Marble Canyon Sector. This sector will have a minimum sector altitude of 8,000 MSL.

*Section 93.316 Limitations for Commercial Sightseeing Operations*

The FAA proposed several additional methods to help achieve the objective of restoring natural quiet. One such method was flight-free periods (curfews). Proposed § 93.316(a) provided for both a fixed curfew and a variable curfew.

*Comments on Fixed and Variable Curfews*

A number of commenters (e.g., Twin Otter, HAI, Kenai Helicopters, an individual from the Navajo Area Office of the BIA) say that curfews could create significant congestion and safety problems as air tour operators reschedule aircraft to arrive at the edge of the SFRA at the same time.

GCATA states that GCNP Airport will have a major traffic problem with all Las Vegas operators arriving at the same time for one runway of operations. Also, since all helicopter operators have moved to the Airport, they will be ready for their initial launch of the business day. GCATA asks which operator will get priority, and says that the number of flights could create havoc for the tower operators at the Airport. Another problem is that all airplanes arrive from the west and helicopters will be departing on the east side. GCATA asks how the tower operators would handle this. The commenter believes that the curfews will push airports to their maximum operation and questions if this is safe.

According to Las Vegas McCarran Airport, the majority of air tour operators operate by ''banking'' Grand Canyon air tour flights. In other words, based on passenger demand during a given period, each operator departs a number of aircraft more or less simultaneously from an origin airport to perform Grand Canyon air tours.

This commenter states that, under the fixed curfew, peak operations in the SFRA are anticipated to occur between 8 a.m. and 10 a.m. Under the variable curfew, total operations are anticipated to increase substantially from 9 a.m. through 1 p.m. In addition, for airports in the Las Vegas region, a total of 60 Grand Canyon air tour operations would be affected by the proposed fixed curfew, and 99 by the proposed variable curfew. These aircraft operations would be required to alter the existing times of operations to non-curfew hours, or operate on the Blue Direct route, which is not considered an air tour route and not subject to the restrictions proposed in either curfew alternative.

Several commenters are concerned about the economic impact of curfews. Heli USA states that the proposed curfews would eliminate 20 percent of its flights and cause severe economic problems.

GCATC says that the FAA's estimate of $6.6 million in annual loss of revenue, as a result of fixed curfews, is underestimated because: (1) The FAA states that all losses would be incurred in the summer season (May 1–September 30), wrongly assuming that all flights during the winter season (October 1–April 30) can be rescheduled. Although rescheduling of some winter flights may be possible, the flexibility of both air tour operators and passengers is limited and, consequently, not all passenger groups can be accommodated under FAA's proposed restricted operating hours. (2) The proposed fixed curfew forces air tour operators to begin tours substantially later and end them substantially earlier than under the dusk-to-dawn flight period currently allowed. For some months, the FAA's proposal may shorten available flight time by 25 to 33 percent, causing operators to lose multiple flights on a daily basis.

Comments from the Grand Canyon Trust state that the FAA's assessment of the costs of basic curfews is fundamentally flawed in that it makes no attempt to anticipate how mismatches between supply and demand are likely to be resolved in the marketplace. Given that Grand Canyon tours are once-in-a-lifetime experiences, and that roughly 60 percent of all visitors are foreigners for whom sightseeing tours are only one part of a more extensive vacation package, consumers are more likely to be relatively price insensitive, particularly at the margin. This implies that operators will likely be able to more

than offset revenue losses resulting from the flight curfews proposed by the FAA. The commenter suggests that the near-term response of air tour operators to the regulation is likely to be a modest shift in prices upward which will allow them to recover the revenues lost due to canceled flight operations. Over the longer term, operators will be able to replace their existing aircraft with larger, higher capacity aircraft, thereby restoring the balance between supply and demand, gradually bringing down prices and restoring market equilibrium. The overall impact on the industry will likely be negligible, the commenter suggests. GCATA states that variable curfews will be unworkable because operators will not be able to handle advance reservations without knowing if a corridor will be open or shut.

Papillon states that variable flight-free periods would be unacceptable because most air tour passengers must fly in the early or late part of the day and most book their flights 3 to 6 months in advance. The variable flight-free periods would eliminate approximately 80 percent of the flight revenue of operations originating at the GCNP Airport.

An individual from the Navajo Area Office of the BIA says that curfews could create negative impacts to all three Native American tribes in the GCNP vicinity and recommends a specific exemption to Native American tribes for any flights sanctioned by such Native American tribes over their own lands. Alternatively, if tribes' commercial operations are considered as governmental flights, they should be exempted from the SFAR restrictions.

The Sierra Club-Grand Canyon Chapter states that intrusive noise is particularly annoying during the morning and evening hours and that flight-free hours should not be considered a substitute for actual restoration of natural quiet. This commenter recommends flight-free months as well as flight-free periods that would coincide with engine-free raft periods on the river.

Another commenter states that curfew times should be adjusted monthly or on a seasonal basis, and that a time of 2 or 3 hours before sunset would be a better compromise, because tourists particularly enjoy the canyon rims and along the river in the late afternoon and evening light.

Two commenters recommend fixed curfews over variable curfews. Grand Canyon River Guides states that, since the variable curfews would require further data and analysis that could not be accomplished before the end of 1996, the proposed rule should focus on fixed curfews. NPCA believes that variable curfews will take too long to implement. If some tour operators opt for quiet technology while the monitoring is being conducted, it will skew the monitoring results and reward those operators that did not upgrade their equipment. NPCA still supports noise monitoring in consideration of possible curfews for the Comprehensive Noise Management Plan. The NPCA thus recommends the seasonal fixed curfew.

Papillon states that air tours originating in the east end of the canyon normally commence one hour after sunrise and terminate approximately one hour before sunset. The commenter states that present operations basically comply with the proposed fixed curfews and that for 6 months of the year, there are no flights for more than 80 percent of the time. Thus, Papillon recommends no fixed curfews for flights originating out of GCNP airport to the east end of the canyon.

*FAA Response and Final Rule Action:* The FAA agrees that curfews on the west end of GCNP might create a situation whereby large numbers of aircraft attempt to enter the air tour routes at the same time and along the same routes. Based on the FAA's safety analysis of the air tour flights originating from the Las Vegas area, the FAA has decided to exempt the routes beginning on the western end of the park from any curfew. This should eliminate any impacts on Native American tribes.

However, § 93.316(a) of the final rule prescribes a fixed curfew. Specifically, no person shall conduct commercial sightseeing operations within the Dragon and Zuni Corridors during the following periods. (1) Summer season (May 1–September 30)—6 p.m. to 8 a.m. daily; and (2) Winter season (October 1–April 30)—5 p.m. to 9 a.m. daily.

The FAA has determined that the curfew will increase natural quiet during sunset and sunrise in the most heavily visited portions of GCNP, in the eastern portion of the park. The NPS identified these areas as among the most sensitive parts of the park and these times as when visitors are especially sensitive to noise impacts. Consequently, the fixed curfew makes an important contribution to substantially restoring natural quiet on a daily basis and mitigating noise impacts on the experience of the park visitors in this portion of the Canyon.

This section of the final rule also responds to the President's Memorandum of April 22, 1996, charging the Secretary of Transportation to issue regulations for GCNP that immediately reduce noise and make further substantial progress toward the restoration of natural quiet, as defined by the Secretary of the Interior.

The FAA does not agree that the imposition of a curfew will unduly impact air traffic operations at Grand Canyon National Park Airport. The FAA believes that there are sufficient air traffic control (ATC) procedures to manage those aircraft operating to and from the Grand Canyon National Park Airport, as well as those aircraft transiting the Class D airspace area. These aircraft will continue to receive ATC service on a first-come-first-served basis and, if needed, traffic management procedures will be developed and instituted.

*Cap on Commercial Sightseeing Operations*

*Proposed Cap*

Proposed § 93.316(b) set forth a temporary moratorium on increased commercial sightseeing flights. The proposal limited each operator in 1997 and 1998 to the number of monthly operations equal to the monthly operations in the base year August 1, 1995, through July 31, 1996.

*Comments on the Proposed Cap*

GCATA states that basing the number of monthly operations on the period August 1, 1995, through July 31, 1996 may not work since some operators may have encountered a down year; rather an average of the last three years should be used.

Papillon, Twin Otter, and Grand Canyon Airlines state that capping flights regardless of type of aircraft would not provide an incentive to convert to quiet technology, and that caps should only apply to aircraft of conventional sound signature.

The NTSB says that the proposed caps are discussed almost exclusively from the perspective of aircraft noise. The NTSB says that the FAA must also analyze the possible safety impacts of the caps.

GCATC responds to the FAA's suggestions on measures to offset revenue losses from caps, i.e., using larger aircraft; raising commercial sightseeing tour prices; rescheduling flights; and diverting some aircraft to other revenue producing uses. GCATC says that the operations cap will provide no incentive for operators to invest in larger aircraft because it will prevent operators from recouping their investment in an economically feasible time period; operators are constrained in their ability to raise prices because the demand for GCNP air tour operators is relatively elastic; rescheduling flights

has no effect on increasing revenue when the number of flights an operator may fly is limited artificially by regulation; and air tour operators would already be using their aircraft for other purposes if it were economically worthwhile to do so.

A number of commenters (e.g., NPCA, Sierra Club-Grand Canyon Chapter, Wilderness Society, Grand Canyon Trust) say that basing the caps on the number of flights in 1995–96 will not restore the natural quiet and that the caps are too temporary. These commenters recommend that, since Congress identified the overflight problem in 1987, and the flight rate since then has dramatically increased, the FAA should use the 1987 operation levels to determine the caps. In addition, the maximum caps should be permanent. The Sierra Club-Grand Canyon Chapter and NPCA also recommend that the flight caps be in effect until completion and implementation of the comprehensive noise management plan.

Comments from the Grand Canyon Trust state the FAA's assumptions that any type of cap, whether it is on operators, aircraft, passengers, or air tours, will have identical effect is erroneous. Air tour operators can be expected to adjust their pricing structures, aircraft fleets, and tour offerings to maximize net operating revenues under whichever system of caps is adopted. Consequently, the commenter suggests that the actual economic cost of caps to the industry is likely to be small.

Grand Canyon River Guides says that since tour operators were mandated to report and pay for their use of airspace during the base year, those figures should be used by the NPS and the FAA to determine the allocation levels; operators who may have been avoiding user fees by underreporting their operations should not receive any special consideration. This commenter recommends that, once operational limitations are in place, the FAA should require that any new aircraft be quieter than those being replaced, and that, as this shift occurs, the number of aircraft should not be allowed to increase.

Kenai Helicopters proposes that any cap on air tour operators should grandfather the current operators, of whom many have made sizable investments in aircraft and facilities to meet the market demand. Many of these facilities are located on lands with long term (20–25 years) leases that necessitate long term operation potential to stay in business.

Heli USA states that since a large majority of the air carriers operating tours in GCNP are either new or have not reached the capacity of business to pay for their investment, caps based on historical records would be unfair.

Twin Otter and Grand Canyon Airlines state that setting operations caps raises serious administrative problems. For example, Twin Otter says that the ''use or lose'' rules which apply to air carrier slots would not work at the Grand Canyon since air tour schedules are seasonal and subject to revisions and cancellations for weather. This commenter says that the only fair alternative would be a slot market mechanism like that used to allocate restricted capacity at the High Density Rule airports.

*FAA Response and Final Rule Action:* In the final rule § 93.316(b) establishes a cap on commercial sightseeing aircraft that can operate in the SFRA. Specifically, this section states that no person may operate more commercial sightseeing aircraft in the Special Flight Rules Area than the highest number of aircraft that appeared on the certificate holder's operations specifications, and that were used for commercial sightseeing operations in the Grand Canyon Special Flight Rules Area, between July 31, 1996 and December 31, 1996.

NPS modeling suggested that between 1988 and 1994, that part of the park experiencing a substantial restoration of natural quiet declined from 43 to 31 percent. The modeling further suggested that by 2010 this area would decline to about only 10 percent of the park. Because the FAA and NPS concur that the best way to address the current erosion of natural quiet and achieve the substantial restoration of natural quiet is through reducing noise at the source (i.e. quieter aircraft), a cap is an interim measure needed to prevent a worsening of the situation prior to implementation of the noise limitations proposed in the NPRM published simultaneously with this final rule. The combination of the final rule and the noise limitations in the NPRM will make possible the substantial restoration of natural quiet mandated by Public Law 100–91.

This section of the final rule also responds to the President's Memorandum of April 22, 1996, charging the Secretary of Transportation to issue regulations for GCNP that place appropriate limits on sightseeing aircraft over GCNP to reduce the noise immediately and make further substantial progress toward restoration of natural quiet, as defined by the Secretary of Interior.

*Section 93.317 Commercial Sightseeing Flight Reporting Requirements*

Proposed § 93.317 established commercial sightseeing flight reporting requirements. As proposed, during the 5-year period following May 1, 1997, each certificate holder would submit, in a form and manner acceptable to the Administrator, three operational reports yearly to the Las Vegas FSDO. Each report would cover a 4-month period ending April 30, August 31, or December 31, and would be required to be submitted no later than 30 days after the reporting period closes. Certificate holders would be required to provide the aircraft identification number (registration number), departure airport, departure date and time, and route(s) for each operation flown in the SFRA.

*Comments on Commercial Sightseeing Flight Reporting Requirements*

Two operators state that the reporting requirements would be oppressive and burdensome, and the costs associated with this requirement would be passed on to air tour customers. One of these commenters recommends that if a report is necessary, it should only require date, departure point, and total number of operations by route.

Grand Canyon River Guides says that, compared with the paperwork already necessary to keep pilots and aircraft current, the additional burden of recordkeeping in Notice 96–11 is minor, particularly since operators probably already are keeping track of such things.

*FAA Response and Final Rule Action:* Commercial tour operators were required by SFAR 50–1 to obtain a Part 135 air carrier operating certificate. The existing reporting requirements under Part 135 for operators using multiengine aircraft would capture the information required by this rule. The FAA believes that any recordkeeping burden imposed by this rule will be minor and related to copying the information into an FAA format. The required information is needed to provide accurate information on GCNP overflights for noise and safety management purposes, to help validate noise models, to determine where noise mitigation is needed, and to provide the basis for more flexible noise management system. The recordkeeping requirements in the final rule therefore are as proposed.

Environmental Review

The FAA conducted an abbreviated scoping process and prepared a Draft Environmental Assessment (EA) for the proposed rule to assure conformance with the National Environmental Policy

Act of 1969 and all applicable environmental laws. Copies of the Draft EA were circulated to interested parties and placed in the Docket, where it was available for review. The Notice of Availability of the Draft EA was issued on August 21, 1996. The original 45-day comment period, which was scheduled to close on October 4, was extended until November 18, 1996. Based upon the Draft EA and careful review of the public comments, the FAA has determined that a finding of no significant impact (FONSI) is warranted. The final EA and the FONSI were issued on December 24, 1996. Copies have been placed in the public docket for this rulemaking, have been circulated to interested parties, and may be inspected at the same time and location as the final rule.

This final rule constitutes final agency action under 49 U.S.C. 46110. Any party to this proceeding, having a substantial interest may appeal the order to the courts of appeals of the United States or the United States Court of Appeals for the District of Columbia upon petition, filed within 60 days after entry of this Order.

Regulatory Evaluation Summary

Any changes to Federal regulations must undergo several economic analyses. First, Executive Order 12866 directs that each Federal agency shall propose or adopt a regulation only upon a reasoned determination that the benefits of the intended regulation justify its costs. Second, the Regulatory Flexibility Act of 1980 requires agencies to analyze the economic effect of regulatory changes on small entities. Third, the Office of Management and Budget directs agencies to assess the effect of regulatory changes on international trade. A regulatory evaluation of the proposal is in the docket.

In conducting these analyses, the FAA has determined that this Final Rule will be ''a significant regulatory action'' as defined in the Executive Order and the Department of Transportation Regulatory Policies and Procedures. However, this rule will not have a significant impact on a substantial number of small entities.

The final rulemaking will not have a significant impact on international trade. There may be some increase in the U.S. balance-of-payments account as a result of a decrease in foreign expenditures on GCNP tours.

*Introduction*

To assist the NPS effort to measure aircraft noise levels in GCNP, the Las Vegas Flight Standards District Office (FSDO) conducted a field survey of all operators certificated to provide commercial sightseeing air tours within the GCNP SFRA. The Las Vegas FSDO SFAR No. 50–2 Air Tour Route Usage Report (field survey) detailed information for each operator with regard to the number of operations conducted along each commercial sightseeing air tour route within the GCNP SFRA. This information was further broken down for each type of commercial air tour sightseeing aircraft in the operator's fleet that operated along these routes during the most recent 3 years through early October, 1995. With the exception of the ''Blue Direct South'' and certain ''Brown'' routes for fixed wing aircraft and the ''Green 3'' and ''Green 3A'' routes for helicopters, all routes identified in the Grand Canyon VFR Aeronautical Chart were identified by GCNP commercial air tour sightseeing operators as routes flown.

To determine the different kinds of commercial sightseeing air tours as well as to estimate the total number of commercial sightseeing air tours, commercial air tour sightseeing passengers, and commercial air tour sightseeing revenue for GCNP, the FAA, utilizing known passenger seating capacities of each type of aircraft used by GCNP commercial air tour sightseeing operators, cross referenced the Las Vegas FSDO field survey detail with tour and cost information as provided in Grand Canyon commercial air tour sightseeing brochures. The estimates derived from this cross referencing form the basis from which the FAA developed the cost estimates for this final rulemaking.

*Response to Comments on the Original Regulatory Evaluation*

The FAA held public meetings in September 1996 at Scottsdale, AZ and Las Vegas, NV where additional comments were offered and later submitted to the docket. These comments have also been included in the following discussion.

In addition to the individual comments, the FAA received approximately 60 comments from industry and tourism associations (e.g., the Grand Canyon Air Tour Council, Grand Canyon Air Tourism Association, National Air Transportation Association, and the United States Air Tour Association); environmental groups (e.g., Grand Canyon Trust and the Sierra Club); major GCNP air tour operators; certain Federal Agencies (National Park Service, Small Business Administration); and Indian Tribes (Hualapai and Havasupai). Some of the more substantive comments also include commissioned studies in support of their position. Many of the comments with more substantive economic and analytical content however, were also offered by the associations and operators as testimony at the public hearings, and are summarizes below. A full summary of all the comments can be found in the Preamble.

Typically, the comments from GCNP air tour operators and associated trade associations emphasized the negative economic impact the FAA NPRM would have on the overall GCNP air tour industry. Of particular note, several commenters took exception to the FAA assumption that GCNP air tour operators' capital and labor resources were relatively mobile, i.e., the GCNP air tour operator could readily relocate his business to another area of the United States. This concept unfortunately, was poorly worded and misconstrued. The FAA has some information that some commercial air tour sightseeing operators, SFAR 50–2 Tour Route Usage Report, reported such a small volume of commercial air tour sightseeing operations in GCNP as to indicate that the conducting of commercial sightseeing air tours in GCNP was only a part of their overall business. The implication was intended to convey mobility between the operators' GCNP commercial sightseeing air tours and their operations in other non-GCNP commercial air tour sightseeing ventures, presumably while remaining within the GCNP environs. It was not intended to suggest that GCNP operators in general, or in total, could simply start up their commercial air tour sightseeing ventures elsewhere in the United States. The FAA has refined this assumption in the final regulatory evaluation.

Comments were received with regard to certain general economic issues such as (1) locality or market differentiation (e.g., the Las Vegas/Southern Nevada economy as compared with the Tusayan/Northern Arizona economy); (2) the ''trickle-down'' or multiplier effect; and (3) the internationalism of GCNP tourism. Several commenters note that the NPRM neglected to take into consideration that the majority of the growth associated with GCNP commercial sightseeing air tours derives from the significant growth of Las Vegas, and that the West and East ends of GCNP are analytically distinguishable. The FAA notes that the growth rate utilized in the NPRM regulatory evaluation was derived from a composite of the tower operations of four Las Vegas vicinity airports and

those of Tusayan as reported in the 1994 Tower Activity Forecast (TAF). The compound annual rate of growth of 3.3 percent, therefore, accounts for the different rates of growth at the West and East ends of GCNP. The FAA believes this growth rate is representative of the growth rate of GCNP. Nevertheless, the FAA has incorporated the concept of different rates of growth between the West-end and the East-end in the final rule.

With regard to the concept of the ''trickle-down'' or multiplier effects of this rule, the Western States Coalition states that the air tour industry is very important to the rural economies of the states surrounding the Grand Canyon and asks the FAA not to further restrict flights in the canyon. Cruise America, Inc., notes that the negative economic impact will trickle down from a reduction in passengers visiting the canyon to a reduction in income for local populations surviving off tourism revenue. Additionally, bus tour companies and European travel wholesalers would be forced to reroute their organized tours, resulting in a detrimental effect of inbound tourism to America, and the efforts of private air carriers who promote North America via operations in the Canyon would also be hurt.

The Grand Canyon Air Tourism Association (GCATA) states that Northern Arizona and its small towns along Rt. 40 are very dependent on the tourist trade, and that any regulation that will have an adverse economic impact or cost an American his or her job must be taken only when there is overwhelming and compelling evidence to support the action. (Air Star Helicopters states that the NPRM would create a loss of pilot and administrative jobs; decrease aircraft, parts and fuel sales; and cause an unnecessary loss of tax revenue). GCATA further notes that the air tour industry is a viable business, both in Las Vegas and Arizona, and contributes an annual input of approximately $250 million. The commenter concludes with the example of Eagle Airlines, a GCNP commercial air tour sightseeing operator located in Las Vegas which currently is building a $40 million dollar complex which will include a Grand Canyon terminal and hanger/office facilities for several operators.

The Grand Canyon Air Tour Council (GCATC) cites the same $250 million revenue base, noting that 1,400 direct jobs are involved, and criticizes the FAA economic impact numbers as seriously understated. GCATC references a study being conducted by the University of Nevada at Las Vegas (UNLV), Center for Business and Economic Research, as support for this position. The draft UNLV study in its submission entitled ''The Economic Impact of the Nevada Air Tour Industry: Work-to-Date'' estimates an economic impact of the air tour operators to the Grand Canyon on the Clark County (Las Vegas) economy as in excess of $500 million, assuming a loss of 436,925 visitors expected to travel from Las Vegas by air to visit the Grand Canyon in 1996. Clark County air tour operators alone could be expected to lose revenue in the range of $81 million to $117 million, and non-aviation losses were estimated to be in excess of $400 million. Extensive detail of the individual components making up the indirect economic impact, inclusive of individually calculated multipliers for each impact, was also submitted.

In the full regulatory evaluation accompanying the NPRM, the FAA states that its cost estimates and economic analysis are limited to the direct economic impacts on commercial sightseeing air tour operators and customers. The FAA also clearly identifies the generally accepted multiplier of 2.5 in its discussions of costs. The FAA appreciates the detailed information provided by UNLV in its preliminary findings. However, the UNLV results are predicated on the following two somewhat dire assumptions: (1) All Las Vegas GCNP commercial air tour sightseeing operations will cease as a result of this rulemaking; and (2) all Las Vegas tourists who planned to take an air tour of the Canyon as part of their visit to Las Vegas will no longer come to Las Vegas. Furthermore, by incorporating unadjusted input-output coefficients as the individual multiplier factors used to assess the economic impact of this rulemaking, a chain of double counting was introduced that resulted in a total impact far in excess of even the most severe predictions offered in other comments.

Comments were received regarding the importance of foreign commercial air tour sightseeing passengers and foreign tour dollars. The United States Air Tour Association (USA) included statistics indicating that foreign air tour passengers constitute 60 percent of all air tour passenger in the United States. Other commenters estimate a higher percentage of foreign air tour passengers to GCNP, and Heli USA notes that the Grand Canyon is the major reason most international visitors come to Las Vegas. The foreign tourist as a group averages a two-night stay in Las Vegas spending millions of dollars yearly in hotels, restaurants, casinos, and shops.

A representative of Cruise America, Inc., specializing in the rental and sale of recreational vehicles, draws a clear distinction between the Japanese and other Asian tourists who typically travel in large tour groups and German and other European tourists who tend to travel as small family groups and are referred to as ''RV Travelers''. The former group make up the majority of foreign tourists flying commercial sightseeing air tours out of Las Vegas most of which connect with bus tours of the South Rim; the latter group tend to drive to the Canyon and take the commercial sightseeing air tours originating out of Tusayan. With both groups, the majority typically advance book (or reserve) their activities 3–6 months in advance, and the commenter notes that the inability to pre-reserve the Grand Canyon portion of their trip could potentially remove Arizona and/or Nevada from their planned tour. The FAA appreciates the additional information regarding international tourism to GCNP.

To a lesser extent, commenters also addressed the importance of providing the opportunity to view the Canyon to the physically challenged and otherwise physically unfit to hike, raft or even access the viewer areas of the South Rim. The generally held estimate of the proportion of physically challenged commercial air tour sightseeing passengers is 20 percent or more (Eagle Canyon Airlines). Papillon, however, suggests that while the real estimate of physically challenged commercial air tour sightseeing passengers is closer to 3 percent, a more notable statistic is that fully 80 percent of commercial air tour sightseeing passengers are physically unfit to see the Canyon in any other manner, including the visitor viewing areas of the South Rim. The FAA noted the physically challenged passengers constitute a significant portion of GCNP commercial air tour sightseeing passengers in its NPRM assessment.

Comments addressing the economic impact of the rulemaking on the Native American tribes of the GCNP area were also received by the FAA. Heli USA notes that the combined helicopter industry of Las Vegas yearly pays around $360,000 to the Hualapai Tribe for landing rights in conjunction with the popular commercial sightseeing air tours out of Las Vegas using the Green 4 tour route which also includes the Hualapai River Runners white water rafting program. The commenter also notes that new programs are being introduced with the River Runners and Heli programs with Grand Canyon West which could gross revenues in excess of $1 million in the forthcoming year.

Comments of the Havasupai Tribe also address the economic impact of lost revenue if the tours conducted along the Green 3 helicopter tour route (Papillon) are impacted by the rulemaking. The Havasupai also note that the current change in the Blue 1 commercial sightseeing air tour route resulting from the merging of the Toroweap/Shinumo Flight-free Zone could have serious adverse affects on Havasupai lands as a prominent tourist attraction. Other issues concerning the impact of this rulemaking on Native American Tribes and their properties are addressed elsewhere in the final rule.

The FAA also received comments regarding the business operations of the commercial air tour sightseeing industry. Alan R. Stephen, President of Twin Otter International (TOIL) on behalf of Grand Canyon Airlines (GCA) states that the FAA's economic analysis demonstrates little understanding of business decision-making. The commenter notes that profits rather than revenues normally drive business investment decisions, and that the relationship between retained earnings (profits) and changes in revenue is best described by the 80–20 principle—a 20 percent reduction in revenue results in an 80 percent reduction in profits. The commenter adds that these profits are highly leveraged by load factor, e.g., operating costs are the same regardless of the number of commercial air tour sightseeing passengers on a tour and the revenue per passenger (ticket price) over break-even constitutes the bottom line profit. (The commenter does not indicate what the minimum break-even number of passengers per commercial sightseeing air tour is). Finally, the commenter notes the high capital intensity of airlines such as Grand Canyon Airlines (GCA), and GCA investment in facilities and equipment is the same regardless of the percentage of its air tour potential is actually flown. GCA also notes increased utilization as the single most important incentive for operators to invest in quiet aircraft technologies.

Further comments on commercial air tour sightseeing profitability were offered by Papillon Grand Canyon Helicopters which notes that the industry is economically fragile and capital intensive, and must stay fully staffed even during the slow season. The result is a significant loss to be overcome at the beginning of each tourist season. The commenter estimates there are 30 to 45 days of potential profit for the year's work and to operate successfully in the aviation business requires optimum utilization of aircraft.

Another determining factor of profitability cited in the comments is the number of commercial sightseeing air tours that can be conducted in a given day. Comments were submitted in reference to the serious potential economic consequences of placing curfews on commercial sightseeing air tours. Heli USA, which offers Las Vegas originating helicopter tours along the Green 4 tour route, states that at least four round trips (turns) must be flown per day per helicopter to enable a company to be financially stable, let alone profitable.

Sundance helicopters, which also offers Las Vegas originating helicopter tours along the Green 4 tour route, confirms four trips as the break-even level of daily operations per helicopter and cites the obvious consequence of the NPRM curfew eliminating the day's final (5 p.m.) commercial sightseeing air tour. Air Vegas Airlines, which flies Beech C–99 (15-seat) fixed-wing aircraft commercial sightseeing air tours along the Blue 1 commercial sightseeing air tour route, indicates that approximately 25 percent of the Air Vegas total revenue is generated by its 7:30 a.m. departure from Las Vegas; elimination of this tour would result in annual revenue losses of approximately $4 million. Air Vegas Airlines also notes that it has invested in excess of $10 million in its fleet of Beech C–99 aircraft and a minimum average of three revenue trips per day is necessary to amortize the acquisition costs.

The FAA appreciates all comments regarding the derivation of business profits for GCNP commercial sightseeing air tour operators. Without accessibility to individual operators' books, the FAA relied on operating revenue, and, to a lesser extent, net operating revenues, and the concomitant changes therein, as proxies for changes in the profitability of commercial air tour sightseeing operations.

Travel time, or its alteration from current practices, was also cited by commenters as a contributing cost of this rulemaking. McCarran International Airport (Las Vegas), through a commissioned study, developed an airspace simulation analysis to estimate the potential effects of the NPRM on aircraft delays, travel times, and operating costs. According to the study, the major contributing factor to increased aircraft delays is contained in the NPRM curfews which will result in higher demand during already congested peak hours at Grand Canyon Airport. The variable curfew would have a much more significant effect on aircraft delays (as much as 4 to 6 minutes per aircraft operation) than the fixed curfew (up to 2 minutes per operation). Some of these delays could be reduced to about one minute per operation (or less) by changing air tour operating strategies to fly non-curfew affected routes during curfew periods. It is not known if flying non-curfew routes would be a viable option for an operator. Air Vegas Airlines comments that the average time to fly the Blue 1 route from Las Vegas to Tusayan takes about 55 minutes; the return on the Blue Direct passenger route requires about 45 minutes.

The rerouting of aircraft onto modified air tour routes results in increases in aircraft travel time of approximately 1 to 2 minutes per aircraft operation depending on the air tour routing alternatives implemented. The operating cost penalty includes the costs of both increased travel times and increased aircraft delays. GCATC adds that, even if some operators could adapt to the new restriction, neither the FAA nor the GCATC has any reason to believe that passengers would be willing to pay more to fly over tightly restricted (and therefore, less desirable) routes. TOIL/GCA note that restricting the Zuni Corridor to one-way traffic would eliminate GCA's important east Canyon air tour (Black 1) which is flown when poor weather conditions otherwise preclude operating GCA's primary ''Grand Discovery'' air tour, which flies up the Zuni, over the north rim, and back down the Dragon Corridor. (This was also alluded to at the Las Vegas portion of the public meetings by Papillon Grand Canyon Helicopters which notes that the restrictions placed on the Zuni Corridor with a fly-out to the NE over the Painted Desert, provides about 9 minutes of Canyon viewing for a 50-minute Grand Canyon air tour). Finally, TOIL/GCA indicates that with the extension of the Bright Angel Flight-Free Zone to the GCNP boundary, the distance of the Grand Discovery air tour is lengthened by about 20 percent and, therefore, would increase GCA's operating costs by a corresponding 20 percent.

The FAA appreciates the comments relating to curfews and their impact on travel times and alternate tour options. The FAA has taken these comments into consideration from a safety aspect, and refined certain of its originally proposed changes to flight corridors and flight-free zones.

Another major issue raised in the comments received by the FAA concerns the adoption of quiet technology as an alternative means to restore natural quiet. While this issue is addressed elsewhere in the final rule, certain costs associated with this option

are noted. In general, according to TOIL/GCA comments, ''quiet'' aircraft models tend to be larger in passenger seating capacity than the conventional aircraft they replace and also more expensive. With regard to fixed-wing aircraft, TOIL/GCA identified the Cessna-208 Caravan (9 passenger seats) and the deHaviland DHC–6–300 Vistaliner (19 passenger seats) as the primary quiet replacements for the current, predominately flown Cessna C–207 (6 passenger seats) and C–402/Piper Navajo (9 passenger seats). However, the cost of a new Caravan is approximately $1.3 million and about $1.4 million to purchase a DHC–6–300 Twin Otter, convert and refurbish to the Vistaliner configuration. Alternatively, TOIL/GCA suggests that twelve Cessna C–207's or nine C–402/Piper Navajos could be purchased for the price of one Caravan or one Vistaliner. Scenic Airlines, Inc., offers corresponding prices for the Cessna C–208 Caravan and C–402/Piper Navajo of $1.25 million and $200,000, respectively. Air Vegas Airlines, which operates a fleet of Beech C–99 turbo-props (15 passenger seats), notes that the Beech C–99 is a faster aircraft than most currently operating in the Canyon and that its power settings could be set to reduce noise.

With regard to helicopters, Papillon Grand Canyon Helicopters notes that only the McDonnell Douglas MD500 (MD 520–N, or NOTAR) is certified and qualifies as a ''quiet'' aircraft. However, Heli USA comments that the NOTAR cannot even perform; tests at the Canyon showed it could only carry 3 passengers on a hot day (the MD 520–N is designed for 4 passengers). This was confirmed by Air Star Helicopters, Inc. which had attempted to operate the MD 520–N as part of its commercial air tour sightseeing fleet. Papillon Grand Canyon Helicopters and McDonnell Douglas both note that McDonnell Douglas has developed the MD600 (6/7 passenger seats) which meets the criteria for quiet aircraft and will be available for delivery in early 1997. (Papillon has one on order and Air Star Helicopters has two on order, all of which are scheduled for delivery in 1997.) The MD600 costs between $1.25 million and $1.5 million depending on cost items over base. Finally, Papillon Grand Canyon Helicopters also notes in its comments that they are developing a 9-passenger seat helicopter (Whisper Jet S55–QT) which is equally as quiet as the MD600 and costs approximately the same making it about 50 percent more cost efficient than the MD600 because of its expanded seating capacity. Delivery of these aircraft are expected within the forthcoming year.

The FAA appreciates the expanded information on ''quiet technology'' aircraft provided by the commenters, all of whom have taken an advocacy position for these type of aircraft with respect to GCNP commercial sightseeing air tours. The FAA notes, however, that all commenters in support of ''quiet technology'' aircraft either currently maintain fleets, made up of ''quieter aircraft'' or are in the process of taking delivery on new quiet aircraft within the year. Quiet technology is addressed elsewhere in this final rule and is the subject of a concurrent Notice of Proposed Rulemaking effort underway.

The above summary of comments reflect the economic issues arising more often from the commenters; the FAA also received occasional comment addressing other economic concerns, as well. Comments by the Office of Advocacy of the Small Business Administration (SBA) on the Regulatory Flexibility Analysis (RFA) challenge the initial RFA findings on the impact on small tour operators because revenue losses were assessed at the aggregate level. The SBA also suggests that a different compliance and reporting requirement or timetables for small entities should be explored, possibly even an exemption from these parts of the rule. Air Vegas Airlines also notes the added cost associated with the training (retraining) of pilots which will be required as a result of the elimination or restructuring of present routes; the commenter uses an example to illustrate his point which suggests that training costs will be burdensome.

The FAA has carefully reviewed the SBA comment and, based on the data available, has analyzed the regulatory flexibility impact using reasonable assumptions—including analyzing revenue losses at the aggregate level. Different compliance and reporting requirements for the smaller entities were also considered.

The SBA had suggested that it would be appropriate to use elasticity of demand information to calculate the extent to which small businesses will recoup costs by increasing fares. The data for this segment of the population, however, are not available. In another example, the SBA had suggested that the FAA evaluate data on profits which ''may be available from Dun and Bradstreet.'' Data on profits from very small entities that would be affected by this proposal are also not available from the recommended source or within the public docket. The SBA also believes that the FAA has not fully addressed significant options for consideration. Given both the qualitative and quantitative costs and benefits, the FAA believes that the best option that minimizes costs and maximizes benefits was chosen. With regard to other concerns made by the SBA and Air Vegas Airlines, the FAA has taken these comments into consideration in producing the final RFA and in estimating costs associated with this rulemaking. (See the accompanying Regulatory Flexibility Analysis for a more complete discussion regarding the alternatives considered to reduce the cost impact of this rulemaking on small entities.)

*Costs*

The total cost impact of this rulemaking will depend to a large extent on the response to the changes on the part of commercial air tour sightseeing operators. Under a worst case scenario, GCNP commercial air tour sightseeing operators directly impacted by the reconfiguration of the GCNP SFRA could cease commercial air tour sightseeing operations altogether in the Canyon; this essentially would mean the complete elimination of the GCNP commercial air tour sightseeing industry. However, it is expected that the affected commercial air tour sightseeing operators will adapt to the modified routes resulting from the new GCNP SFRA changes by redesigning or offering new commercial sightseeing air tours. The estimated cost impact of the adjustments suggests a continued viable commercial air tour sightseeing industry.

With regard to the consumers of commercial sightseeing air tours, the altered commercial air tour sightseeing routes resulting from the new changes to the GCNP SFRA, will, in some instances, shorten the length of a commercial sightseeing air tour currently offered. In other instances, it will prolong the time a commercial air tour sightseeing passenger spends on a commercial sightseeing air tour, but it will not necessarily prolong the time available to the passenger to view the more prominent features of the Grand Canyon. In still other instances, it will eliminate the most prominent feature of the commercial sightseeing tour. Certain redesigned commercial sightseeing air tours are likely to increase in price to cover the commercial air tour sightseeing operator's added operating costs.

To the extent a commercial sightseeing air tour of GCNP is perceived to be a devaluation in the current service offered, or its value is perceived to be less than its price, commercial air tour sightseeing could be

impacted adversely. However, consumption of goods and services such as commercial sightseeing air tours are typically one-time only events and not repeated by the same consumer. Therefore, the tourist is more likely to be concerned with the current commercial air tour sightseeing offering, and not its perceived loss of value in comparison to previous years.

The preceding paragraph relates to the concept of consumer surplus and the perceived loss thereof. Inherently, there will be a loss of consumer surplus when currently existing GCNP commercial sightseeing air tours are degraded as in the case of eliminating the National Canyon portion of what the FAA refers to as the ''Blue 1, Blue Direct'' tour. Similarly, with the Zuni Point Corridor becoming one-way, consumers taking an abridged commercial sightseeing air tour which substitutes the Painted Desert to the east of the Canyon for the lost viewing minutes of the Canyon itself, will likely also experience some loss of satisfaction. The FAA, however, is unable to quantitatively estimate these losses in consumer surplus because no consumer surplus valuation of commercial sightseeing air tours is available, and the comparison of the consumer surplus derived from slightly different goods among different individuals (e.g., interpersonal comparisons) can be very misleading. Thus, the FAA is only able to discuss the consumer losses associated with this rulemaking in general terms.

In this analysis, the FAA has assumed that commercial air tour sightseeing operators could recover any increase in operating cost due to this rulemaking by charging their customer more for air tours of GCNP. In fact, it may not always be possible for these operators to recover all the cost increases imposed on them by this rulemaking by raising prices of air tours. Customers are sensitive, in varying degrees, to price increases and react by buying less of those goods and services when their prices are increased. Customers tend to be insensitive to very small increases in prices on goods and services that are infrequently purchased (a one cent increase on the price of a new car is not likely to have any impact on any potential customer's purchasing behavior). Buyers do tend to be very sensitive to large increases on goods and services that are frequently purchased (a one dollar increase in the price of a gallon of milk will result in people buying less milk). At this time, the FAA does not have adequate data to estimate how sensitive customers are to noticeable price increases for air tours of the Grand Canyon. However, the FAA believes that commercial air tour sightseeing operators will be able to recover most of the increased costs imposed by this rule, because the price increases will usually be relatively small (compared to the price of a air tour) so that most potential customers will continue to purchase air tours of the Grand Canyon.

The following discusses the potential cost impact of each change:

(1) Modification of the Special Flight Rules Area (SFRA)

The extension of the GCNP SFRA, which effectively increases the lateral dimensions of the existing SFRA by approximately 2.8 percent, will result in only those costs associated with revising and publishing a new Grand Canyon VFR Aeronautical Chart. Similarly, the increase in altitude of the SFRA ceiling from 14,499 to 17,999 feet msl, which is intended to protect GCNP from the impact of commercial air tour sightseeing aircraft overflying the flight-free zones, will have minimal impact on GCNP commercial air tour sightseeing operators. Its cost will be included under the revision and publishing costs noted above. The FAA considers chart revision to be a part of normal, on-going administrative costs, not costs incurred as a result of this rulemaking action. Neither the chart revision nor the cost associated with a change in altitude over the flight-free zone will have a measurable impact on GCNP commercial air tour sightseeing operators.

(2&3) Modification of existing and establishment of new flight-free zones and flight corridors

The reconfiguration of GCNP flight-free zones and flight corridors will impact all commercial air tour sightseeing routes, and consequently, all revenue ($113.1 million) received by the GCNP commercial air tour sightseeing industry. Approximately $92.5 million, or about 82 percent, of the total revenue generated by the GCNP commercial air tour sightseeing industry is derived from the commercial sightseeing air tours offered on the ''Blue 1'' tour route. The FAA estimates that the cost impact associated with the elimination of the National Canyon portion of this tour route will be about $2.4 million average annual reduction in net operating revenue (1997–2008) with a likely greater loss of consumer surplus. There will also be some further reduction in net operating revenue associated with the remaining $20.6 million in total commercial air tour sightseeing revenue; most of this will result from the change to one-way traffic in the Zuni Corridor.

A more detailed breakdown of the commercial sightseeing air tour routes effected by this change and an assessment of the potential losses are as follows:

*Toroweap/Shinumo Flight-free Zone*

(a) The merging of the Toroweap-Thunder River and Shinumo Flight-free Zones and the resulting closing of the Fossil Canyon Corridor will eliminate tour routes ''Blue 1A'', ''Brown 1A'', and ''Green 3A''. In response to the Las Vegas FSDO SFAR 50–2 Tour Route Usage Report, no operators indicated use of the ''Green 3A'' route, only one operator reported use of the ''Brown 1A'' route and four operators reported use of the ''Blue 1A'' route. The merging of the two flight-free zones and resulting elimination of the Fossil Canyon Corridor will only impact the tour offerings of these five operators, only one of which, however, utilizes a single aircraft and offers only the one type of tour in GCNP.

All of these commercial sightseeing air tour packages are part of a larger group designated as ''miscellaneous'' tours; collectively, they generated total commercial air tour sightseeing revenues of approximately $724,000 in 1995 by providing approximately 1200 tours that carried 6,500 passengers. However, only the one single tour/single aircraft operator with 1995 annual revenue of approximately $9,000 (the forecast annual average for the 12 year period 1997–2008, is $11,500) will be required to develop and competitively offer a completely new tour. The other four operators can readily modify their current tour packages with minimal cost outlay because they already offer established commercial sightseeing air tours along other similar routes.

The single tour/single aircraft operation likely provides transportation to river rafting tours, a ''tour'' endeavor which can be modified. The only alternative for this operator is elimination as a GCNP commercial air tour sightseeing operator concomitant with the loss of an average annual revenue stream of $11,500 over the 1997–2008 time frame. However, the FAA believes that if this particular operator was unable to adapt, his tour business will not be lost, but rather it will be taken over by another similar operator. Thus, the FAA estimates the cost of this change will be zero revenue loss, but possibly, will lead to the elimination of a single commercial air tour sightseeing operator doing a relatively small amount of business in GCNP.

(b) The southward extension of the Toroweap-Thunder River Flight-free

Zone and concomitant elimination of commercial air tour sightseeing access to the National Canyon portion of what is referred to as the ''Blue 1, Blue Direct'' commercial sightseeing air tour will result in an estimated average annual reduction of net operating revenue in excess of $2.4 million from 1997 through 2008. The source of this revenue loss is the anticipated reduction in ticket prices. Reduced ticket prices can be expected because commercial air tour sightseeing operators will no longer be offering an aerial tour of the Grand Canyon. Instead they will merely offer a commuter flight to Tusayan as a result of being precluded from offering the National Canyon aerial portion of their former commercial sightseeing air tour.

The estimated average annual reduction in net operating revenue of $2.4 million was derived by subtracting the estimated reduction of $2.5 million in average annual variable operating costs from a total average annual revenue loss of $4.9 million.

*Bright Angel Flight-Free Zone*

(a) In 1995, according to the SFAR No. 50–2 Air Tour Route Usage Report, 13 operators (fixed-wing aircraft and helicopter) with total revenues of approximately $9.3 million conducted commercial sightseeing air tours along the ''Black 1, 1A'' and the ''Green 1, 1A, 2'' tour routes and another five operators with total revenue of approximately $1.4 million conducted helicopter commercial sightseeing air tours in the Dragon Corridor. The total 1995 revenue potentially impacted by this part of the rule is estimated to be about $10.7. The FAA estimates, however, that the average annual increase in variable operating costs resulting from an approximate 20 percent increase in duration of the commercial sightseeing air tours operating on the ''Green 1, 1A & 2'' will be offset by increased ticket prices. Thus, the FAA estimates no net operating losses associated with the north extension of the Bright Angel Flight-free Zone.

(b) The reconfiguration of the Zuni Point Corridor and the limiting of it to one-way traffic will impact all commercial sightseeing air tours that depend on the current two-way VFR routes to offer a simple fly around type tour of the Zuni Point Corridor. This includes one fixed-wing aircraft and four helicopter GCNP commercial air tour sightseeing operators. The fixed-wing aircraft operator generated commercial air tour sightseeing revenue of approximately $13,000 from this particular tour in 1995, a tour part of the larger group of ''miscellaneous'' tours. The substitutes for this operator will be the ''Black 1, 1A'' tour route or flying out to the east over the Painted Desert as a tour route option. Both of these tour route options are expected to increase the tour price by about $10 per passenger, or about $2,600 total annual added cost to the commercial air tour sightseeing consumers based on 260 passengers opting for this tour in 1995.

The four helicopter operators generated 1995 commercial air tour sightseeing revenue of just under $1.5 million flying the ''Green 1'' commercial air tour sightseeing route in conducting over 3,700 commercial sightseeing air tours with more than 12,800 passengers. Similar options are also available to GCNP commercial air tour sightseeing helicopter operators, i.e., the ''Green 1, 1A & 2'' (''Zuni Point NW'') tour route or the Painted Desert tour route option. Each of these will increase the tour price per passenger by about $45 or $574,400 total annual added cost to the commercial air tour sightseeing consumers based on the 12,800 passengers opting for this tour in 1995.

The total potential increase in 1995 annual costs of this particular alteration in the GCNP SFRA will be about $577,000 ($2,600 plus $574,400) in added consumer costs (increased commercial air tour sightseeing prices) because of the elimination of less costly commercial air tour sightseeing options. The forecast annual average cost for the 12 year period 1997–2008, is just over $740,700 per year. However, adaptation on the part of commercial air tour sightseeing operators to the changes in the Zuni Point Corridor could result in the possible addition of one commercial air tour sightseeing flight per hour through the Dragon Corridor. This will be the outcome if the five affected operators choose the ''Zuni Point NW'' option as their commercial air tour sightseeing substitute.

There is another cost associated with the one-way limitation of the Zuni Point Corridor in conjunction with the north expansion of the Bright Angel Flight-free Zone. The ticket price increases resulting in added consumer costs detailed above do not fully cover the increase in variable operating costs of the commercial air tour sightseeing operators adopting the new Zuni-Alpha-Dragon Corridors loop. The five new operators of this kind of tour are limited to raising their tour prices to only what is currently being charged the tour consumer by the already established commercial air tour sightseeing operators of this kind of tour. This is captured in the price increases of $10 and $45 for fixed-wing aircraft and helicopter tours, respectively. The difference between what these operators could receive in additional revenue through price increases and the added costs imposed by this rule will result in about $383,000 that the operators must absorb as losses in increased aircraft operating costs. Thus, the full cost of making the Zuni Point Corridor one-way with the north expansion of the Bright Angel Flight-free Zone is $577,000 in increased consumer costs and $383,000 in operator losses.

As previously discussed, while the FAA does not have adequate data to estimate how sensitive customers are to noticeable price increases for air tours of the Grand Canyon, the FAA does believe that commercial air tour sightseeing operators will be able to recover most of the increased costs imposed by this rule, because the price increases will usually be relative small (compared to the price of a air tour) so that most potential customers will continue to purchase air tours of the Grand Canyon. A $10 price increase a relatively small price increase probably will not have a noticeable impact demand for above fixed wing air tours. However, a $45 price increase is a large price increase and could result in a reduction in the demand for the above helicopter air tours. Therefore, the above the estimate for increased revenue from price increases ($577,000) may be an over estimate, and the estimated loss ($383,000) may be an under estimate.

*Sanup Flight-free Zone*

The creation of the Sanup Flight-free Zone in the southwest portion of GCNP restricts air traffic to one side only of the Colorado River beyond Separation Canyon. This change will effect seven fixed-wing aircraft operators offering commercial sightseeing air tours on the ''Blue 2'' VFR route and three helicopter operators offering commercial sightseeing air tours on the ''Green 4'' VFR route. Combined, these 10 GCNP commercial air tour sightseeing operators accounted for approximately $7.7 million total commercial air tour sightseeing revenue in 1995, flying approximately 16,800 commercial sightseeing air tours and 92,800 passengers.

Based on information from the Las Vegas FSDO, 90 percent of GCNP commercial sightseeing air tours conducted on the ''Blue 2'' and the ''Green 4'' VFR commercial air tour sightseeing routes turn back at or before Separation Canyon and will therefore, not be directly impacted by this change. Furthermore, there is no evidence to suggest that the remaining 10 percent of the commercial sightseeing air tours that fly beyond Separation Canyon charge a

premium which would result in proportionately greater potential revenue losses. Nor is there substantiated evidence to suggest that the helicopter tours that include ground excursions inside the Hualapai Indian Reservation (a major source of revenue for this Native American tribe derived from landing rights agreements contracted with commercial air tour sightseeing operators) will be impacted because these tours typically extend only as far as Quartermaster Canyon, a point located west of Separation Canyon. The FAA therefore, concludes that this alteration to the GCNP SFRA will have neither a measurable impact on the 10 percent of commercial sightseeing air tours that fly beyond Separation Canyon nor any significant probable loss of consumer surplus.

*Desert View Flight-free Zone*

No commercial sightseeing air tours are currently conducted in the vicinity of the Desert View Flight-free Zone such that its extension to the north and east will have a direct cost impact on the GCNP commercial air tour sightseeing operators or their passengers. Costs associated with the elongation of the Zuni Point Corridor as a result of the simultaneous extensions of both the Desert View and Bright Angel Flight-free Zones have already been accounted for. Likewise, the costs have been discussed which might be associated with a commercial sightseeing air tour option which exists GCNP to the east flying over the Painted Desert made necessary by limiting Zuni Point Corridor traffic to one-way. The FAA concludes that the expansion of the Desert View Flight-free Zone in and of itself will have no known cost impact on GCNP commercial air tour sightseeing operators or their tour passengers other than what has already been discussed in the context of other modifications.

(4) New Curfew (Basic Fixed Flight-free Period)

The introduction of the new curfew (basic fixed flight-free periods) for commercial air tour sightseeing operations conducted at the East-end of GCNP will result in lost revenue for those operators conducting commercial sightseeing air tours in the Zuni Point and Dragon Corridors. The reduction in time available for commercial air tour sightseeing flights in the Zuni Point and Dragon Corridors as a result of the basic fixed flight-free periods will impact just over 20.0 percent of the daily commercial sightseeing air tours offered in the summer season between May 1 and September 30, and approximately one-third of the daily commercial sightseeing air tours offered in the winter season. (The final rule defines a winter season inclusive of the month of October which, in practice, is a part of the GCNP commercial sightseeing air tour industry's summer season.)

The impact of the basic fixed flight-free periods is most likely to be realized by GCNP operators during the summer season because, as noted previously, commercial air tour sightseeing aircraft are utilized at full operational capacity during the summer season. With the introduction of a temporary freeze on the number of GCNP commercial air tour sightseeing aircraft, however, the only alternative available to GCNP commercial air tour sightseeing operators during the summer season will be to eliminate commercial sightseeing air tours which currently occur during hours included in the basic fixed flight-free period. The FAA expects that some of this loss of revenue could be recovered through ticket price increases, and some of it will be offset as a result of lower variable operating costs due to the reduced number of commercial sightseeing air tours being conducted in the summer. During the winter season, however, the FAA assumes there will be sufficient operational underutilization of aircraft such that GCNP operators will reschedule commercial sightseeing air tours currently operating during the basic fixed flight-free period into non flight-free times.

Based on 1995 estimates, the potential loss of revenue resulting from the summer curfew is nearly $1.8 million or 14.9 percent when compared with the GCNP commercial air tour sightseeing revenue of $12.3 million derived from commercial sightseeing air tours conducted on the East-end of GCNP. (When compared with the total GCNP commercial air tour sightseeing revenue of $113.1 million generated in 1995, the potential loss is 1.6 percent). The estimated amount of average annual commercial air tour sightseeing revenue for the 10-year time period 1997–2008, that could be potentially effected during the summer season, is about $2.4 million (total revenue net of variable aircraft operating cost is $1.4 million).

The FAA estimates that just under 2400 commercial sightseeing air tours will be rescheduled during the rule's basic fixed flight-free period winter season. (Comments offered by commercial sightseeing operators who addressed the curfew issue at the Scottsdale/Las Vegas public hearings, generally maintained that a curfew during the winter season would cause minimal disruption to commercial sightseeing tour schedules.) The resulting air traffic compression during non-curfew times, however, will result in some increase in aircraft activity with a corresponding increase in noise levels in GCNP during the time periods that commercial air tour sightseeing aircraft are permitted to operate.

(5) Reporting Requirements

Section 93.917 will establish operator reporting requirements. All certificate holders operating within the GCNP SFRA will incur costs due to this section during the 5-year time frame (1997 through 2001) that these reporting requirements will be in effect.

The reporting requirements for § 93.917 include:

(a) Each certificate holder will have to establish a system to codify the required information and then update this system (there are no existing reporting requirements).

(b) Three times a year, within 30 days after April 30, August 31, and December 31, each certificate holder will have to submit in writing specific information to the Las Vegas FSDO.

The FAA estimates that it will take each certificate holder one week to establish and set up the reporting system. Thereafter, each operator could use a spreadsheet program to maintain and update daily information; accordingly, a computer specialist will not be needed to set up an operator's report system. The FAA estimates that the total one-time cost in 1995 dollars for all GCNP certificated operators will be approximately $10,550 or about $340 for each operator.

After the initial set up of task 'a' above has been accomplished, updating will be required throughout the entire 5-year time frame of this recordkeeping requirement. The total amount of time needed to update this information will be a function of the number of aircraft that each operator has. The FAA assumes that it will take each operator about 10 minutes per aircraft per day to record the updated information onto a master spreadsheet. The FAA estimates the total annual cost in 1995 dollars for this task for the time period 1997–2001, will be about $70,200, or about $515 per aircraft each year.

Task 'b' above requires written information to be provided to the Las Vegas FSDO three times in each of the years 1997 through 2001. The FAA assumes this will take about one-half of an hour for each operator to compile the information, 15 minutes for each operator to fill out the generic information on the report, and an additional 5 minutes per aircraft for the specific information needed in the

report. The FAA estimates the total annual cost in 1995 dollars for this task for the time period 1997–2001, will be about $900, or about $30 per operator each year.

In addition to the above detailed operator costs, the FAA will incur costs as well. FAA costs will result from the recording and tracking of the information provided by the operators. The FAA assumes this task will be handled by a GS–13 inspector (paid at the full wage, including all fringe benefits, of $34.29/hr) located at the Las Vegas FSDO; thus, no outside contractor will be needed. This inspector will need about one hour to review each operator's report or about 93 hours total each year. The FAA estimates that the total cost to the FAA of this component of the reporting requirement will be approximately $16,000, or about $3,200 annually.

For the operators, total costs sum to approximately $366,000 while the total costs for the FAA sum to approximately $16,000. The total average annual cost of the reporting requirements for the 5-year period 1997 through 2001 is about $76,400 ($73,200 for operators, $3,200 for the FAA).

*Temporary Freeze on Number of Aircraft*

Assuming the temporary freeze on the number of aircraft introduced with this final rule will conclude with the publication date of the final rule on GCNP Noise Limitations, the FAA estimates the potential impact will be a loss of operator total revenue of approximately $3.9 million ($2.9 million, net of variable aircraft operating costs) owing to the cancellation of nearly 2400 commercial sightseeing air tours carrying 22,350 passengers. These estimates reflect the 3.3 percent compound annual rate of growth in GCNP commercial sightseeing activity. If certain larger, more quiet aircraft are permitted to be substituted such that the total GCNP commercial air tour sightseeing fleet remains unchanged from the level imposed by the freeze, much of this loss of revenue could be negated.

*Cost Summary*

The FAA estimates that the average annual costs of the six changes contained in the final rule ((1) modification of the SFRA dimensions; (2) establishment of new and modification of existing flight-free zones; (3) establishment of new and modification of existing flight corridors; (4) institution of a curfew (flight-free period) on the East end of GCNP; (5) addition of reporting requirements for commercial air tour sightseeing companies operating in the SFRA; and (6) a temporary freeze on the number of aircraft) is approximately 8.0 million in potential operator revenue losses net of variable aircraft operating costs, added consumer costs, and added federal administrative costs. The breakdown by final rulemaking change(s) is as follows: 1–3) $2.9 million loss of operator revenue net of variable aircraft operating costs with an additional cost to the consumer of $740,700 in increased ticket prices associated with the establishment and modification of flight-free zones and corridors; (4) $76,000 for new operator and FAA recordkeeping and reporting requirements; (5) $1.4 million in revenue loss net of variable aircraft operating costs for the introduction of the basic fixed flight free periods; and 6) $2.9 million in potential revenue loss net of variable aircraft operating costs resulting from the temporary freeze on the number of aircraft.

*Benefits*

The benefits of noise reduction attributable to this rulemaking can be broadly categorized as use and non-use benefits. Use benefits are the benefits perceived by individuals from the direct use of a resource such as hiking, rafting, or sightseeing. Non-use benefits are the benefits perceived by individuals from merely knowing that a resource is preserved in a given state. The use benefits of this rulemaking have been estimated and are presented below. The non-use benefits attributable to this rulemaking have not been estimated, but are qualitatively discussed.

Economic studies have not been conducted specifically to estimate benefits for this rulemaking. Benefits, are therefore, estimated by combining analogous situations (with value estimates) from existing economic studies with site-specific information related to GCNP and other information to estimate benefits. Certain criteria should be applied to ensure that appropriate studies are selected for purposes of benefits estimation. The criteria used in this rulemaking are listed below.

Selected economic studies must reasonably represent the resources to be valued in terms of physical characteristics, service flows, user characteristics, and available substitutes.

Selected economic studies must be scientifically sound. Studies that are either published in peer-reviewed academic journal or are conducted by a recognized university-associated researcher or established consulting firm are considered to be scientifically sound.

Selected economic studies must use appropriate valuation methodologies. The studies selected to estimate the benefits of this rulemaking conform to each of these criteria.

The site-specific information used in the benefit estimation includes visitation data for GCNP and a visitor survey conducted to document the visitor impacts of aircraft noise within GCNP. The available visitation data for GCNP permits the categorization of visitors into the following groups: back country users (115,500 visitor days), river users, and other visitors (5,801,800 visitor days).

The GCNP visitor survey indicates that these different visitor groups are variously affected by aircraft noise (HBRS, Inc. and Harris Miller Miller & Hanson, Inc. 1993). This survey asked respondents to classify the interference of aircraft noise with their appreciation of the natural quiet of GCNP as either ''not at all,'' ''slightly,'' ''moderately,'' ''very much,'' or ''extremely.''

The FAA used three economic studies in estimating recreational benefits in terms of consumer surplus. Consumer surplus is the difference between the maximum amount a consumer is willing to pay and what the consumer actually pays. It is a measure of the increase in well being gained by individuals through participation in recreational. The three studies valued recreation activities in or near GCNP as hiking: $43.16 per visitor day; multi-day rafting: $128.21; and other ground sightseeing: $39.71. It is assumed that these values represent the value of participating in the indicated activities at GCNP absent any impact from aircraft noise.

These data and assumptions imply the following total lost values from all aircraft noise in 1995. The total lost value of $29.7 million was calculated as the product of the number of visitor-days, the proportion of visitors affected by aircraft noise, the visitor-day value, and the assumed proportional reduction in the visitor-day value. (See Regulatory Evaluation for details).

The benefit of this rulemaking is that portion of the total lost value that is associated with the resulting noise reduction. The indicated percent reduction in aircraft noise for each year was applied to the total lost value from all aircraft noise to yield the current use benefit for that year. Linear interpolation was used to estimate benefits between the years 1997 to 2000, and 2001 to 2008. A 3 percent discount rate was then applied to calculate the present value of use benefits over the 12 year regulatory evaluation period. Using

a 7 percent discount rate, the present value of the benefits is $136.2 million.

The FAA and the NPS believes that the true representation of benefits from the rule are reflected by the 3 percent discount rate with a resulting value of $172,416,000. Economics literature supports a 3 percent discount rate for natural resource valuation (e.g., Freeman 1993), and recent Federal rulemaking also support a 3 percent discount rate for natural resource valuation (61 FR 453; 61 FR 20584).

Summarizing the above results, the FAA estimates the discounted use benefits of this final rulemaking during the 12-year period 1997–2008 to be $172 million discounted at three percent. In addition to these use benefits, this rulemaking would likely generate non-use benefits. The FAA does not have adequate data to estimate non-use benefits of aircraft noise reduction at the Grand Canyon. However, there are other studies that do suggest the possible existence of significant non-use benefits that can be attributed to this rulemaking.

*Benefit/Cost Comparison*

The total present value cost (operator revenue loss net of variable aircraft operating costs, ticket price increases, and recording costs) of the final rule will be $42.1 million. The total present value of benefits are $172.0 million. Since the total costs are less than the total benefits, the FAA contends that the final rule will be cost beneficial.

*Final Regulatory Flexibility Analysis*

By both law and executive order, Federal regulatory agencies are required to consider the impact of final regulations on small entities. Executive Order 12866 ''Regulatory Planning and Review'', dated September 30, 1993, states that:

Each agency shall tailor its regulations to impose the least burden on society, including individuals, businesses of different sizes, and other entities (including small communities and governmental entities), consistent with obtaining the regulatory objectives, taking into account, among other things, and to the extent practicable, the costs of cumulative regulations.

The 1980 ''Regulatory Flexibility Act'' (RFA), as amended, requires Federal agencies to prepare a final regulatory flexibility analysis of each final rule that will have a significant economic impact on a substantial number of small entities. The definition of small entities and guidance material for making determinations required by the RFA are contained in the Federal Register [47 FR 32825, July 29, 1982].

With respect to this final rule, a ''small entity'' essentially is a commercial sightseeing air tour operator owns or operates nine or fewer aircraft. A significant economic impact on a small entity is defined as an annualized net compliance cost to such a small commercial air tour sightseeing operator. In the case of scheduled operators of aircraft for hire having fewer than 60 passenger seats, a ''significant economic impact'' or cost threshold, is defined as an annualized net compliance cost level that exceeds $69,800; for unscheduled operators the threshold is $4,900. A substantial number of small entities is defined as a number that is more than one-third of the small commercial sightseeing operators (but not less than eleven operators) subject to the final rule.

The Federal Aviation Administration has determined that this final rule and the NPRM that is being published simultaneously, will have a significant economic impact on all commercial sightseeing operators conducting flights within Grand Canyon National Park, and, therefore, has prepared this final regulatory flexibility analysis of the final rule. A separate regulatory flexibility analysis of the NPRM is contained in that document. The analysis, structured in accordance with section 604 of the RFA as amended requires the following:

1. A succinct statement of the need for and objectives of the final rule;

2. A summary of the significant issues raised by public comments in response to the initial regulatory flexibility analysis, a summary of the assessment of the agency of such issues, and a statement of any changes made in the proposed rule as a result of such comments;

3. A description of and an estimate of the number of small entities in which the rule will apply or an explanation of why no such estimate is available;

4. A description of the projected reporting, recordkeeping and other compliance requirements of the rule, including an estimate of the classes of small entities which will be subject to the requirement and the type of professional skills necessary for the report or record; and

5. A description of the steps the agency has taken to minimize the significant economic impact on small entities consistent with the stated objectives of applicable statutes, including a statement of the factual, policy, and legal reasons for selecting the alternative adopted in the final rule and why each of the other significant alternatives to the rule considered by the agency which affect the impact on small entities was rejected.

*Why FAA Action is Being Considered:* The final rule to establish noise limitations for certain aircraft operations in the vicinity of the Grand Canyon National Park stems from the need to further reduce the impact of aircraft noise on the park environment and to assist the National Park Service in achieving its statutory mandate imposed by Public Law 100–91 to provide for the substantial restoration of natural quiet and experience in the Grand Canyon National Park.

*Significant Issues Raised by Public Comments:* Only one commenter specifically addressed the impact on small businesses. The Small Business Administration (SBA) questioned the findings of the regulatory flexibility analysis contained in the NPRM with respect to the impact on small tour operators because revenue losses were assessed at the aggregate level. The SBA also suggested that a different compliance and reporting requirement or different timetables for small entities should be explored, that the FAA propose performance rather than design standards, and that small entities be considered for exemption from all or part of the rule requirements. The FAA has reviewed the SBA's comment and, they are discussed in the alternatives section of this analysis.

The SBA also suggested that it would be appropriate to use elasticity of demand information to calculate the extent to which small businesses will recoup costs by increasing fares. The data for this segment of the population, however, are not available, but this issue is discussed in the full regulatory analysis of the final rule. The SBA also had suggested that the FAA evaluate data on profits which ''may be available from Dun and Bradstreet.'' However, data on actual profits from very small entities that would be affected by this proposal are not publicly available from the recommended source or within the public docket. In addition, the SBA believes that the FAA has not fully considered other significant options. Given both the qualitative and quantitative costs and benefits, the FAA believes that the best option that minimizes costs and maximizes benefits was chosen. With regard to other concerns made by the SBA, the FAA has taken these comments into consideration in producing the final RFA and in estimating costs associated with this rulemaking.

*Description and Estimated Number of Small Entities Effected:* The rulemaking will affect commercial air tour sightseeing operators conducting flights

over the Grand Canyon National Park under 14 CFR part 135. FAA data shows that in 1995, there were 26 potentially affected small commercial sightseeing operators, each owning, but not necessarily operating 9 or fewer aircraft. These operators owned a total of 70 aircraft and the average fleet consisted of about 3 airplanes. The FAA estimates that these 26 operators, will be impacted by the final rule.

*Cost of Compliance to Small Entities*

Projected Reporting, Recordkeeping, and Other Compliance Requirements of the Proposed Rule

Section 93.917 will establish operator reporting requirements. All certificate holders operating within the GCNP SFRA will incur costs due to this section during the five-year time frame (1997 through 2001) that these reporting requirements will be in effect.

The reporting requirements for section 93.917 include:

(a) Each certificate holder will have to establish a system to codify the required information and then update this system.

(b) Three times a year, within 30 days after April 30, August 31, and December 31, each certificate holder will have to submit in writing specific information to the Las Vegas FSDO.

In developing these costs, the FAA assumes that each operator maintains an existing list of what each one of his/her aircraft is doing each day. The operators require this information for maintenance planning purposes, and such a list will include how many hours are left before the next scheduled inspection and how many flights can be flown before it is due. Since the operators already have this information, the FAA assumes that it could be loaded into a spreadsheet program. The FAA also assumes that the total amount of time needed to process and compile the information is a function of the number of airplanes that the operator has. This work could most likely be performed by a flight dispatcher.

The FAA estimates that it will take each certificate holder one week to establish and set up the reporting system. Thereafter, each operator could use a spreadsheet program to maintain and update daily information; accordingly, a computer specialist will not be needed to set up an operator's reporting system.

The recordkeeping requirement described above will have to be updated throughout the entire five-year time frame. The total amount of time needed to update this information will be a function of the number of aircraft that each operator has. The FAA assumes that it will take each operator about 10 minutes per day to record the updated information onto a master spreadsheet.

In addition, the required information is to be provided to the Las Vegas FSDO three times in each of the years 1997 through 2001. The FAA assumes that this will take about one-half of an hour for each operator to compile the information, 15 minutes for each operator to fill out the generic information on the report and an additional 5 minutes per aircraft for the specific information needed in the report.

The FAA estimates that compliance with the final rule's recordkeeping requirements will impose an additional 61 hours of labor per aircraft each year once the initial set-up of a reporting system had been accomplished. The average annual cost per aircraft will be about $515, but the average annual cost per affected operator will depend on an operator's fleet size. The one-time initial set-up cost for each operator regardless of fleet size will be about $340.

All commercial air tour sightseeing operators will be subject to the recordkeeping requirement costs. The FAA estimates that the maximum annual cost of this requirement will be about $540 per aircraft. If an operator has nine aircraft (the maximum allowable number of aircraft owned to be considered a ''small entity''), that operator's annual cost will be about $4,860, which is about $40 below the thresholds for significant cost for scheduled and unscheduled operators.

*Zuni Point Corridor*

Of the final rule changes, one of the most costly—in terms of increased tour lengths, increased consumer prices, and increased traffic in the Dragon Corridor—will be the restriction of one-way traffic in the Zuni Point Corridor. This change, however, will only impact at most five operators currently offering a two-way tour of the Zuni Point Corridor. The number of operators affected by this requirement is less than one-third of all GCNP commercial air tour sightseeing operators. Thus, a substantial number of small operators will not be significantly impacted.

*Basic Fixed Flight-Free Periods*

Only the commercial air tour sightseeing operators based in Tusayan or those who have flights entering the GCNP SFRA from the east end of the Grand Canyon will be subject to the basic fixed flight-free periods. The FAA estimates that the average annual cost of this requirement to these operators will be about $30,500 in net operating revenue loss per aircraft on average. Any operator with 9 or fewer aircraft will incur costs that exceed the threshold for significant costs for unscheduled ($4,900) operators, and any operator with from 4 to 9 aircraft will exceed the threshold for significant costs for scheduled ($69,800) operators. Five of the 31 operators conducting commercial sightseeing air tours of GCNP own more than 9 aircraft and will not be considered a ''small entity''. Six operators own between four and nine aircraft. Thus, this final requirement will not have a significant economic impact on a substantial number of small entities, because only a maximum of six operators out of 31 will be significantly impacted.

The final rule will affect certain operators who conduct air tours between Las Vegas and Tusayan. Currently, these operators follow the Colorado River inside the GCNP during part of that flight. All these operators will no longer be allowed to conduct this flight along the Colorado River, as a result of this final rule. This rule changes these 12 operators from airtour operators to commuter operators.

The FAA estimates that using 1995 as a baseline, the above 12 operators with 82 aircraft will incur average annual revenue losses, net of variable operating costs, of $2,397,900. Therefore, the net impact per aircraft will be about $29,200 ($18,900 discounted). Assuming as a worse case, that all of these operators are unscheduled (which they are not), then the threshold for significant costs would be $4,900. Therefore, all of the operators would suffer a significant economic impact. However, there are only nine small operators (29 percent) that will be adversely affected. The FAA concludes that a substantial number of small entities will not be significantly impacted.

*Description of Alternative Actions*

This rule is somewhat unique in that most of the economic impact of the rule falls upon small businesses. Consequently, all alternatives considered during formulation of this final rule are actually alternatives related to small entities. Numerous alternatives have been suggested and considered by the many forums that have studied the issue since 1986 when the FAA issued SFAR No. 50 that established flight regulations in the vicinity of the Grand Canyon. In 1994, the DOI submitted a report to Congress containing recommendations for restoring natural quiet in the park. Alternatives that were recommended to be considered, separately or in concert, included simplification of the

commercial air tour sightseeing route structure, expansion of the flight free zones, phased-in use of quieter aircraft, technology, separation of park ground visitors and air tour overflights, exploiting natural attenuation, reducing duration of noise intrusions, and encouraging use of greater payload aircraft. Many combinations of all of these alternatives or recommendations were considered in developing this rule. The NPRM, inviting public comment was published July 31, 1996. The following month, on August 21, the NPRM Draft Environmental Assessment was published in the Federal Register inviting further public comment. Public hearings were held September 16–20 in Scottsdale, Arizona and Las Vegas, Nevada to obtain additional public comment on the NPRM and the draft environmental assessment. Finally, Congressional hearings were held on the issue October 10–11, 1996.

To recount all the alternatives and combination of alternatives that were considered as a result of these actions is beyond the scope of this analysis. Clearly, however, the two primary goals of this rule are to (1) restore natural quiet, and (2) preserve the opportunity for the public to enjoy air tours at GCNP. Integrally connected with the second goal is preservation of the air tour industry serving the park, which is primarily composed of small entities.

Probably the only alternative not considered was to extend the compliance period beyond the year 2008. This alternative was rejected because the President's Memorandum dated April 22, 1996 directed that restoration of the natural quiet be accomplished by 2008. The FAA believes that the least burdensome way for small entities to accomplish restoration of natural quiet by 2008 is through the requirements of this final rule and the NPRM being published at the same time. A brief discussion of specific alternatives to reduce the impact on small entities suggested by the SBA in that agency's comments on the NPRM is as follows:

*Lessen Projected Reporting and Recordkeeping Requirements*

The FAA considered several ways to lessen the impact of these requirements on small entities. The first way was to not require any reporting by small entities. Another was to require the identical reporting requirements on each firm, regardless of the size of that firm. The third was to tailor the reporting to the size of the firm.

The FAA rejected the first alternative because the vast majority of the firms are small entities. Collecting the information from only large entities would not be useful to establish accurate information on GCNP overflights for noise and safety management purposes. In addition, the FAA would not be able to validate FAA and NPS noise models for use in noise mitigation studies or determine with precision when and where noise mitigation is required. Finally, the FAA would have no basis for creating a more flexible and adaptable noise management system.

The second alternative was to require identical reporting requirements regardless of firm size. This alternative was also rejected because larger firms with more aircraft are likely to create more noise than smaller firms with fewer aircraft. The FAA does not believe that it is reasonable to burden all firms with the identical requirements. The FAA also believes that some information would be lost (if the reporting requirements were made too lenient) or too much unnecessary information would be obtained if all operators had the identical requirements.

The third (chosen) alternative tailored the recordkeeping requirements to the size of the firm. As documented in the regulatory evaluation, much of the information that is being requested is based on the number of aircraft an operator owns or operates. That is, a smaller firm with fewer aircraft would be burdened less than a larger firm with more aircraft.

*Propose Performance Based Standards*

The SBA suggested that the FAA consider the use of performance rather than design standards as applied to small entities. The FAA is interested in taking advantage of the benefits of performance standards. The agency completed a major study in April, 1996 called ''Challenge 2000'' to serve as a guide for a comprehensive change program for the FAA to provide essential regulation and enforcement services. These services would be provided with expected levels of resources into the next century. One recommendation of that study was for the agency to evolve performance based regulations. Although the FAA did not identify an opportunity to implement any performance regulations in the final rule, some evolution in that direction is contained in the NPRM being issued simultaneously with this final rule. In the NPRM, aircraft are categorized in accordance with their noise performance, and the noisier performers are proposed to be phased out of air tour service in the vicinity of GCNP.

*Exempt Small Entities From Some Provisions of the Rule*

The SBA commented that the FAA should explore a much more aggressive approach in considering this alternative. The FAA has attempted to minimize the economic impact of restoring quiet to the park on air tour operators, most of which are the small entities impacted by this rule. But if small entities, which comprise 26 of the 31 operations impacted were exempted from any operational provisions of the rule, the goal of restoring natural quiet to the Grand Canyon would not be achieved. Based on the above discussion, the FAA sees no practical way to exempt small entities from any of the provisions of the final rule.

*Statement of Legal and Policy Reasons for Adopting the Rule*

The FAA is directed to promote the safe flight of civil aircraft in air commerce by Subtitle VII Part A of Title 49, United States Code. As such, it is the only agency empowered to control aircraft flight in U.S. airspace. Further, Section 3 of Public Law 100–91, commonly known as the National Park Overflight Act, mandated substantial restoration of the natural quiet and experience of the park and protection of public health and safety from adverse effects associated with aircraft overflight.

The primary policy reason for adopting this rule, is that it is the best compromise the FAA has been able to formulate to achieve the mandate of Public Law 100–91 and maintain a viable air tour industry serving GCNP. Further, the President published a memorandum in the Federal Register on April 22, 1996 requiring that the goal of restoration of natural quiet as defined by the Secretary of the Interior in accordance with the Overflights Act be completed in the park no later than April 22, 2008.

*International Trade Impact Assessment*

The FAA has determined that the rulemaking will not affect non-U.S. operators of foreign aircraft operating outside the United States or U.S. trade. It could however, have an impact on commercial air tour sightseeing at GCNP, much of which is foreign.

These changes will effectively reconfigure GCNP flight-free zones and flight corridors, reduce the time available for commercial sightseeing air tours to be conducted and in some cases, prolong the time a commercial air tour sightseeing passenger spends in an airplane not necessarily sightseeing. To the extent a commercial sightseeing air

tour of GCNP is perceived to be a devaluation in the current service offered, commercial air tour sightseeing could be impacted concomitant with a potential loss of revenue.

The United States Air Tour Association estimates that 60 percent of all commercial sightseeing air tourists in the United States are foreign. The Las Vegas FSDO, however, believes this estimate to be considerably higher at GCNP, perhaps as high as 90 percent. The FAA cannot put a dollar value on the portion of the potential loss in commercial air tour sightseeing revenue associated with the loss of foreign tour dollars.

Federalism Implications

The regulations herein would not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12866, it is determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Paperwork Reduction Act

Section 93.317 contains information collection requirements. As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507(d)), the FAA submitted a copy of this section to the Office of Management and Budget (OMB) for its review, and has received a 1-year clearance to obtain this information (OMB Control No. is 2121–0602).

Conclusion

This rule will reduce the impact of aircraft noise on the park environment in the Grand Canyon. The combination of expanded flight-free zones and closure of the Fossil Corridor will make significant progress toward achieving the NPS's goal of substantial restoration of natural quiet. The NPRM being published today would further assist in accomplishing this goal by a combination of requirements that would limit future use of noisier aircraft and that would provide incentives for the use of quieter aircraft. The initial aircraft phaseout proposed in the accompanying notice, in conjunction with this rule, would provide a significant reduction in noise and make a major contribution toward achieving the Congressional mandate of substantial restoration of natural quiet by the year 2000. Modeling shows that, if the phaseout is adopted as proposed, the substantial restoration objective would be exceeded by 2008. The phase out of noisier aircraft would ensure substantial restoration of natural quiet under conditions where additional noise efficient aircraft are added to the commercial sightseeing fleet as predicted in forecasting models.

For the reasons discussed in the preamble, and based on the findings in the Regulatory Flexibility Determination and the International Trade Impact Analysis, the FAA has determined that this final rule is a significant regulatory action under Executive Order 12866. In addition, the FAA certifies that this final rule 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. This final rule is considered significant under DOT Regulatory Policies and Procedures.

Other Actions

*Comprehensive Noise Management Plan*

The rule reflects the understanding of the FAA and NPS that the conversion of the commercial sightseeing aircraft fleet operating in the SFRA to a more noise efficient fleet is the most promising approach to providing for the substantial restoration of natural quiet mandated by Public Law 100–91 and allowing for some measure of growth in the commercial sightseeing industry. To ensure that the rule provides the fairest solution for all parties involved, the FAA and NPS are committed to the joint development of a noise management plan no later than five years after May 1, 1997, the effective date of this rule. It will provide for a more adaptive management system, full resolution of all monitoring and modeling issues, additional public input, and the provision of improved incentives to invest in noise efficient aircraft. The purpose is to further refine the proposal (proposed § 93.319) in the NPRM regarding Noise Limitations for Aircraft Operations in the Vicinity of Grand Canyon National Park, published concurrently with this final rule, with the intent of providing for substantial restoration of natural quiet mandated by Public Law 100–91. To ensure development of a flexible and adaptive approach to noise mitigation and management, this plan will, at a minimum, (1) address development of a reliable aircraft operations and noise database, (2) validate and document the most effective uses for FAA and NPS noise models in GCNP, (3) explore how the conversion to a noise efficient fleet can most effectively contribute to the substantial restoration of natural quiet while allowing for growth in the industry, and how, in this context, incentives can best be provided to promote this conversion. The FAA and NPS are committed to an open process that will provide for full public involvement and consultation with Native American tribes.

*Park Air Operations*

GCNP has one of the most strictly regulated aviation programs within the NPS and the DOI. The park limits use of its contracted aircraft to activities involving life or health-threatening emergencies, administration and/or protection of resources, and for individually approved special purpose missions. Each flight request is reviewed to ensure that it is the most efficient, economical, and effective method of performing the required task consistent with NPS and GCNP goals. These goals include the protection of natural quiet and experience, as reinforced by the park's recently approved General Management Plan. At the earliest possible date, consistent with contracting requirements and budgetary constraints, GCNP will convert to the quietest aircraft available that would also meet mission requirements.

*Route Design and Modification*

Recognizing that the design/location of tour routes within the SFRA is another critical component in achieving the substantial restoration of natural quiet in GCNP, the FAA, after consultation with the NPS, has proposed air tour routes in a separate notice issued concurrently with this final rule. These routes were designed in light of safety, noise mitigation, and economic considerations. The FAA welcomes and will consider any and all comments regarding these proposed routes, including those received through government-to-government consultation with Native American tribes. Any subsequent modifications to these routes would entail a similar process utilizing the same considerations.

List of Subjects

*14 CFR Part 91*

Aircraft, Airmen, Air traffic control, Aviation safety, Noise control, Reporting and recordkeeping requirements.

*14 CFR Part 93*

Air traffic control, Airports, Navigation (Air), Reporting and recordkeeping requirements.

*14 CFR Part 121*

Aircraft, Airmen, Aviation safety, Charter flights, Safety, Transportation.

*14 CFR Part 135*

Air taxis, Aircraft, Airmen, Aviation safety.

Adoption of Amendments

Accordingly, the Federal Aviation Administration (FAA) amends 14 CFR parts 91, 93, 121, and 135 as follows:

## PART 91—GENERAL OPERATING AND FLIGHT RULES

1. The authority citation for part 91 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120, 44101, 44111, 44701, 44709, 44711, 44712, 44715, 44716, 44717, 44722, 46306, 46315, 46316, 46502, 46504, 46506–46507, 47122, 47508, 47528–47531.

## PART 121—[AMENDED]

2. The authority citation for part 121 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 40119, 44101, 44701–44702, 44705, 44709–44711, 44713, 44716–44717, 44722, 44901, 44903–44904, 44912, 46105.

## PART 135—[AMENDED]

3. The authority citation for part 135 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701–44702, 44705, 44709, 44711–44713, 44715–44717, 44722.

## SFAR No. 50–2 [Removed]

4. In parts 91, 121, and 135, Special Federal Aviation Regulation No. 50–2, the text of which appears at the beginning of part 91, is removed.

## PART 93—SPECIAL AIR TRAFFIC RULES AND AIRPORT TRAFFIC PATTERNS

5. The authority citation for part 93 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40106, 40109, 40113, 44502, 44514, 44701, 44719, 46301.

6. In part 93, subpart U is added to read as follows:

### Subpart U—Special Flight Rules in the Vicinity of Grand Canyon National Park, AZ

Sec.
93.301 Applicability.
93.303 Definitions.
93.305 Flight-free zones and flight corridors.
93.307 Minimum flight altitudes.
93.309 General operating procedures.
93.311 Minimum terrain clearance.
93.313 Communications.
93.315 Commercial sightseeing flight operations.
93.316 Commercial sightseeing limitations.
93.317 Commercial sightseeing flight reporting requirements.
Appendix to Subpart U—Special Flight Rules in the Vicinity of the Grant Canyon National Park, AZ

## Subpart U—Special Flight Rules in the Vicinity of Grand Canyon National Park, AZ

### § 93.301 Applicability.

This subpart prescribes special operating rules for all persons operating aircraft in the following airspace, designated as the Grand Canyon National Park Special Flight Rules Area: That airspace extending from the surface up to but not including 18,000 feet MSL within an area bounded by a line beginning at Lat. 35°55′12″ N., Long. 112°04′05″ W.; east to Lat. 35°55′38″ N., Long. 111°42′12″ W.; north to Lat. 36°16′47″ N., Long. 111°42′17″ W.; to Lat. 36°24′49″ N., Long. 111°47′45″ W.; to Lat. 36°52′23″ N., Long. 111°33′10″ W.; west-northwest to Lat. 36°53′37″ N., Long. 111°38′29″ W.; southwest to Lat. 36°35′02″ N., Long. 111°53′28″ W.; to Lat. 36°21′30″ N., Long. 112°00′03″ W.; west-northwest to Lat. 36°30′30″ N., Long. 112°35′59″ W.; southwest to Lat. 36°24′46″ N., Long. 112°51′10″ W.; thence west along the boundary of Grand Canyon National Park (GCNP) to Lat. 36°14′08″ N., Long. 113°10′07″ W.; west-southwest to Lat. 36°09′50″ N., Long. 114°01′53″ W.; southeast to Lat. 36°06′24″ N., Long. 113°58′46″ W.; thence south along the boundary of GCNP to Lat. 36°00′23″ N., Long. 113°54′11″ W.; northeast to Lat. 36°02′14″ N., Long. 113°50′16″ W.; to Lat. 36°02′16″ N., Long. 113°48′08″ W.; thence southeast along the boundary of GCNP to Lat. 35°58′09″ N., Long. 113°45′04″ W.; southwest to Lat. 35°54′48″ N., Long. 113°50′24″ W.; southeast to Lat. 35°41′01″ N., Long. 113°35′27″ W.; thence clockwise via the 4.2-nautical mile radius of the Peach Springs VORTAC to Lat. 35°28′53″ N., Long. 113°27′49″ W.; northeast to Lat. 35°42′58″ N., Long. 113°10′57″ W.; north to Lat. 35°5751 N., Long. 113°1106 W.; east to Lat. 35°57′44″ N., Long. 112°14′04″ W.; thence clockwise via the 4.3-nautical mile radius of the Grand Canyon National Park Airport reference point (Lat. 35°57′08″ N., Long. 112°08′49″ W.) to the point of origin.

### § 93.303 Definitions.

For the purposes of this subpart:

(a) *Flight Standards District Office* means the FAA Flight Standards District Office with jurisdiction for the geographical area containing the Grand Canyon.

(b) *Park* means Grand Canyon National Park.

(c) *Special Flight Rules Area* means the Grand Canyon National Park Special Flight Rules Area.

### § 93.305 Flight-free zones and flight corridors.

Except in an emergency or if otherwise necessary for safety of flight, or unless otherwise authorized by the Flight Standards District Office for a purpose listed in 93.309, no person may operate an aircraft in the Special Flight Rules Area within the following flight-free zones:

(a) *Desert View Flight-free Zone.* That airspace extending from the surface up to but not including 14,500 feet MSL within an area bounded by a line beginning at Lat. 35°59′58″ N., Long. 111°52′47″ W.; thence east and north along the GCNP boundary to Lat. 36°14′05″ N., Long. 111°48′34″ W.; southwest to Lat. 36°12′06″ N., Long. 111°51′14″ W.; to the point of origin; but not including the airspace at and above 10,500 feet MSL within 1 nautical mile of the western boundary of the zone. The corridor to the west, between the Desert View and Bright Angel Flight-free Zones, is designated the ''Zuni Point Corridor.'' This corridor is 2 nautical miles wide for commercial sightseeing flights and 4 nautical miles wide for transient and general aviation operations.

(b) *Bright Angel Flight-free Zone.* That airspace extending from the surface up to but not including 14,500 feet MSL within an area bounded by a line beginning at Lat. 35°58′39″ N., Long. 111°55′43″ W.; north to Lat. 36°12′41″ N., Long. 111°53′54″ W.; northwest to Lat. 36°18′18″ N., Long. 111°58′15″ W.; thence west along the GCNP boundary to Lat. 36°20′11″ N., Long. 112°06′25″ W.; south-southwest to Lat. 36°09′31″ N., Long. 112°11′15″ W.; to Lat. 36°04′16″ N., Long. 112°17′20″ W.; thence southeast along the GCNP boundary to Lat. 36°01′54″ N., Long. 112°11′24″ W.; thence clockwise via the 4.3-nautical mile radius of the Grand Canyon National Park Airport reference point (Lat. 35°57′08″ N., Long. 112°08′49″ W.) to Lat. 35°59′37″ N., Long. 112°04′29″ W.; thence east along the GCNP boundary to the point of origin; but not including the airspace at and above 10,500 feet MSL within 1 nautical mile of the eastern boundary or the airspace at and above 10,500 feet MSL within 2 nautical miles of the northwestern boundary. The corridor to the east, between this flight-free zone and the Desert View Flight-free Zone, is designated the ''Zuni Point Corridor.'' The corridor to the west, between the Bright Angel and Toroweap/Shinumo Flight-free Zones, is designated the

''Dragon Corridor.'' This corridor is 2 nautical miles wide for commercial sightseeing flights and 4 nautical miles wide for transient and general aviation operations.

(c) *Toroweap/Shinumo Flight-free Zone.* That airspace extending from the surface up to but not including 14,500 feet MSL within an area bounded by a line beginning at Lat. 36°05′44″ N., Long. 112°19′27″ W.; north-northeast to Lat. 36°10′49″ N., Long. 112°13′19″ W.; to Lat. 36°21′02″ N., Long. 112°08′47″ W.; thence west and south along the GCNP boundary to Lat. 36°10′58″ N., Long. 113°08′35″ W.; south to Lat. 36°10′12″ N., Long. 113°08′34″ W.; thence northeast along the park boundary to Lat. 36°11′51″ N., Long. 113°04′44″ W.; thence counter-clockwise via the 1.5-nautical mile radius of the Toroweap Overlook (Lat. 36°12′55″ N., Long. 113°03′25″ W.) to Lat. 36°13′46″ N., Long. 113°01′54″ W.; thence in an easterly direction along the park boundary to the point of origin; but not including the following airspace designated as the ''Tuckup Corridor'': at or above 10,500 feet MSL within 2 nautical miles either side of a line extending between Lat. 36°24′42″ N., Long. 112°48′47″ W. and Lat. 36°14′17″ N., Long. 112°48′31″ W.

(d) *Sanup Flight-free Zone.* That airspace extending from the surface up to but not including 8,000 feet MSL within an area bounded by a line beginning at Lat. 36°02′38″ N., Long. 113°21′11″ W.; west to Lat. 36°06′20″ N., Long. 113°51′40″ W.; southeast to Lat. 36°00′07″ N., Long. 113°42′58″ W.; southeast to Lat. 35°59′37″ N., Long. 113°42′47″ W.; to Lat. 35°59′20″ N., Long. 113°43′00″ W.; to Lat. 35°58′40″ N., Long. 113°43′58″ W.; southeast to Lat. 35°50′16″ N., Long. 113°37′13″ W.; thence along the park boundary to the point of origin.

**§ 93.307 Minimum flight altitudes.**

Except in an emergency, or if otherwise necessary for safety of flight, or unless otherwise authorized by the Flight Standards District Office for a purpose listed in 93.309, no person may operate an aircraft in the Special Flight Rules Area at an altitude lower than the following:

(a) *Minimum sector altitudes.* (1) *Commercial sightseeing flights.* (i) Marble Canyon Sector. Lees Ferry to Boundary Ridge: 6,000 feet MSL.

(ii) *Supai Sector.* Boundary Ridge to Supai Point: 7,500 feet MSL.

(iii) *Diamond Creek Sector.* Supai Point to Diamond Creek: 6,500 feet MSL.

(iv) *Pearce Ferry Sector.* Diamond Creek to the Grand Wash Cliffs: 5,000 feet MSL.

(2) *Transient and general aviation operations.* (i) *Marble Canyon Sector.* Lees Ferry to Boundary Ridge: 8,000 feet MSL.

(ii) *Supai Sector.* Boundary Ridge to Supai Point: 10,000 feet MSL.

(iii) *Diamond Creek Sector.* Supai Point to Diamond Creek: 9,000 feet MSL.

(iv) *Pearce Ferry Sector.* Diamond Creek to the Grand Wash Cliffs: 8,000 feet MSL.

(b) *Minimum corridor altitudes.*

(1) *Commercial sightseeing flights.* (i) *Zuni Point Corridors.* 7,500 feet MSL.

(ii) *Dragon Corridor.* 7,500 feet MSL.

(2) *Transient and general aviation operations.* (i) *Zuni Point Corridor.* 10,500 feet MSL.

(ii) *Dragon Corridor.* 10,500 feet MSL.

(iii) *Tuckup Corridor.* 10,500 feet MSL.

**§ 93.309 General operating procedures.**

Except in an emergency, no person may operate an aircraft in the Special Flight Rules Area unless the operation is conducted in accordance with the following procedures. (Note: The following procedures do not relieve the pilot from see-and-avoid responsibility or compliance with the minimum safe altitude requirements specified in § 91.119 of this chapter.):

(a) Unless necessary to maintain a safe distance from other aircraft or terrain remain clear of the flight-free zones described in § 93.305;

(b) Unless necessary to maintain a safe distance from other aircraft or terrain, proceed through the Zuni Point, Dragon, and Tuckup Flight Corridors described in § 93.305 at the following altitudes unless otherwise authorized in writing by the Flight Standards District Office:

(1) *Northbound.* 11,500 or 13,500 feet MSL.

(2) *Southbound.* 10,500 or 12,500 feet MSL.

(c) For operation in the flight-free zones described in § 93.305, or flight below the altitudes listed in § 93.307, is authorized in writing by the Flight Standards District Office and is conducted in compliance with the conditions contained in that authorization. Normally authorization will be granted for operation in the areas described in § 93.305 or below the altitudes listed in § 93.307 only for operations of aircraft necessary for law enforcement, firefighting, emergency medical treatment/evacuation of persons in the vicinity of the Park; for support of Park maintenance or activities; or for aerial access to and maintenance of other property located within the Special Flight Rules Area. Authorization may be issued on a continuing basis;

(d) Is conducted in accordance with a specific authorization to operate in that airspace incorporated in the operator's operations specifications and approved by the Flight Standards District Office in accordance with the provisions of this subpart;

(e) Is a search and rescue mission directed by the U.S. Air Force Rescue Coordination Center;

(f) Is conducted within 3 nautical miles of Grand Canyon Bar Ten Airstrip, Pearce Ferry Airstrip, Cliff Dwellers Airstrip, or Marble Canyon Airstrip at an altitude less than 3,000 feet above airport elevation, for the purpose of landing at or taking off from that facility; or

(g) Is conducted under an instrument flight rules (IFR) clearance and the pilot is acting in accordance with ATC instructions. An IFR flight plan may not be filed on a route or at an altitude that would require operation in an area described in § 93.305.

**§ 93.311 Minimum terrain clearance.**

Except in an emergency, when necessary for takeoff or landing, or unless otherwise authorized by the Flight Standards District Office for a purpose listed in § 93.309(c), no person may operate an aircraft within 500 feet of any terrain or structure located between the north and south rims of the Grand Canyon.

**§ 93.313 Communications.**

Except when in contact with the Grand Canyon National Park Airport Traffic Control Tower during arrival or departure or on a search and rescue mission directed by the U.S. Air Force Rescue Coordination Center, no person may operate an aircraft in the Special Flight Rules Area unless he monitors the appropriate frequency continuously while in that airspace.

**§ 93.315 Commercial sightseeing flight operations.**

(a) Non-stop sightseeing flights that begin and end at the same airport, are conducted within a 25-statute-mile radius of that airport, and operate in or through the Special Flight Rules Area during any portion of the flight are governed by the provisions of part 119, SFAR 38–2 of parts 121 and 135 of this chapter, part 121, and part 135 of this chapter, as applicable.

(b) No person holding or required to hold an air carrier certificate or an

operating certificate under SFAR No. 38–2 or part 119 of this chapter may operate an aircraft having a passenger-seat configuration of 30 or fewer seats, excluding each crewmember seat, and a payload capacity of 7,500 or less pounds, in the Special Flight Rules Area except as authorized by the applicable operations specifications.

**§ 93.316 Commercial sightseeing limitations.**

(a) Unless otherwise authorized by the Flight Standards District Office, no person shall conduct commercial sightseeing operations in the Dragon and Zuni Corridors during the following fixed flight-free periods:

(1) Summer season (May 1–September 30)—6 p.m. to 8 a.m. daily; and

(2) Winter season (October 1–April 30)—5 p.m. to 9 a.m. daily.

(b) No person may operate more commercial sightseeing aircraft in the Special Flight Rules Area than the highest number of aircraft that appeared on the certificate holder's operations specifications, and that were used for commercial sightseeing operations in the Grand Canyon Special Flight Rules Area, between July 31, 1996 and December 31, 1996.

**§ 93.317 Commercial sightseeing flight reporting requirements.**

Each certificate holder conducting commercial sightseeing flights within the Special Flight Rules Area shall submit in writing, within 30 days after April 30, August 31, and December 31, of each year, to the Flight Standards District Office the following information for each operation within the Special Flight Rules Area for the prior 4-month period:

(a) Identification number (registration number) of each aircraft;

(b) Departure airport;

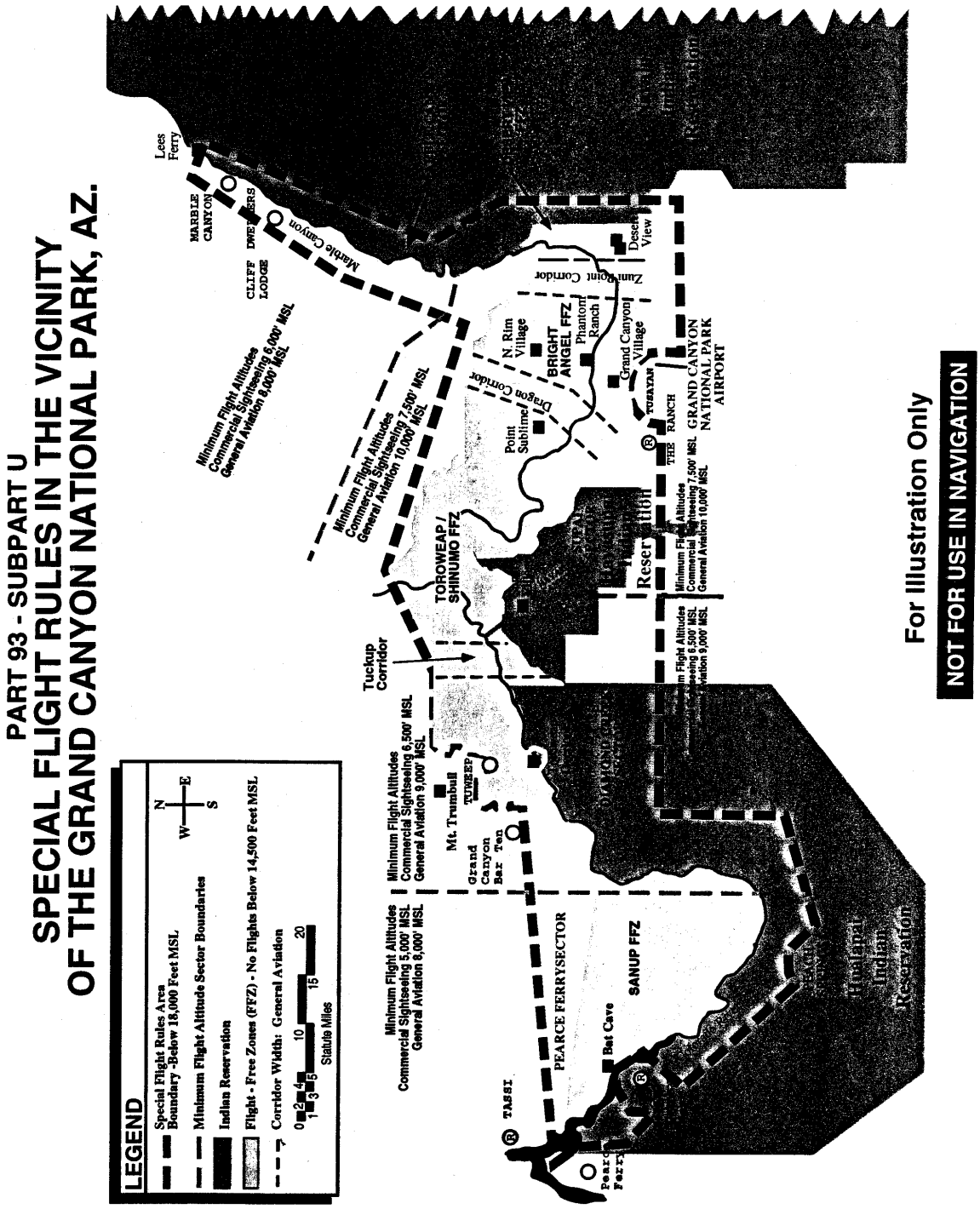
(c) Departure date and time; and

(d) Route(s) flown.

These reporting requirements continue through May 31, 2002.

BILLING CODE 4910–13–P

## Appendix to Subpart U—Special Flight Rules in the Vicinity of the Grand Canyon National Park, AZ




Issued in Washington, DC, on December 24, 1996.

Linda Hall Daschle,

*Acting Administrator.*

[FR Doc. 96–33146 Filed 12–30–96; 8:45 am]

**BILLING CODE 4910–13–C**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 93**

**[Docket No. 28770; Notice No. 96–15]**

**RIN 2120–AG34**

## Noise Limitations for Aircraft Operations in the Vicinity of Grand Canyon National Park

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

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

**SUMMARY:** This notice of proposed rulemaking proposes to establish noise limitations for certain aircraft operated in the vicinity of Grand Canyon National Park. This notice is one part of an overall strategy to reduce further the impact of aircraft noise on the park environment and to assist the National Park Service in achieving its statutory mandate imposed by Public Law 100–91 to provide for the substantial restoration of natural quiet and experience in Grand Canyon National Park. To this end, this proposed rule is issued concurrently with a final rule affecting the Special Flight Rules in the Vicinity of Grand Canyon National Park, a Notice of Availability of Proposed Commercial Air Tour Routes for the Grand Canyon National Park and Request for Comments, and the Draft Environmental Assessment for this Notice. As mentioned above, this NPRM is issued concurrently with a final rule published elsewhere in this part of this issue of the Federal Register. Based on Notice No. 96–11, the final rule adds a new subpart to part 93 to codify and revise the provisions of Special Federal Aviation Regulation (SFAR) No. 50–2, Special Flight Rules in the Vicinity of Grand Canyon National Park.

**DATES:** Comments must be received on or before March 31, 1997.

**ADDRESSES:** Comments on this NPRM should be mailed, in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket (AGC–200), Docket No. 28770, 800 Independence Avenue, SW., Washington, DC 20591. Comments may also be sent electronically to the Rules Docket by using the following Internet address: nprmcmts@mail.faa.dot.gov. Comments must be marked Docket No. 28770. Comments may be examined in the Rules Docket in Room 915G on weekdays between 8:30 a.m. and 5:00 p.m., except on Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Mr. Thomas L. Connor, Mgr, Technology Division, AEE–100, Office of Environment and Energy, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; Telephone: (202) 267–8933. For the draft Environmental Assessment contact Mr. William J. Marx, Division Manager, ATA–300, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC, 20591; Telephone: 202–267–3075.

**SUPPLEMENTARY INFORMATION:**

### Comments Invited

Interested persons are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments relating to the environmental, energy, federalism, or economic impact that may result from adopting the proposals in this notice are also invited. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions. Communications should identify the regulatory docket number and be submitted in triplicate to the above specified address. All communications and a report summarizing any substantive public contact with FAA personnel on this rulemaking will be filed in the docket. The docket is available for public inspection both before and after the closing date for receiving comments.

Before taking any final action on this proposal, the Administrator will consider all comments made on or before the closing date for comments, and the proposal may be changed in light of the comments received.

The FAA will acknowledge receipt of a comment if the commenter includes a self-addressed, stamped postcard with the comment. The postcard should be marked ''Comments to No. 28770.'' When the comment is received by the FAA, the postcard will be dated, time stamped, and returned to the commenter.

### Availability of the NPRM

Any person may obtain a copy of this NPRM by submitting a request to the Federal Aviation Administration, Office of Rulemaking, 800 Independence Avenue SW., Washington, DC 20591, or by calling (202) 267–9677. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future FAA NPRM's should request a copy of Advisory Circular No. 11–2A, Notice of Proposed Rulemaking Distribution System, which describes application procedures.

An electronic copy of this document may be downloaded using a modem and suitable communications software from the FAA regulations section of the Fedworld electronic bulletin board service (telephone: 703–321–3339) or the Federal Register's electronic bulletin board service (telephone: 202–512–1661). Internet users may reach the FAA's webpage at http://www.faa.gov or the Federal Register's webpage at http://www.access.gpo.gov/su__docs for access to recently published rulemaking documents.

### History

Beginning in the summer of 1986, the FAA initiated regulatory action to address increasing air traffic over Grand Canyon National Park (GCNP). On March 26, 1987, the FAA issued Special Federal Aviation Regulation (SFAR) No. 50 (subsequently amended on June 15, 1987; 52 FR 22734) establishing flight regulations in the vicinity of the Grand Canyon. The purpose of the SFAR was to reduce the risk of midair collision, reduce the risk of terrain contact accidents below the rim level, and reduce the impact of aircraft noise on the park environment.

In 1987, Congress enacted Public Law 100–91, commonly known as the National Parks Overflights Act. The Act stated, in part, that noise associated with aircraft overflights at GCNP was causing ''a significant adverse effect on the natural quiet and experience of the park and current aircraft operations at the Grand Canyon National Park have raised serious concerns regarding public safety, including concerns regarding the safety of park users.''

Section 3 of Public Law 100–91 required the Department of the Interior (DOI) to submit to the FAA recommendations to protect resources in the Grand Canyon from adverse impacts associated with aircraft overflights. The law mandated that the recommendations: (1) Provide for substantial restoration of the natural quiet and experience of the park and protection of public health and safety from adverse effects associated with aircraft overflight; (2) with limited exceptions, prohibit the flight of aircraft below the rim of the canyon; and (3) designate flight-free zones except for purposes of administration and emergency operations.

In December 1987, the DOI transmitted its ''Grand Canyon Aircraft Management Recommendation'' to the FAA, which included both rulemaking and nonrulemaking actions. Public Law 100–91 required the FAA to prepare and

issue a final plan for the management of air traffic above the Grand Canyon, implementing the recommendations of the DOI without change unless the FAA determined that executing the recommendations would adversely affect aviation safety. After the FAA determined that some of the DOI recommendations would adversely affect aviation safety, the recommendations were modified to resolve those concerns.

On May 27, 1988, the FAA issued SFAR No. 50–2 revising the procedures for operation of aircraft in the airspace above the Grand Canyon (53 FR 20264, June 2, 1988) SFAR No. 50–2 established a Special Flight Rules Area (SFRA) from the surface to 14,499 feet above mean sea level (MSL) in the area of the Grand Canyon. The SFAR prohibited flight below a certain altitude in each of five sectors of this area, with certain exceptions. The SFAR established four flight-free zones from the surface to 14,499 feet MSL above large areas of the park. The SFAR provided for special routes for commercial sightseeing operators, which are required to conduct operations under part 135, as authorized by special operations specifications. Finally, the SFAR contained certain terrain avoidance and communications requirements for flights in the area.

A second major provision of section 3 of Public Law 100–91 required the DOI to submit a report to Congress ''* * * discussing * * * whether [SFAR No. 50–2] has succeeded in substantially restoring the natural quiet in the park; and * * * such other matters, including possible revisions in the plan, as may be of interest.'' The report was to include comments by the FAA ''regarding the effect of the plan's implementation on aircraft safety.'' The Act mandated a number of studies related to the effect of overflights on parks. The National Park Service (NPS) took longer than originally anticipated to complete the studies because many of the issues involved are on the cutting edge of technical and scientific capability. According to the NPS, measuring natural quiet is different from measuring levels of aircraft noise. On June 15, 1992, the FAA promulgated a final rule to extend the expiration date of SFAR No. 50–2 to June 15, 1995, while the NPS studies and analyses were being conducted (57 FR 26764).

On September 12, 1994, the DOI submitted its final report and recommendations to Congress. This report, entitled, ''Report on Effects of Aircraft Overflights on the National Park System,'' was published in July 1995. The Report recommended numerous revisions to SFAR No. 50–2 that are described below. The NPS Report was based on more than 20 separate studies. These studies included acoustical measurements from GCNP sites, GCNP visitor surveys, noise dose-visitor response analyses, and noise modeling of commercial sightseeing aircraft overflying GCNP using FAA survey data.

The Report concluded that the SFAR had not fully resulted in the substantial restoration of natural quiet in the Grand Canyon, despite the improvements it brought. Further, as of 1994, only about 34 percent of the park could be said to experience a substantial restoration of natural quiet, and that this would drop to little more than 10 percent by the year 2000 if growth continued at the same level as predicted. Only when the NPS made larger flight-free zones and, more importantly, substituted quieter aircraft into the scenario modeled for 2010, was achievement of a substantial restoration possible. The NPS Report to Congress clearly states that reducing noise at the source, as in the use of quieter aircraft, is the most important ingredient in achieving the substantial restoration of natural quiet in the Grand Canyon.

On June 15, 1995, the FAA published a final rule that extended the provisions of SFAR No. 50–2 to June 15, 1997 (60 FR 31608). This action allowed the FAA sufficient time to review the NPS recommendations and to initiate and complete any appropriate rulemaking action.

President Clinton, on April 22, 1996, issued a Memorandum for the Heads of Executive Departments and Agencies to address the significant impacts on visitor experience in national parks. Specifically, the President directed the Secretary of Transportation to issue proposed regulations for the Grand Canyon National Park placing appropriate limits on sightseeing aircraft to reduce the noise immediately and make further substantial progress toward restoration of natural quiet, as defined by the Secretary of the Interior, while maintaining aviation safety in accordance with Public Law 100–91.

In response to the President's directive, on July 31, 1996 (61 FR 40120; Notice No. 96–11), the FAA published an NPRM to reduce the impact of aircraft noise on Grand Canyon National Park (GCNP) and to assist the NPS in achieving its statutory mandate imposed by Public Law 100–91 to provide for the substantial restoration of natural quiet and experience in GCNP. The NPRM proposed and requested comments on the following: (1) Modification of the dimensions of the GCNP SFRA; (2) Establishment of new flight-free zones and flight corridors, as well as modification of existing flight-free zones and flight corridors; (3) Proposed flight-free periods and/or an interim moratorium on additional commercial sightseeing air tours and tour operators; and (4) Establishment of reporting requirements for commercial sightseeing companies operating in the SFRA. In addition to these areas, the FAA sought comment on a number of questions and alternatives regarding curfews and caps on the number of aircraft and operations, as well as on the issue of quiet aircraft technology. The comment period for the proposed rule, originally set for 60 days, was subsequently extended for another 45 days as directed by the Congress in the Federal Aviation Authorization Act of 1996 (61 FR 54716; October 21, 1996). In addition several commenters requested additional time to analyze the complex components of the proposed rule.

On September 16–20, 1996, in Scottsdale, AZ, and Law Vegas, NV, the FAA held public meetings to obtain additional comment on the NPRM and on the draft environmental assessment. Comments and the transcripts of these meetings have been placed in the rulemaking docket for Notice No. 96–11.

The FAA received approximately 14,000 comments in response to the NPRM and the public meetings. The FAA has developed a final rule, based on Notice No. 96–11 and on the public comments to the notice, that is being issued concurrently with this NPRM published elsewhere in this part of this issue of the Federal Register.

## Interagency Working Group

On December 22, 1993, Secretary of Transportation Federico Peña and Secretary of the Interior Bruce Babbitt formed an interagency working group (IWG) to explore ways to limit or reduce the impacts from overflights on national parks, including GCNP. Secretary Babbitt and Secretary Peña concur that increased flight operations at GCNP and other national parks have significantly diminished the national park experience for some park visitors, and that measures can and should be taken to preserve a quality park experience for visitors, while providing access to the airspace over national parks. The Secretaries see the formation of the working group and the mutual commitment to addressing the impacts of park overflights as the initial steps in a new spirit of cooperation between the two departments to promote an effective balance of missions. The FAA has been working closely with the NPS to identify and deal with the impacts of

aviation on parks, and the two agencies will continue to identify and pursue the most effective solutions. This close cooperation is necessary because the FAA has sole authority for control of the nation's airspace to ensure aviation safety and efficiency, while the NPS is charged with managing the natural and cultural resources in the national park system and providing for public enjoyment of those resources in such a manner that they are unimpaired for the enjoyment of future generations.

The FAA's role in the IWG has been to promote, develop, and foster aviation safety, and to provide for the safe and efficient use of airspace, while recognizing the need to preserve, protect, and enhance the environment by minimizing the adverse effects of aviation on the environment. The NPS' role in the IWG has been to protect public land resources in national parks, preserve environmental values of those areas, and provide for public enjoyment of those areas.

In March 1994, the two agencies jointly issued an advance notice of proposed rulemaking (ANPRM) seeking public comment on policy recommendations addressing the effects of aircraft overflights on national parks, including GCNP (59 FR 12740; March 17, 1994). The recommendations presented for comment included voluntary measures, altitude restrictions, flight-free periods, flight-free zones, allocation of noise equivalencies, and incentives to encourage use of quiet aircraft technology. On the issue of possible incentives for quiet aircraft technology, the ANPRM stated:

> Air tour operators could be encouraged to use relatively quiet aircraft on park overflights. For example, a flight corridor with a good scenic view of the canyon could be limited to aircraft meeting certain noise emission standards. An air tour operator could find it advantageous to convert its entire fleet to such quiet aircraft to incorporate that corridor in its tours. While there is no Federal requirement for aircraft to be manufactured to produce less noise than Stage 3 standards, some aircraft appropriate for air tour operations are quieter than Stage 3. Increased use of such aircraft in air tours would achieve noise mitigation through reducing noise levels on the surface of the park, although this option does not address issues other than noise.

In response to the ANPRM, the FAA received 30,726 comments, including duplicate form letters and several petitions with multiple signatures; the FAA received 24,510 submissions of one form letter with comments addressing the GCNP. Of the total number of comments, 1,975 were distinct letters. This NPRM will discuss only those comments that relate to establishing aircraft noise limitations at GCNP. The remainder of the comments relating to the above noted recommendations may be addressed in a later rulemaking.

Of the 644 comments that specifically addressed GCNP, 337 commenters opposed, while 232 commenters supported, further regulation. Commenters included members of State and local governments; congresspersons; helicopter operators; Native Americans and other individuals; and aviation, environmental, and recreational organizations and associations.

A number of commenters addressed the issue of quiet aircraft technology. Commenters opposing additional regulation of aircraft noise levels argued that quieter aircraft are expensive and incentives to invest in this technology are needed. Alternatively, commenters said that noise budgets are too complex and will not work. Commenters supporting additional regulation urged that incentives to minimize noise per passenger should be established or that an aircraft noise budget should be created. Specifically, a few commenters supported the unconditional adoption of quiet aircraft technology. One commenter suggested dividing aircraft into noise producing classes, with the higher noise class airplanes facing greater restrictions. Other commenters suggested requiring mufflers for all aircraft. The majority of the comments received on this issue, however, raise concerns with the adoption of noise-reduction technology. Many commenters stated that the cost of quiet plane technology is prohibitive at this time. Some commenters suggested adopting noise abatement equipment as it becomes affordable. Other commenters suggested using financial incentives—such as tax incentives, fee abatements, loan programs, and increased allocation on the number of flights allowed—to encourage operators to use quiet aircraft. One commenter stated that quiet aircraft technology is not an adequate solution for the overflight problem because such aircraft retain impacts and risks other than noise. Another commenter argued that exploring quiet aircraft technology at this time is not a worthwhile endeavor because technology will not be able to address the noise problem in the near future. Another commenter stated that, as an example for commercial operators, those agencies conducting airflights over Noise Sensitive Areas should be required to integrate quieter aircraft into their fleets.

Since the issuance of the joint ANPRM and the formation of the IWG, the FAA and NPS have been working closely to identify and deal with the impacts of aviation on GCNP, and the two agencies will continue to identify and pursue effective solutions. In this spirit of cooperation, the agencies plan to take the following nonregulatory and regulatory actions to achieve the substantial restoration of natural quiet in GCNP.

In addition to the rulemakings concerning GCNP, the IWG is working to develop a nationwide strategy for addressing noise for the national park system, and the FAA will be issuing a rule for limiting noise at Rocky Mountain National Park.

### Public Meetings

The FAA has held several public meetings in an effort to obtain public input for the development of additional actions to reduce the impact of aircraft noise on GCNP and assist the NPS in its efforts to restore natural quiet and experience in the park.

On June 28, 1995, the FAA and the NPS jointly published a notice announcing a public meeting to provide the interested parties with an opportunity to comment on improving SFAR No. 50–2 (60 FR 33452). The meeting, held on August 30, 1995, in Flagstaff, AZ, yielded 62 speakers representing air tour operators, environmentalists, government, tourist boards, corporations, Native American tribes, and other individuals. An additional 349 public comments were subsequently received during the comment period that ended on September 8, 1995.

On September 16–20, 1996, in Scottsdale, AZ, and Las Vegas, NV, the FAA held public meetings to obtain additional comment on the NPRM and on the Draft Environmental Assessment for the final rule that is published elsewhere in this issue of the Federal Register. Comments and the transcripts of these meetings have been placed in the rulemaking docket for that final rule.

### Congressional Hearings

On October 10–11, 1996, Congressional hearings were held by the Aviation Subcommittee of the Senate Committee on Commerce, Science, and Transportation at Las Vegas, Nevada, and Tempe, Arizona. The hearings were held to gather testimony from various entities involved in or affected by the FAA's proposed special flight rules over the Grand Canyon (Notice No. 96–11). Senator John McCain of Arizona made opening statements at both field hearings indicating that they were there

to examine the impacts of the proposed rules and the Draft Environmental Assessment. He hoped the FAA would provide appropriate incentives for quiet air technology in the final rule.

The Nevada Congressional delegation (Senator Bryan and Congressman Ensign in person, Senator Reid and Congresswoman Vucanovich by proxy) indicated, at the Las Vegas hearing, their opposition to Notice No. 96–11 as written, noting safety concerns as well as ones related to economics, NEPA compliance, and the lack of quite air technology incentives.

The issues raised by Senator McCain and other members of the Arizona delegation were also addressed by others testifying at the field hearings. There were points (and often counterpoints) raised as to the effectiveness of SFAR 50–2 in substantially restoring natural quiet in the Grand Canyon, as mandated by Public Law 100–91; the NPS's definition of substantial restoration of (50 percent or more of the park quiet at least 75 percent of the time); methodology involved in measuring and modeling noise impacts; potential impacts of the new rule on safety in the SFRA; effects of the new rule on general aviation; potential adverse impacts of the rule on the economy of Las Vegas and Nevada; the adequacy of the consultation process with Native American tribes; and controls on other uses of the park vis-a-vis air tour overflights.

Many of the air tour operators, some of whom had also voiced concerns about the safety implications of Notice No. 96–11, predicted dire economic consequences for the industry if the NPRM, which included possible caps on operations, curfews, and two additional flight-free zones, went into effect. In response to the operators' economic worries, Senator McCain reminded them that they had unanimously opposed his bill, which became Public Law 100–91, in 1987, claiming that it would put the entire industry out of business. Instead, he noted, the number of air tour overflights of Grand Canyon had increased from approximately 40,000 per annum in 1987 to the 95,000 reported by the Arizona Republic newspaper for the 12-month period which ended September 30, 1996.

Aside from a commitment to air safety, perhaps the only issue on which all of the interests represented at the field hearings appeared to agree was the need for quiet air technology incentives for both manufacturers and air tour operators. From Senator McCain and members of the Nevada Congressional delegation to the Native American tribal leaders and from environmental groups to air tour operators and aircraft manufacturers, as well as aviation and tourism industry representatives, quieter air technology incentives were viewed as integral to efforts to substantially restore natural quiet to the Grand Canyon while maintaining a viable air tour industry. Among specific suggestions made were providing more attractive routes to quieter aircraft, setting aside a portion of air tour overflight fees to provide loans to air tour operators to invest in further quiet air technology, and lowering fees for those operators using quieter aircraft.

The FAA has considered the statements made at the hearings in developing this proposed rule.

## Consultation With Affected Native American Tribes

Three Native American reservations border GCNP, and several additional tribes have cultural ties to the Grand Canyon. The DOT and DOI recognize that before taking any action, they have an obligation to consult with these tribes on a government-to-government basis. The consultation process, begun with the development of the proposed and final rule for the reduction of aircraft noise on GCNP, will continue with this process.This will include a continuing dialogue with tribes potentially affected by this proposal and will include direct meetings as well as written consultation. Initial steps have been taken to contact potentially affected tribes of this proposal based on the government-to-government relationships.

## Relationship to Final Rule Published Concurrently

As mentioned above, the FAA has developed a final rule, based on Notice No. 96–11 and on the public comments to the notice, that is being issued concurrently with this NPRM as published elsewhere in this part of this issue of the Federal Register.

Notice No. 96–11 proposed and requested comments on the following: (1) Modification of the dimensions of the GCNP Special Flight Rules Area (SFRA); (2) Establishment of new flight-free zones and flight corridors, as well as modification of existing flight-free zones and flight corridors; (3) Proposed flight-free periods and/or an interim moratorium on additional commercial sightseeing air tours and tour operators; and (4) Establishment of reporting requirements for commercial sightseeing companies operating in the SFRA. In addition to these areas, the FAA sought comment on a number of questions and alternatives regarding curfews and caps, as well as on the issue of quiet aircraft technology. The final rule for Notice No. 96–11 addresses all of these areas except for the issue of quiet aircraft technology. The FAA did not include requirements on quiet aircraft technology in the final rule, because Notice 96–11 did not propose specific measures on that subject; instead the FAA requested comments and information that would allow the FAA to develop a specific proposal. Based on a review of the comments on quiet technology received on Notice No. 96–11, summarized below, the comments received at the FAA and Congressional public meetings, the comments received on the ANPRM published in 1994, and the NPS Report to Congress, the FAA is issuing this NPRM. Comments received to date on quiet technology will be considered in conjunction with comments submitted in response to this proposed rule.

### *Comments Concerning Quiet Technology*

One commenter states that the largest operators at the Grand Canyon have either converted to quiet technology or are in the process of converting.

Papillon says that quieter aircraft is the solution to the problems raised in the NPRM and, in addition to describing the current technology available, recommends establishing a time frame for transition to quiet technology; establishing guidelines to qualify aircraft as quiet; and encouraging and assisting tour operators to convert their fleets to quiet technology aircraft.

Sierra Club-Grand Canyon Chapter says that the goal should be to completely phase in quiet technology aircraft over the next 10 to 15 years, with no increase and even a decrease in the number of flights. This commenter says that new aircraft should not be louder than the aircraft they replace and that if a noise budget approach is developed, there should be a reduction factor.

The National Parks and Conservation Association (NPCA) asserts the necessity of incorporating quiet flight technology into the rule by noting that sound can travel 13 to 16 miles laterally from aircraft and penetrate deeply into flight-free areas.

A river tour company notes the use of the Thrush TurboPro for drug interdiction. This commenter believes that if the demand were created for ''hush kits'' on smaller aircraft via FAA rulemaking, manufacturers would develop and produce this type of technology at cheaper prices than are currently available.

Some commenters submitted technical information about quiet

aircraft that are currently available or being developed. In addition, at the Congressional hearing, the National Aeronautics and Space Administration (NASA) submitted information on research and development efforts (by NASA and the FAA) on quiet aircraft technology for propeller-driven airplanes and rotorcraft. The FAA has considered this information in developing this proposed rule.

Some commenters, such as the Grand Canyon Air Tour Association (GCATA), Twin Otter, and Grand Canyon Airlines say that the proposed rules in Notice No. 96–11 will make it difficult for small operators to generate the revenue to invest in quieter aircraft. These commenters (some of whom have already employed quieter, more expensive aircraft) recommend that incentives such as tax credits, preferred routes and altitudes, elimination of overflight fees, and no curfews or caps, be made available to tour operators who wish to invest in quieter aircraft. Twin Otter and Grand Canyon Airlines add that the use of quieter and larger aircraft would be beneficial by reducing the number of air tour operations required to carry the same number of passengers, which would further reduce noise levels.

Twin Otter and Grand Canyon Airlines recommend withdrawing the NPRM and replacing it with incentives for quiet aircraft technology. Another commenter says that the FAA should not take a regulatory approach; rather, government should work with private enterprise to develop quieter aircraft.

Some commenters (e.g., Grand Canyon Trust, Wilderness Watch, Wilderness Society, Grand Canyon River Guides) state that a stronger rule is needed that would provide incentives for conversion of the existing tour fleet to the quietest aircraft available. Grand Canyon Airlines recommends that interim milestones be set by which existing conventional air tour aircraft fleets are converted to quiet aircraft; these milestones could be similar in concept to those established in 14 CFR part 91 for air carrier compliance with 14 CFR part 36 for Stage 3 certification standards.

McDonnell Douglas Helicopter Systems (MDHS) supports offering economic incentives to encourage air tour operators to operate helicopters equipped with quiet technology. Since 1991, MDHS has provided many quiet technology ''No Tail Rotor'' (NOTAR) helicopters which are operating effectively in noise-sensitive environments. In addition to the types of incentives mentioned by other commenters (see above), MDHS recommends the use of airspace entry locations based on FAA noise certification data for each type of helicopter. MDHS also recommends that Federal government agencies operating within the national parks should set an example by acquiring and using quiet technology aircraft.

Another commenter suggests allowing those operators who own measurably quieter machinery a 5 percent credit on their allotted number of flight permits. According to the commenter, operators who persist in running noisy aircraft should be subject to penalties restricting their permits.

Another commenter suggests a fee per flight that would encourage the use of larger, quieter aircraft by multiplying that fee by the sound level. This commenter believes that if this is used in conjunction with a limitation on the number of total tour flights permitted, operators would be encouraged to use quieter aircraft.

A BIA representative says that requirements for high-technology quiet aircraft should provide a specific exemption to Native American tribes for any flights sanctioned by such Native American tribes over their own lands.

The FAA agrees that the use of quieter aircraft will, in the long run, provide the most benefit toward restoring natural quiet. As discussed later in this preamble, this proposal contains a phase out schedule for noisier aircraft, a requirement that newly acquired aircraft meet certain acoustic criteria, and an incentive for using quieter aircraft by allowing flights though the proposed National Canyon route to be conducted with only the aircraft that meet this acoustic criteria. The FAA has considered the comments received on Notice No. 96–11 in developing the specific proposals described below.

The FAA and NPS are working together to develop a long-term Comprehensive Noise Management Plan that will address the best available technology, provision of appropriate incentives for investing in quieter aircraft, and appropriate treatment for operators that have already made such investments. As discussed below under ''Potential Further Action,'' the FAA and NPS solicit comments on the types of considerations that should be included in this plan. Both FAA and NPS are committed to the development of a noise management plan over the next 5 years.

## The Proposal

This proposed rule has several purposes. The first would be to provide an incentive for the use of quieter aircraft within GCNP. The second would be to establish additional noise limitations to reduce further the impact of aircraft noise on the park environment in the GCNP. The third would lift for the quietest aircraft the immediate temporary cap placed on the number of aircraft permitted to be used for commercial sightseeing operations in GCNP.

### *National Canyon Corridor*

The companion final rule published elsewhere in this part in this issue of the Federal Register expands the Toroweap/Shinumo Flight-free Zone to prohibit operations in the airspace area that is now used by operators for commercial sightseeing operations while flying from Las Vegas to Tusayan. This proposal would establish a corridor, referred to as the National Canyon Corridor, within the newly expanded Toroweap/Shinumo Flight-free Zone that would enable operators using GCNP Category C aircraft (the quietest category of aircraft, as discussed below) to reinitiate commercial sightseeing operations along this route from Las Vegas to Tusayan without having to circumnavigate the Toroweap/Shinumo Flight-free Zone.

### *Phase-Out of Noisier Aircraft*

In addition, the purpose of this proposal is to establish additional noise limitations to reduce further the impact of aircraft noise on the park environment in the Grand Canyon National Park. This proposal would accomplish this goal by a combination of requirements that would limit future use of noisier aircraft and that would provide incentives for the use of quieter aircraft. As discussed below, the proposed phase out of the GCNP Category A aircraft would provide a major reduction in noise by the end of the year 2000 and make a major contribution toward achieving the Congressional mandate of substantial restoration of natural quiet. Modeling shows that, if the phase out is adopted as proposed, the substantial restoration objective would be exceeded by 2008. The subsequent phase out of GCNP Category B aircraft would ensure continued restoration of natural quiet, as required by the NPS, even when projected numbers of additional GCNP Category C aircraft are added to the commercial sightseeing fleet.

The FAA has evaluated the noise exposure of existing aircraft used in the GCNP and has divided those aircraft into three categories based on noise per passenger or ''noise efficiency'': GCNP Category A aircraft includes the least noise efficient aircraft currently in use for sightseeing operations in the vicinity

of the Grand Canyon National Park; GCNP Category B aircraft includes aircraft more noise efficient than Category A aircraft but less noise efficient than the quietest aircraft now available; and GCNP Category C aircraft includes affected aircraft which are the quietest currently available. A detailed discussion of the technological basis for these categorizations is in the following section of this preamble, entitled ''Quiet Technology for GCNP.''

This proposal would in effect prohibit any further acquisition of GCNP Category A aircraft for use in the SFRA by persons conducting sightseeing operations. Current operators with Category A aircraft could continue to use that number of GCNP Category A aircraft listed on the operator's operations specifications on December 31, 1996, but that use of GCNP Category A aircraft would have to end on or before December 31, 2000.

Current operators of GCNP Category B aircraft would be allowed to continue to use that number of aircraft listed on the operating specifications as of December 31, 1996, and on or before December 31, 2000, as a replacement for GCNP Category A aircraft, but would be required to phase out all of those aircraft on or before December 31, 2008. The proposed phase out schedule would require that on or before December 31, 2002, at least one-quarter of the number of Category B aircraft listed on the operator's operations specifications on December 31, 2000, (the base level) would have to be phased out. The remaining Category B aircraft would have to be phased out in 25 percent increments so that no more than 50 percent of the base level aircraft would be in use after December 31, 2004, 25 percent after December 31, 2006, and all Category B aircraft would have to be phased out on or before December 31, 2008. During the period of time after the effective date of a final rule and on or before December 31, 2000, an operator could replace Category A aircraft with Category B or C aircraft but only on a one-for-one basis.

While the proposed rule would allow the continued use of Categories A and B aircraft by current certificate holders as described above, all aircraft used by new entrants to the affected sightseeing area would have to meet Category C requirements. This means that any person who wants to establish an aircraft sightseeing operation in the affected area after the effective date of a final rule would have to use only Category C aircraft. Also, all new aircraft acquired by present operators above the total number of Category A and B aircraft listed on the operations specifications of each operator on December 31, 1996, would have to be Category C aircraft.

The FAA is soliciting comments on all aspects of the proposed phase-out plan, including the affected aircraft, the schedule and percentage of aircraft that would be affected by any such plan. Comments focusing on the economic and environmental impact of the proposed phase-out would be beneficial.

*Comments on Alternative Proposal*

Comments are particularly requested on a potential alternative to the proposal to allow an operator to replace Category A aircraft with either Category B or Category C aircraft. Under the alternative, Category A aircraft could only be replaced by Category C aircraft. No interim replacement by Category B would be permitted. Because this would hasten the elimination from the GCNP of all aircraft other than Category C, it is likely to achieve the goal of attaining natural quiet more rapidly than the primary proposal set forth in this notice. This alternative was not incorporated into the current proposal, however, because the FAA's preliminary analysis suggests that it could be significantly more costly to operators. (See the Appendix to the Regulatory Evaluation contained in the docket.) These costs could be particularly burdensome to small entities.

However, if the additional costs of a direct transition from Category A to Category C are lower than they currently appear, and substantial additional environmental benefits may be obtained at reasonable cost, the final rule adopted in this proceeding could incorporate the alternative approach. Before taking final action, therefore, the FAA intends to further refine its cost estimates and the likely burden on small operators. Toward that end, it would be especially helpful if commenters provide specific cost and environmental projections that compare the impact of the primary proposal with the alternative. The FAA requests answers to the following questions, along with any other relevant information commenters wish to provide. Please note that comments accompanied by specific data about costs and/or environmental effects will be more useful than arguments of a general nature.

- From a business economic standpoint, would allowing the interim conversion of Category A aircraft to Category B be less burdensome than direct conversion to Category C?
- Does the cost of Category C aircraft exceed the cost of Category B aircraft? If so, by how much? What options other than direct purchase of Category C aircraft would be available that may have an effect on the economics of conversion?
- What is the availability of used Category C aircraft, and how could the acquisition of used aircraft mitigate the cost of the alternative?
- Are there business reasons that would cause operators to choose to replace Category A aircraft with Category C, even if Category C aircraft are more expensive than Category B aircraft? For example, would the subsequent need to phase out Category B make the option of an interim step undesirable in any event? Similarly, do Category C aircraft offer advantages in operating efficiency, marketability of air tours, repair costs, or other factors that would reduce the overall cost differences between acquiring Category B and Category C aircraft?
- Would other methods of analysis that include such factors as the cost of capital, long-term tax consequences, and other factors be more useful in determining the economic impacts of the conversion? If so, how should those factors be taken into account?
- What would be the noise-reduction consequences of requiring a direct transition from Category A to Category C? The replacement of Category A aircraft (by either Category B or Category C) is likely to make the greatest contribution toward the restoration of natural quiet. Insofar as quantification is possible, it would be useful to understand how much additional benefit could be obtained by going directly to Category C.

*Removal of Temporary Cap*

Under the companion final rule published today, an immediate temporary cap is placed on the number of aircraft permitted to be used by each operator for commercial sightseeing operations in the Grand Canyon SFRA. If this notice is adopted as proposed, a cap on the total number of Category A and Category B aircraft permitted to operate in GCNP would remain in effect. However, the cap on Category C aircraft would be lifted. As a result, the fleet size of Category C aircraft could grow, subject to safety considerations, market-based considerations, or recommendations from the Comprehensive Noise Management Plan. For a more detailed discussion of this issue, see ''Potential Further Action'' below.

Quiet Technology for GCNP

This section of the preamble is a summary of a technical paper describing the methodology for classifying noise characteristics for aircraft operating in

GCNP. The full document has been placed in the docket for this rulemaking and is available for viewing and comment as described above under **ADDRESSES.** To obtain a copy of this document, contact the person listed under **FOR FURTHER INFORMATION CONTACT.**

*Introduction*

In response to comments in the docket for Notice No. 96–11 and those made at public hearings, FAA redoubled its efforts to develop concepts which would provide incentives for tour operators to invest in the best available noise abatement technology. Traditionally, the FAA uses its regulatory authority to impose more stringent national noise standards when it has been determined to be appropriate. By law when deciding on further noise stringency, FAA must ascertain whether the proposal is technologically feasible, economically reasonable, and appropriate to aircraft type. Based upon a joint FAA/NASA research report to Congress on quiet technology [1] and earlier work prepared for the third meeting of the Committee on Aviation Environmental Protection (CAEP) under the International Civil Aviation Organization (ICAO), the FAA determined that the imposition of new national and international noise standards for propeller-driven small airplanes and helicopters is not appropriate at this time. While there is ongoing research by the Federal government to identify future noise abatement technology, current aircraft designs already incorporate most of the available technology within economic reasonableness. At GCNP, there are substantive differences in the noise characteristics of the air tour aircraft in use. Therefore, FAA looked to non-traditional concepts which could offer some incentive for tour operators to improve the GCNP situation.

*Noise Efficiency Concept*

One theme expressed by some commenters was that the use of quieter, larger aircraft would provide two-fold benefits in reducing noise of each operation and reducing the number of operations to carry the same number of passengers. This theme fits in nicely with the FAA's general policy of using cumulative aircraft noise as an appropriate measure of the potential impact as it accounts for both the number of flights and intensity of their noise. The FAA began to explore noise efficiency concepts as an incentive for operators to utilize aircraft equipped with the best available noise abatement technology in the park. The following attributes were used in judging potential concepts:

- Is based on aircraft noise certification (14 CFR part 36).
- Judges fixed- and rotary-wing aircraft on a common basis.
- Correlates with aircraft performance and operation at GCNP.
- Offers basis for incentives.
- Is manageable.

In addition to these attributes, the concept must be shown to be economically reasonable.

*Links to Aircraft Noise Certification*

Levels obtained from aircraft noise certification represent the highest quality of data available. The flight tests are conducted under controlled conditions with an FAA representative or designee in attendance to witness the test setup and test activities. Data obtained during these tests are corrected to standard reference conditions as prescribed in 14 CFR part 36. FAA publishes these levels in Advisory Circular 36–1, ''Noise Levels for U.S. Certificated and Foreign Aircraft.'' The current version of this AC is 36–1F dated 6/5/92. Unfortunately there is no single method applicable to all aircraft for determining the certificated noise level. Depending on date of application for type certificate and whether the aircraft is a helicopter or airplane, the noise level could have been obtained from one of 4 different tests, Appendices F, G, H, and J of 14 CFR part 36.

Because these noise certification procedures contain differences in aircraft operation, measurement altitudes, and units of noise, it is not possible to directly compare Appendix F, G, H, and J noise levels. However, FAA has developed a procedure for: (1) Extrapolating from the controlled conditions of a certification test to the operating conditions at GCNP and (2) converting levels to a common noise unit, thus making it possible to judge fixed- and rotary-wing aircraft on a common basis under conditions that pertain to air tour operations over GCNP. Sound Exposure Level (SEL) was selected as the common noise unit. SEL is a basic building block in calculating Equivalent Sound Level ($L_{eq}$) which is the measure of cumulative noise exposure that FAA is using to assess noise impacts in GCNP. ($L_{eq}$) is the most common method used to quantify time-varying noises. The Federal government uses a form of equivalent sound level, Day Night Sound Level (DNL), to quantify aircraft noise exposure in the vicinity of airports.

*Noise Efficiency Measure*

These extrapolation procedures for predicting noise levels applicable to Appendices F, H, and J of 14 CFR part 36 enable one to directly compare propeller-driven small airplanes and helicopters. There is no extrapolation procedure for Appendix G. The noise efficiency criterion for Appendix G noise levels was derived by a method that is explained later. In keeping with the theme of developing a noise efficiency concept, the extrapolated noise levels were examined as a function of the number of seats of the aircraft in the fleet of air tour aircraft operating at GCNP. Since the principal business of these aircraft is to carry sightseers over the park, the number of passenger seats is a logical production (or efficiency) factor.

When the aircraft noise levels are plotted against the number of passengers, there appears to be a break or gap between groups of aircraft that support some NPS findings on ''quiet aircraft.'' The NPS report to Congress identifies the DHC–6–300 Twin Otter (''Vistaliner'' version), the Cessna Caravan I, and the McDonnell Douglas ''No Tail Rotor'' (NOTAR) helicopters as the quietest aircraft currently operating at GCNP. The report further states that NPS expects that these aircraft would qualify under a ''quiet aircraft'' category.

A line of a demarcation can be drawn between the quietest aircraft and the rest of the air tour fleet. The two components of the line are: (1) Horizontal until greater than 2 passenger seats, and (2) increasing slope at 3 dB per doubling of number of seats. The line is horizontal until the number of seats is greater than 2 because a review of aircraft specification data found that two is the least number of passenger seats found on an aircraft that had been operated as an air tour aircraft in GCNP. Specifying a limit that increases with the number of seats is consistent with FAA's philosophy of rewarding efficiency by allowing aircraft which carry more passengers to emit more noise, thus creating less noise per passenger. For example, the slope of Appendix H noise limit increases at the rate of 3 decibels per doubling of weight. For aircraft in these weight ranges, 3 dB per doubling of number of seats is a comparable growth rate to 3 dB per doubling of weight. Figure 1 shows noise levels of many of the air tour aircraft against the number of passenger seats in the aircraft.

[1] Report of the FAA and NASA to the U.S. Congress Pursuant to Section 308 of the FAA Authorization Act of 1994, ''Quiet Aircraft Technology for Propeller-driven Airplanes and Rotorcraft,'' June 1996.

The area below the solid line in Figure 1 is proposed as the potential objective in the encouragement of compatible noise abatement technology for air tour operations in GCNP. This area is labeled ''C'' and the aircraft whose SELs fall within this region are ''GCNP Category C aircraft.'' Another dotted line is plotted at 4 decibels above the solid line in Figure 1 which creates two new areas each covering 4 decibels and evenly splits the number of air tour aircraft into these two zones. The two new areas are labeled ''A'' and ''B.'' Aircraft whose noise levels fall within these new zones are identified as GCNP Category A and GCNP Category B aircraft, respectively. An examination of a recent count of air tour aircraft finds that there are 57 GCNP Category A aircraft, 56 GCNP Category B, and 23 GCNP Category C aircraft operating at GCNP.

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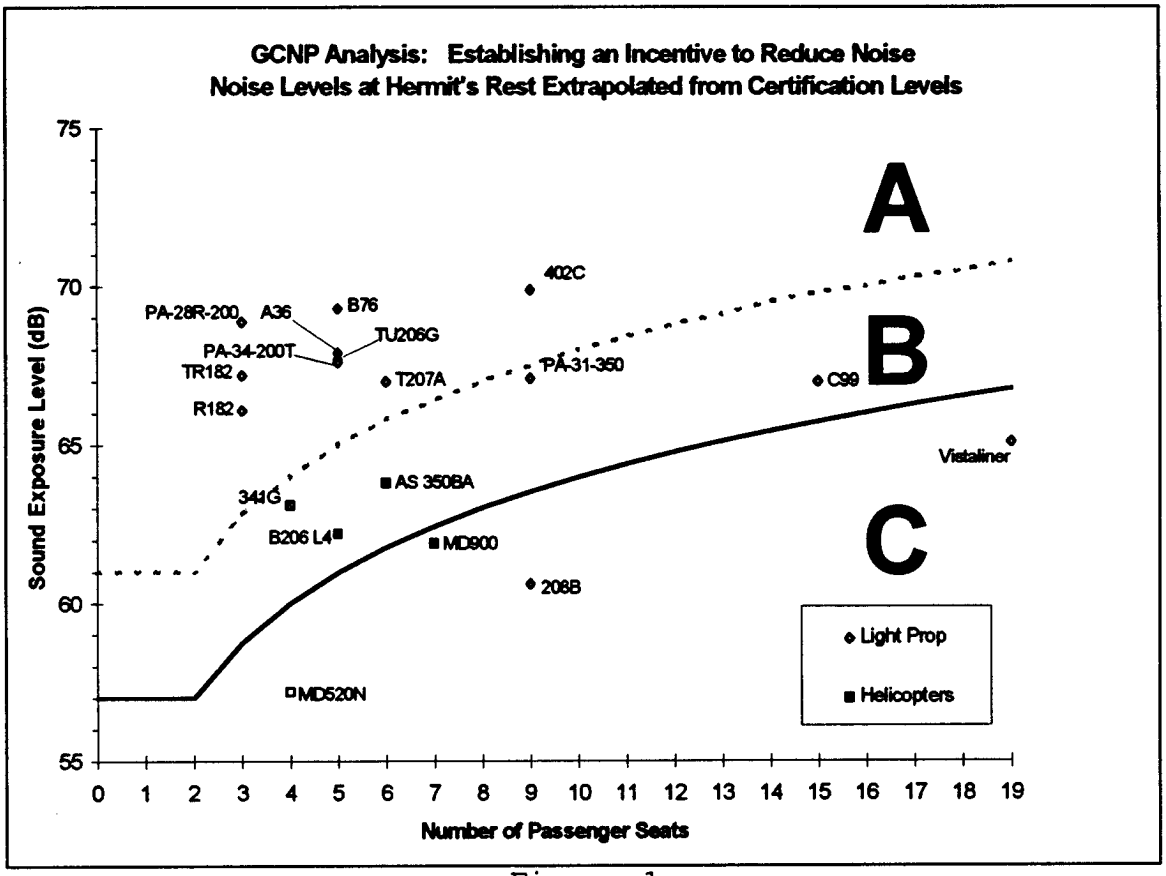


Figure 1

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*Noise Efficiency Criteria*

The curves in Figure 1 demonstrate the general concept and are the bases for the noise efficiency criteria. A workable criterion should be easy to apply and manage in the field and should be understandable to the operators and general public. The airport community has many years of experience using the certificated noise levels published in FAA's AC 36–1F. These data have been used to establish use restrictions, curfews, and noise budgets at some airports in the country. The certificated noise levels are not only available in advisory circulars which are updated and published periodically but the levels are readily available to the aircraft owners from the aircraft flight manuals (AFM). Thus the development of noise efficiency criteria based on certificated noise levels is proposed not only because of the precedent, but it also eliminates the need for someone in the field to perform the mathematical extrapolation from certification to GCNP conditions by the method that was outlined in the section ''Links to Aircraft Noise Certification.''

By reversing the process that determined the noise levels in Figure 1, the two lines in Figure 1 are translated into three GCNP noise efficiency criteria for Appendices F, H, and J. These are shown in Figures 2a, 2b, and 2c, respectively. The figures also contain the equations for the GCNP Categories B and C noise efficiency criteria or noise limits. These are the criteria for compliance with the proposed regulation.

As stated earlier, this study did not discover a method to successfully extrapolate Appendix G noise levels to GCNP conditions. When FAA promulgated Appendix G to supersede Appendix F, the change was to replace the level flyover test with a takeoff test. The Appendix G noise limit is 5 decibels higher than the Appendix F noise limit to account for difference in measured noise levels obtained under the different test conditions. Applying that philosophy to this situation, a noise efficiency criterion for Appendix G noise levels can be derived by adding 5 decibels to the criteria for Appendix F. There is no figure in this paper, similar to Figures 2a–c, showing the Appendix G noise efficiency criteria because all of the propeller-driven airplanes currently operating at GCNP predate the promulgation of Appendix G of 14 CFR part 36. The equations of the noise efficiency criteria for Appendix G are found in Appendix B of the proposed rule.

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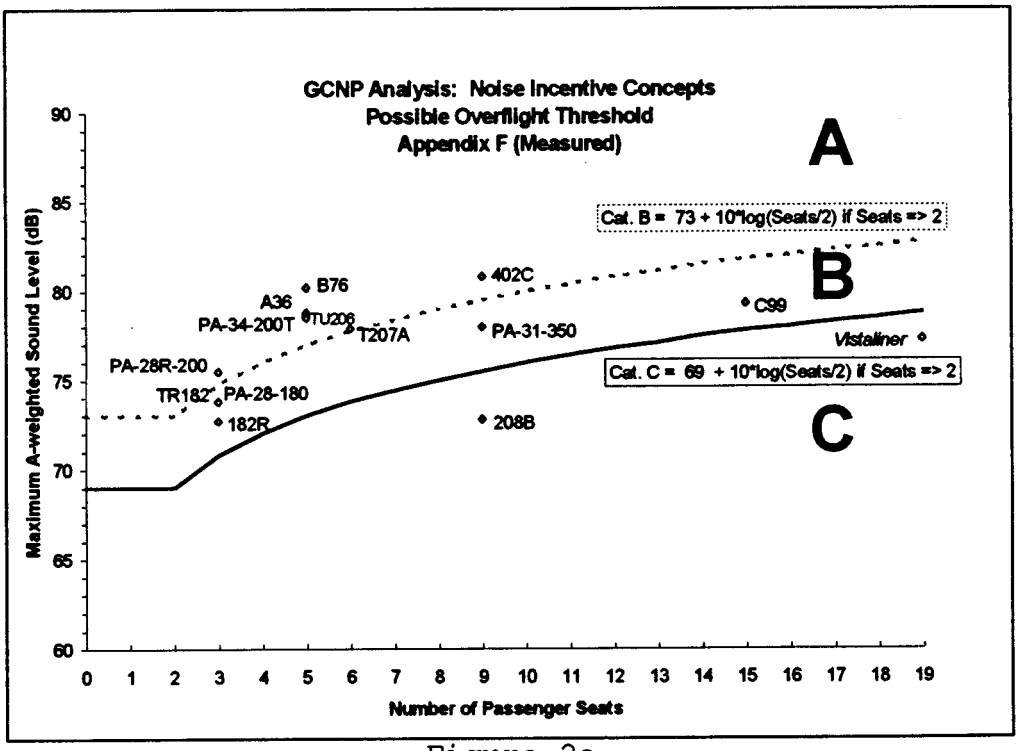
GCNP Analysis: Noise Incentive Concepts
Possible Overflight Threshold
Appendix F (Measured)
A
B
C
Cat. B = 73 + 10*log(Seats/2) if Seats => 2
Cat. C = 69 + 10*log(Seats/2) if Seats => 2
B76
A36
PA-34-200T
TU206
T207A
402C
PA-31-350
C99
Vistaliner
PA-28R-200
TR182
PA-28-180
182R
208B
Maximum A-weighted Sound Level (dB)
Number of Passenger Seats
90
85
80
75
70
65
60
0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19

Figure 2a

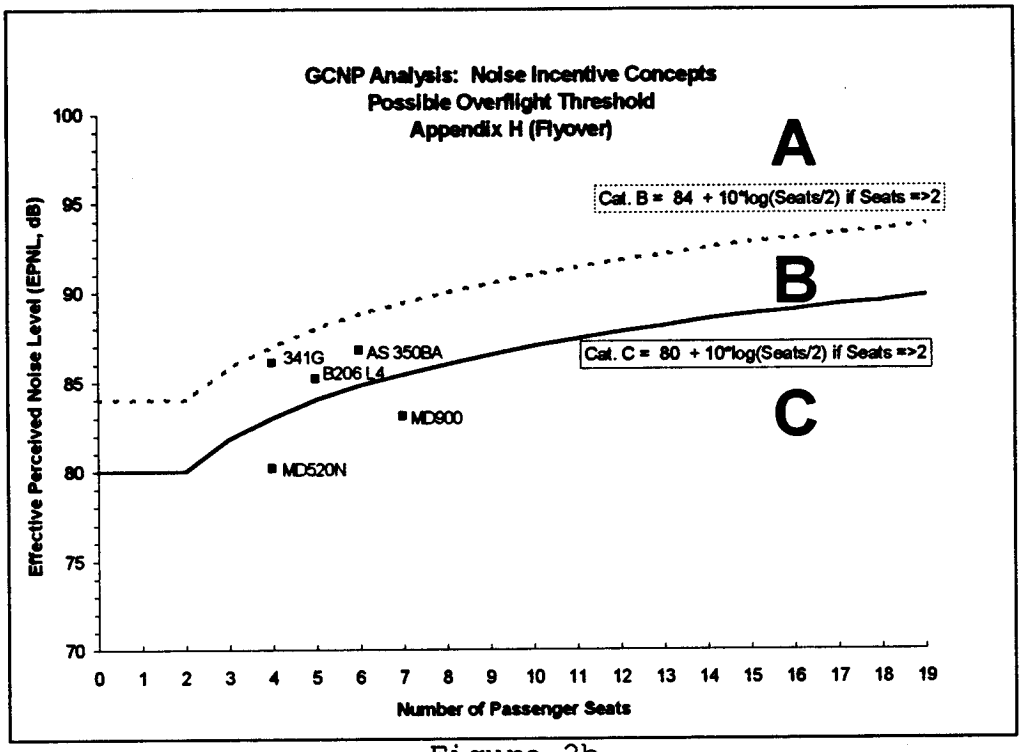


Figure 2b

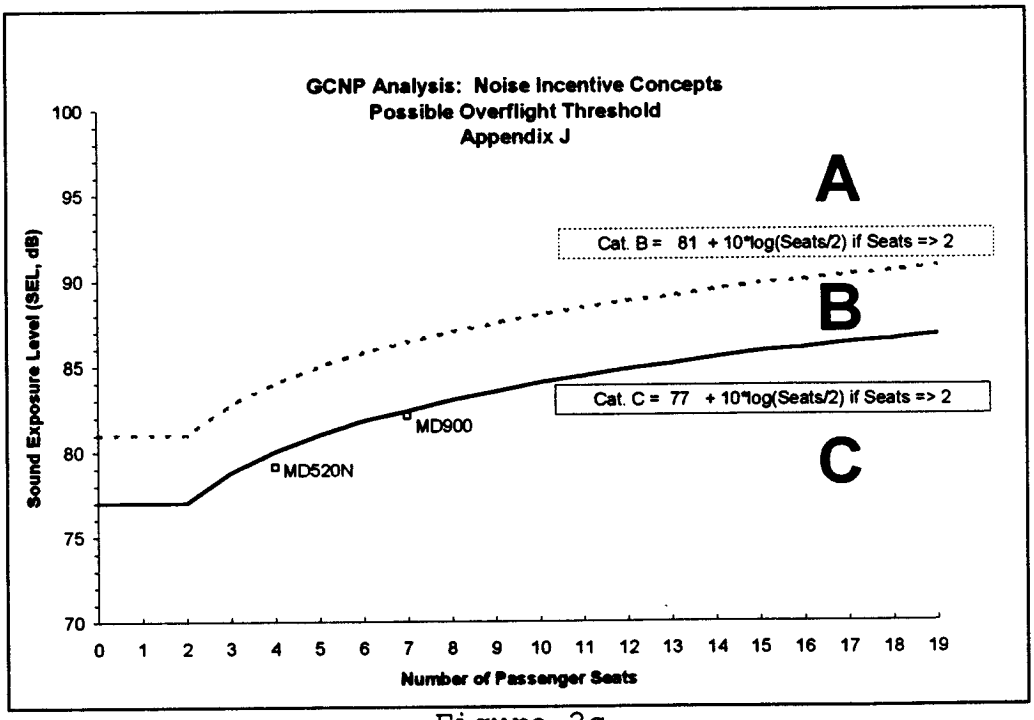


Figure 2c

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*Implementation*

The proposed GCNP aircraft noise incentive concept links to the aircraft noise certification provisions prescribed in 14 CFR part 36. The incentive criteria will be based upon the noise levels obtained under noise certification conditions. The use of noise certification levels will provide an ability to judge fixed- and rotary-wing aircraft on a common basis.

New aircraft are subject to the provisions of 14 CFR part 36 including the requirement to conduct a noise certification test under controlled conditions. This test is conducted in accordance with an FAA approved test plan and is typically witnessed by FAA personnel unless delegated to an FAA designee. Some aircraft, depending on the date of type certification, were not subject to the noise certification provisions of 14 CFR part 36. Thus noise certification levels are unknown. In the strict sense certification noise tests should be required to establish noise levels for comparative purposes against the GCNP aircraft noise efficiency criteria.

The FAA does not have the authority to mandate that those older aircraft conduct such tests for compliance with the provisions of 14 CFR part 36. However, in order to fully implement the GCNP aircraft noise incentive concept, noise certification levels or estimates of those levels under certification conditions will be required.

Considering the overall cost associated with conducting noise certification tests and establishing noise certification levels it is proposed to offer a hierarchy of noise level data source options for establishing noise levels to fully implement the GCNP aircraft noise incentive concept. FAA plans to publish an Advisory Circular (AC 36–XX) that will facilitate the determination of the noise levels for the GCNP noise efficiency criteria. This AC would list all aircraft operating at Grand Canyon National Park as determined from operations specifications. Noise levels would be specified for each aircraft listed in the AC.

In some cases the noise levels listed in this proposed AC would be the actual FAA approved noise certification levels documented in the FAA approved airplane or rotorcraft flight manuals. These level are typically provided in FAA AC 36–1 and would simply be referenced in the proposed GCNP AC. In other cases where noise certification under 14 CFR part 36 was not required, the noise level could be provided to the FAA by the operator or owner following the hierarchy described below. The owner or operator would have to substantiate to the FAA that the estimated noise level is representative for the subject aircraft.

The following hierarchy of noise level data sources would be documented in the proposed AC and used for all aircraft in determining the noise level for the GCNP aircraft noise incentive concept:

1. US certifications under 14 CFR part 36 with noise certification levels obtained from the FAA approved flight manuals or FAA AC 36–1.

(a) For propeller driven small airplanes the applicable hierarchy of regulations are:

(1) 14 CFR part 36 Appendix F.

(2) 14 CFR part 36 Appendix G.

(b) For helicopters the applicable hierarchy of regulations are:

(1) 14 CFR part 36 Appendix J.

(2) 14 CFR part 36 Appendix H.

2. Foreign certifications under ICAO Annex 16, Volume I with noise certification levels obtained from the approved flight manuals or data approved by the foreign civil aviation authorities, or FAA AC 36–1.

(a) For propeller driven small airplanes the applicable hierarchy of regulations are:

(1) ICAO Annex 16, Volume I Chapter 6.

(2) ICAO Annex 16, Volume I Chapter 10.

(b) For helicopters the applicable hierarchy of regulations are:

(1) ICAO Annex 16, Volume I Chapter 11.

(2) ICAO Annex 16, Volume I Chapter 8.

3. Research or other measurement test data obtained under controlled conditions, documented and corrected to the certification conditions of Appendix F for small propeller driven airplanes and Appendix J for helicopters. Preference would be placed on those data obtained under certification-like conditions and/or those data collected under an FAA sponsored noise research test.

4. FAA approved noise estimation methods that can estimate Appendix F noise levels for small propeller driven airplanes and Appendix J noise levels for helicopters. Currently the following methods may be suitable for use pending FAA approval on a case by case basis.

(a) For propeller driven small airplanes: Method in Section 2.2 of DOT/FAA/AEE–82–1.

(b) For helicopters: SAE/AIR 1989.

As one moves down on the hierarchy the expected level of substantiation (as the representative noise certification level-estimated) by the operator or owner would increase, and the level of FAA scrutiny should be expected to increase.

The resulting noise levels will vary depending upon an operator's or owner's situation related to the above hierarchy. In the case of helicopters the noise levels will be the flyover noise certification level in the noise metric of Effective Perceived Noise Level (EPNL) (14 CFR part 36, Appendix H) or Sound Exposure Level (SEL) (14 CFR part 36, Appendix J). In the case of small propeller-driven airplanes the noise levels will be the flyover (14 CFR part 36, Appendix F) or takeoff (14 CFR part 36, Appendix G) noise certification level in the noise metric of maximum A-weighted sound level. It is estimated that noise levels for virtually all aircraft currently operating in GCNP could be achieved without the need for a complete noise certification test.

All estimated noise certification levels provided in the proposed FAA AC 36–XX would be for the sole and specific purpose of determining compliance with Grand Canyon noise efficiency criteria.

NPS Air Operations

GCNP has one of the most strictly regulated aviation programs within the NPS and the DOI. The park limits use of its contracted aircraft to activities involving life or health-threatening emergencies, administration and/or protection of resources, and for individually approved special purpose missions. Each flight request is reviewed to ensure that it is the most efficient, economical, and effective method of performing the required task consistent with NPS and GCNP goals. These goals include the protection of natural quiet and experience, as reinforced by the park's recently approved General Management Plan. The NPS is revising its contract requirements so that it can contract for quieter aircraft that meet mission requirements, and it is addressing this in budget formulation as a high priority need. The NPS will, to the maximum extent possible, meet or exceed phase-out schedules for the air tour industry at large and will to the maximum extent feasible honor flight-free zones established for the Park. GCNP seeks to make this conversion in advance of the requirements of this rule.

Development of a Comprehensive Noise Management Plan

This proposed rule reflects the understanding of the FAA and NPS that the conversion of the commercial sightseeing aircraft fleet operating in the SFRA to a more noise efficient fleet is

the most promising approach to providing for the substantial restoration of natural quiet mandated by Public Law 100–91 and allowing for some measure of growth in the commercial sightseeing industry. To ensure that the proposed rule provides the fairest solution for all parties involved, the FAA and NPS are committed to the joint development of a noise management plan no later than 5 years from May 1, 1997. It will provide for a more adaptive management system, full resolution of all monitoring and modeling issues, improved public input, and the provision of improved incentives to invest in noise efficient aircraft. The purpose is to further refine the final rule published concurrently with this proposed rule, whose intent is to provide for the substantial restoration of natural quiet mandated by the Overflights Act. To ensure development of a flexible and adaptive approach to noise mitigation and management, this plan will, at a minimum, (1) address development of a reliable aircraft operations and noise database, (2) validate and document the most effective uses for FAA and NPS noise models in GCNP, (3) explore how the conversion to a noise efficient fleet can most effectively contribute to the substantial restoration of natural quiet while allowing for growth in the industry, and how, in this context, incentives can best be provided to promote this conversion. The FAA and the NPS are committed to an open process that will provide for full public involvement.

In the development of the Comprehensive Noise Management Plan, consideration will be given to the inclusion of additional reporting requirements. The final rule published elsewhere in this part of this issue of the Federal Register does not require that operators report on their commercial sightseeing operations and aircraft used with the SFRA beyond the year 2002. Some type of additional information after that time will be required. The FAA is requesting comments on the type of information and the method of collecting that information that would be most consistent with this plan. Comments will be considered during the development of the Comprehensive Noise Management Plan.

## Potential Further Action

As proposed, the FAA would remove the temporary cap placed on certain aircraft permitted to be used for commercial sightseeing operations in GCNP. This is in response to the cap established by the companion final rule published elsewhere in this part in this issue of the Federal Register.

The proposed rule would permit operators conducting commercial sightseeing operations within the SFRA to replace GCNP Category A aircraft with GCNP Category B aircraft until December 31, 2000. According to the proposed requirements of the phase-out, the GCNP Category B aircraft could be used until December 31, 2008. Furthermore, the proposed rule allows the substitution of GCNP Category B aircraft with other GCNP Category B aircraft until December 31, 2008. In this context, should operators be restricted to replacing either GCNP Category A and B aircraft only with GCNP Category C aircraft?

As proposed in this notice, the removal of the cap would enable the fleet size to grow. Fleet conversion to larger and quieter aircraft provides for industry growth and noise reduction. But since there is ultimately some capacity level that is consistent with the substantial restoration of natural quiet, which the FAA and NPS will address in the development of a Comprehensive Noise Management Plan, the FAA is requesting specific comment on how to address this ''capacity'' issue:

—Should an overall cap on the fleet size be maintained until the Comprehensive Noise Management Plan is completed? Or should the number of Category C aircraft in the fleet be allowed to grow through random addition until it reaches the size recommended in the Comprehensive Noise Management Plan to be in concert with one that will maintain the substantial restoration of natural quiet in GCNP?

—At what size should the fleet be capped? What is the appropriate baseline to establish for imposition of a fleet cap? And if imposed, what would the effect be on transitioning to noise efficient aircraft? What provisions should be made for changes in technology that result in increased aircraft efficiency and sound reduction?

—Should incentives be included in a ''flexible'' cap that would permit increasing numbers of aircraft based on acquisition of leading edge noise efficient technology by operators? Should growth be tied to an incentive system for existing operators to convert their fleet to more noise efficient aircraft? For example, an operator converting two GCNP Category A aircraft to GCNP Category C aircraft could add an additional GCNP Category C aircraft, for a total of three GCNP Category C aircraft. And an operator converting three GCNP Category B aircraft would be permitted to add one additional GCNP Category C aircraft, for a total of four GCNP Category C aircraft.

—Should caps be applied more selectively to specific routes or corridors that are more noise-sensitive, such as the Dragon Corridor?

The FAA is specifically requesting comments on how to better protect areas adjacent to the Dragon Corridor, identified by the NPS as among the most noise-sensitive areas in the GCNP. To minimize the amount of noise from commercial sightseeing aircraft in the Dragon Corridor, the FAA solicits comments on the following alternatives:

- Removing the two-way loop permitted for helicopters in the Dragon Corridor and reinstating the two-way loop in the Zuni Corridor.
- Accelerating the proposed phase-out schedule for aircraft operating in the Dragon Corridor.
- Permitting only GCNP Category C aircraft to operate in two directions within the Dragon Corridor.

## Environmental Review

The FAA has prepared a draft environmental assessment (EA) for this proposed action to assure conformance with the National Environmental Policy Act of 1969. A copy of this draft EA will be circulated to interested parties and placed in the docket, where it will be available for review. For those unable to view the document in the docket, the Draft EA can be obtained from the person listed in the **FOR FURTHER INFORMATION CONTACT** section listed previously. The comment period on the Draft EA will remain open for 90 days from the date of the publication of this Notice. Before the final rule is issued, the FAA will prepare a Final EA and determine whether a Finding of No Significant Impact may be issued or an environmental impact statement is required.

## Regulatory Evaluation Summary

Changes to federal regulations must undergo several economic analyses. First, Executive Order 12866 directs Federal agencies to promulgate new regulations or modify existing regulations only if the potential benefits to society justify the costs. Based on the criteria outlined in E.O. 12866, the Department of Transportation has concluded that this rulemaking would constitute a ''significant regulatory action'' and, as such, must include an analysis of alternative actions. Second, the Regulatory Flexibility Act of 1980 requires agencies to analyze the

economic impact of regulatory changes on small entities. Finally, the Office of Management and Budget directs agencies to assess the effects of regulatory changes on international trade.

In conducting these assessments, the FAA has determined that the combined quantifiable and non-quantifiable benefits of the proposed rule would exceed costs. The FAA has also determined that the rule would not have any significant impact on international trade. In addition, the FAA has estimated that the rule would have a significant economic impact on a substantial number of small air tour operators. Therefore, a regulatory impact analysis is included as required by law. These analyses, available in the docket, are summarized below.

*Introduction*

This regulatory evaluation analyzes the costs and benefits of the proposed rulemaking to establish noise limitations for certain aircraft operations over the Grand Canyon National Park (GCNP). The FAA is proposing these limitations to reduce the impact of aircraft noise on the park environment and to assist the National Park Service in achieving its statutory mandate imposed by Public Law 100–91. Public Law 100–91 mandates for the substantial restoration of natural quiet and experience in GCNP. Responding to the law, this proposal would assure the achievement of that mandate through a combination of requirements that would limit the future use of noisier aircraft and provide incentives for the use of quieter aircraft. This NPRM is issued concurrently with a final rule which codifies and revises the provisions of Special Federal Aviation Regulation (SFAR) No. 50–2, Special Flight Rules in the Vicinity of Grand Canyon National Park.

*Costs*

The FAA estimates that the undiscounted cost of the proposed rule to be $172.6 million, with a present value of $96.7 million. This cost estimate was calculated for the 12-year period, 1997 to 2008, and would be incurred by operators conducting airtour operations at the GCNP. Most of this cost would result from operators having to ultimately replace their Category A and B aircraft with Category C aircraft. Each of the cost categories are described below. The assumptions used to calculate the costs are explained in detail in the full regulatory evaluation.[2]

The FAA has identified five cost components in the NRPM. These components and their respective costs are explained below.

*Cost of Certifying Noise Efficiency*

Four aircraft—CE–180, CE–206, PA–28–180, and BHT–206–B—predate the noise standard and, therefore, do not have certificated noise levels. To obtain a noise level to use to compare with the GCNP noise efficiency limit, either a computational analysis or a measurement test is required. The estimated costs for this are $18,750 for each aircraft type, and would occur in 1997, so the total cost would be $75,000 (net present value, $70,000).[3]

*Cost of Phase-Out*

Another cost of the NPRM is the eventual phase-out of Category A and Category B aircraft and replacement with Category C aircraft. Specifically, the cost represents the difference in value of existing aircraft and their replacements and the additional or differential expenses associated with operating the quieter aircraft.

Phase-Out of Category A for Category B Aircraft: The aircraft value differential was calculated by subtracting the value of Category A aircraft from the value of Category B aircraft. The operating cost differentials were similarly calculated and added over the period 1997 to 2000. These aircraft would subsequently need to be replaced by Category C aircraft between 2001 and 2008. The analysis assumes that each existing Category A aircraft would be replaced by a PA–31–350 by 2000, which would then be replaced by a Caravan by 2008. The cost of phasing out Category A for Category B aircraft (and subsequently for Category C aircraft) is $74 million, with a present value of $42 million.

The FAA considered the option of requiring phased-out Category A aircraft to be replaced directly with Category C aircraft instead of allowing operators to temporarily replace Category A aircraft with Category B aircraft. This option was rejected because requiring direct conversion to more expensive Category C aircraft would place a major economic burden on many small business operators during the first four years of the phase-out (1997–2000). The FAA estimates that $72 million more in costs would occur in this period as a result of this option than if transition to Category B was allowed. Some operators may choose to convert directly from Category A to Category C aircraft since it must be done by 2008 anyway, but allowing the flexibility to convert from A to B to Category C provides economic relief to those operators who need it most by allowing them to spread costs over a much longer period and generate additional revenues to offset these costs. Direct conversion from Category A to Category C results in some small earlier noise reductions in the Park, but both approaches lead to the same benefits by the year 2008.

Phase-Out of Category B for Category C Aircraft: The aircraft value differential was calculated by subtracting the value of Category B aircraft from the value of Category C aircraft. (See full regulatory evaluation for list of aircraft.) The operating cost differentials were similarly calculated and added over the period 2001 to 2008. The cost of phasing out Category B for Category C aircraft by 2008 is $62 million, with a present value of $34 million.

*Cost of Non-Addition for Category A Aircraft*

This non-addition cost is the cost associated with prohibiting additions of Category A aircraft that would otherwise occur in the absence of the proposed rule. It is the cost differential between the price of Category B or C aircraft and Category A aircraft. From 1997 to 2000, all Category A aircraft would need to be converted to Category B aircraft. Thereafter, all Category A aircraft would have to become Category C aircraft. Twelve-year costs sum to $22 million with a present value of $12 million.

*Cost of Non-Addition for Category B Aircraft*

Similarly, non-addition cost for Category B aircraft is the cost associated with prohibiting Category B additions except for replacement of Category A aircraft. It is the cost differential between the price of Category B aircraft and a Category C aircraft had this proposed rule not been in place. This analysis makes the same aircraft substitutions that are shown in the table above in the section on ''Phase-Out of Category B for Category C Aircraft.'' Total 12-year costs equal $14 million with a present value of $9 million.

*Benefits*

The benefits of noise reduction attributable to this rulemaking can be broadly categorized as use and non-use benefits. Use benefits are the benefits perceived by individuals from the direct

[2] As required by the Office of Management and Budget (OMB), the present value of this stream was calculated using a discount factor of 7 percent. All dollar values are expressed in 1995 dollars.

[3] While it is possible in the future that another aircraft would be introduced into the GCNP that does not have a certified noise level, such a situation is impossible to predict. All Category B and C aircraft that this analysis assumes airtour operators would convert to have certified noise levels, so no additional costs are anticipated in the future for this cost component.

use of a resource such as hiking, rafting, or sightseeing. Non-use benefits are the benefits perceived by individuals from merely knowing that a resource is preserved in a given state. For example, GCNP clearly has value to people who have not visited the park, but take pleasure from the knowledge of its existence. It also has value to people who may wish to visit the Park at some future date. The non-use benefits attributable to this rulemaking have not been estimated but are described qualitatively. The use benefits of this rulemaking have been estimated and are presented below.

The Final Rule revising SFAR 50–2 contains certain overflight restrictions. The benefits of those restrictions have been estimated and are reported in the Final Rule. The NPRM would further amend SFAR 50–2 and the additional benefits are estimated here. The same methodology and some of the same data used to estimate benefits for the Final Rule are also used to estimate benefits in the NPRM.

Economic studies have not been conducted specifically to estimate benefits for the NPRM. Benefits are, therefore, estimated for analogous situations combining value estimates from existing economic studies with site-specific information related to GCNP and other information. Certain criteria should be applied to ensure that appropriate studies are selected. Those criteria are:

- Selected economic studies must reasonably represent the resources to be valued in terms of physical characteristics, service flows, user characteristics, and available substitutes;
- Selected economic studies must be scientifically sound. Studies that are either published in a peer-reviewed academic journal or are conducted by a recognized university-associated researcher or established consulting firm are considered to be scientifically sound; and
- Selected economic studies must use appropriate valuation methodologies.

The site-specific information used in the benefits estimation includes visitation data for GCNP and a visitor survey conducted to document the visitor impacts of aircraft noise within GCNP. The available visitation data for GCNP permits the categorization of visitors into the following groups: backcountry users, river users, and other visitors. ''Other visitors'' includes those sightseeing, picnicking, pleasure driving, etc. National Park Service estimates for the number of visitor-days in 1995 for these visitor groups are as follows:

NUMBER OF VISITOR-DAYS IN 1995

| Visitor group | Visitor days |
|---|---|
| Backcountry | 115,478 |
| River | 168,602 |
| Other | 5,517,720 |
| Total | 5,801,800 |

The GCNP visitor survey indicates that these different visitor groups are variously affected by aircraft noise (HBRS, Inc. and Harris Miller Miller & Hanson, Inc. 1993). This survey asked respondents to classify the interference of aircraft noise with their appreciation of the natural quiet of GCNP as either ''not at all,'' ''slightly,'' ''moderately,'' ''very much,'' or ''extremely.'' The percent of visitors indicating these impacts is presented below by visitor group.

VISITORS AFFECTED BY AIRCRAFT NOISE IN GRAND CANYON NATIONAL PARK

| Impact | Backcountry visitors[a] (percent) | River visitors[b] (percent) | Other visitors (percent) |
|---|---|---|---|
| Not At All | 41.0 | 45.5 | 76.0 |
| Slightly | 15.0 | 16.5 | 11.0 |
| Moderately | 13.5 | 10.0 | 4.0 |
| Very Much | 14.5 | 12.5 | 4.0 |
| Extremely | 16.0 | 15.5 | 5.0 |

[a] Average for Summer and Fall users.
[b] Average for motor and oar users.
Source: HBRS, Inc. and Harris Miller Miller & Hanson, Inc. 1993.

The economic studies selected for use in the benefit estimation are listed below. These studies value recreational activities in or near GCNP. All dollar amounts are indexed to 1995. The implicit price deflator for GDP was used to index all values (Survey of Current Business, March 1996).

VISITOR-DAY VALUES

| Activity | Study[4] | Consumer surplus per visitor-day |
|---|---|---|
| Hiking in Arizona | Martin, Russell, and Smith 1974 | $43.16 |
| Multi-Day Rafting in Grand Canyon Natl Park | Boyle, Welsh, and Bishop 1988 | 128.21 |
| Sightseeing in Bryce Canyon Natl Park | Haspel and Johnson 1982 | 39.71 |

[4] Reported in Walsh, Johnson, and McKean 1988.

Consumer surplus is the difference between the maximum amount a consumer is willing to pay and what the consumer actually pays. It is a measure of the increase in well-being gained by individuals through participation in recreational activities.

It was assumed that these visitor-day values represent the value of participating in the indicated activities at GCNP absent any impacts from aircraft noise. It should be noted that these values potentially understate the value of participation absent any impacts from aircraft noise to the extent that they were estimated in conditions where aircraft noise was present.

There is no economic study available that estimates the reduction in the value of participation that is attributable to the ''slightly,'' ''moderately,'' ''very much,'' or ''extremely'' impacts described in the GCNP visitor survey. Therefore, the following reductions were assumed. The results of a sensitivity analysis using lower percentage reductions are reported below.

ASSUMED REDUCTIONS IN VISITOR-DAY VALUES

| Impact | Reduction (percent) |
|---|---|
| Slightly | 20 |
| Moderately | 40 |
| Very Much | 60 |
| Extremely | 80 |

The total lost value for each category was calculated as the product of the number of visitor-days, the proportion

of visitors affected by aircraft noise, the visitor-day value, and the assumed proportional reduction in the visitor-day value. For example the total lost value for river users that were moderately affected is the product of the number of river visitor-days (168,602), the proportion of river users that were moderately affected by aircraft noise (10.0 percent), the visitor-day value for river use ($128.21), and the assumed reduction in the visitor-day value given a moderate impact (40 percent).

Based on the number of visitors to the park in each use category, these data and assumptions imply the following total lost values from all aircraft noise in 1995 as noted in the table below. Approximately 58 percent of these benefits were estimated to be obtained by the final rule revising SFAR 50–2. That leaves approximately 42 percent of the total available for this NPRM.

TOTAL LOST VALUE FROM ALL AIRCRAFT NOISE IN 1995

| Impact | Backcountry visitors | River visitors | Other visitors | Total |
|---|---|---|---|---|
| Slightly | $149,509 | $716,677 | $4,819,884 | $5,686,070 |
| Moderately | 269,116 | 868,700 | 3,505,370 | 4,643,186 |
| Very Much | 433,576 | 1,628,812 | 5,258,055 | 7,320,443 |
| Extremely | 637,905 | 2,692,969 | 8,763,425 | 12,094,299 |
| Total | | | | 29,743,998 |

The benefit of the proposed rule is that portion of the total lost value that is associated with the resulting noise reduction. Aircraft noise modeling has produced a measures called $L_{eq12}$, which is a non-linear form. Determining a linear measurement of noise reduction weighted by ground area over different levels requires calculation of the antilog of the contour levels. This process produces an estimated sound energy level that can be compared linearly over varying ground areas. The noise reduction results for this NPRM are presented below.

Average linearized noise measure, weighted by the square miles over which different levels, are predicted to occur according to the following schedule:

| Year | No NPRM | With NPRM | Noise reduction (percent) |
|---|---|---|---|
| 1997 | 1,268.33 | 1,277.70 | −0.74 |
| 2000 | 1,268.33 | 1,087.83 | 14.23 |
| 2008 | 1,268.33 | 685.96 | 45.92 |

The 45.92% noise reduction by the year 2008 corresponds to the finding in the environmental assessment of this proposed rule that 57.4 percent of the GCNP area will have achieved natural quiet as defined by NPS.

The indicated reduction in aircraft noise for each year was applied to the total lost value from all aircraft noise. Subtracted from that application is the amount applied as estimated benefits for the final rulemaking revising SFAR 50–2. That product yields the current use benefit for that year.

Linear interpolation was used to estimate benefits between the years 1997 to 2000, and 2000 to 2008. A 3 percent discount rate was then applied to calculate the present value of use benefits over the ten year regulatory evaluation period. The economics literature supports a 3 percent discount rate for natural resource valuation (e.g., Freeman 1993). Recent Federal rulemakings also support a 3 percent discount rate for natural resource valuation (61 FR 453; 61 FR 20584). The total indicated benefits represent approximately 22 percent of the total benefits available. The resulting use benefit estimates are presented in the following table.

INDICATED USE BENEFITS OF THE OVERFLIGHT NPRM

| Year | Current value | Present value |
|---|---|---|
| 1997 | $(106,234) | $(103,140) |
| 1998 | 598,389 | 564,039 |
| 1999 | 1,279,091 | 1,170,549 |
| 2000 | 1,869,864 | 1,661,350 |
| 2001 | 2,324,027 | 2,004,726 |
| 2002 | 2,749,363 | 2,302,548 |
| 2003 | 3,145,872 | 2,557,881 |
| 2004 | 3,513,553 | 2,773,632 |
| 2005 | 3,852,408 | 2,952,550 |
| 2006 | 4,162,436 | 3,097,244 |
| 2007 | 4,443,637 | 3,210,178 |
| 2008 | 4,696,011 | 3,293,688 |
| Total | | 25,485,244 |

It is important to recognize significant uncertainties in this estimation. One uncertainty relates to the percentage reductions in visitor-day values that can be attributed to aircraft noise. It was assumed above that there is a 20 percent reduction for visitors affected ''slightly,'' a 40 percent reduction for visitors affected ''moderately,'' a 60 percent reduction for visitors affected ''very much,'' and an 80 percent reduction for visitors affected ''extremely.'' In recognition of the uncertainty surrounding this assumption, one-half of these percentage reductions were used to calculate an alternative benefit estimate. Additionally, in recognition of the discount rate recommended in OMB Circular A–94, alternative benefit estimates were calculated using a 7 percent discount rate. These alternative benefit estimates are presented below.

ALTERNATIVE USE BENEFITS ATTRIBUTABLE TO THIS NPRM

[Present value, 12 years]

| Visitor day value reduction assumption (slightly, moderately, very much, extremely) | Discount rate | |
|---|---|---|
| | 3 percent | 7 percent |
| 20, 40, 60, 80 | $25,485,000 | $18,795,000 |
| 10, 20, 30, 40 | 12,979,473 | 9,572,011 |

The FAA and the NPS believe that the true representation of benefits from the proposed rule are reflected by the three percent discount rate and the visitor day value reduction of 20%, 40%, 60%, 80% with the resulting value of 25,485,000, and that value is used to represent the use benefits of this proposal.

In addition to these use benefits, this rulemaking would likely generate non-use benefits. Although the FAA and the NPS have not attempted to estimate the magnitude of these benefits, non-use benefits have been documented and estimated in the general proximity of the Grand Canyon. In a study relating to the operation of Glen Canyon Dam (Hagler Bailly Consulting 1995), annual non-use benefits in a range from $2,286.4 million to $3,442.2 million were estimated based on a national

survey. No attempt has been made to relate these non-use benefit estimates to the potential non-use benefits of aircraft noise reduction that would occur as a result of this proposal. However, these estimates do suggest that potentially significant non-use benefits can be attributed to this proposed rulemaking.

*National Canyon Corridor*

The GCNP Final Rule, which is being simultaneously promulgated with this proposal, will expand one of the park's flight free zones and eliminate the Blue 1 route. The NPRM would reopen that route (redesignated as Blue 1A) to airtour operators, provided they use Category C aircraft.

The FAA estimates that the revenues potentially lost from eliminating the old Blue 1 route, and included as an average cost of $2.3 million per year in the GCNP Final Rule, would be increasingly recovered throughout the period 1997–2008 as a result of the proposal as operators phase out Categories A and B aircraft and replace them with Category C aircraft.[5] In 1997, the FAA estimates that about 28 percent of the flights between Las Vegas and Tusayan would be conducted using Category C aircraft and would, therefore, use the new Blue 1A route. The remaining air tour flights between Las Vegas and Tusayan would not include a flight through the Blue 1A route and would have a reduced fare. This percentage would increase each year as Categories A and B aircraft are phased out. By 2001 approximately half of the flights between Las Vegas and Tusayan will be conducted using Category C aircraft, and therefore, fly the Blue 1A route. By 2008, the proposed deadline for complete phase out for Categories A and B aircraft, all flights would be conducted using Category C aircraft.

REDUCTION IN REVENUE LOSS

| Year | Current value | Present value |
|---|---|---|
| 1997 | $566,259 | $529,214 |
| 1998 | 663,459 | 579,491 |
| 1999 | 754,727 | 616,082 |
| 2000 | 778,156 | 593,651 |
| 2001 | 1,180,220 | 841,480 |
| 2002 | 1,616,147 | 1,076,907 |
| 2003 | 1,987,803 | 1,237,904 |
| 2004 | 2,365,380 | 1,376,673 |
| 2005 | 2,447,181 | 1,331,104 |
| 2006 | 2,532,784 | 1,287,539 |
| 2007 | 2,757,791 | 1,310,207 |
| 2008 | 2,848,798 | 1,264,900 |
| Totals | 20,498,704 | 12,045,152 |

The FAA estimates that the recovered lost revenue (net of variable operating costs) attributable to the proposed rule would increase from $556,000 in 1997 to $2.8 million in 2008. The current values and seven percent discounted values are shown in the table above.

The FAA estimated natural resource benefits, discounted at three percent, for the 12-year period 1997–2008 to be $25.5 million. The FAA also estimated non-resource benefits (increased airtour operator profits), discounted at seven percent, for the 12-year period to be $12.0 million. The combined total benefit of this proposal, therefore, is estimated to be $37.5 million.

*Summary of Costs and Benefits*

The total quantified costs of this proposal to establish noise limitations for certain aircraft operated in the vicinity of the GCNP are estimated to be $172.6 million undiscounted or $96.7 million discounted to present value.

The quantified benefits, including noise reduction and use of the Blue 1A scenic route, are estimated to be $47.4 million undiscounted and $37.5 million discounted to present value. In addition to quantified benefits, there are substantial unquantified benefits as discussed above.

However, estimates of costs and benefits of the proposal were made primarily as an aid in evaluating the economic impacts of a phase-out that the FAA believes is necessary to obtain substantial reductions in aircraft noise in GCNP. The benefits justifying the restoration of natural quiet to the park have already been established by the American public, and that determination was carried out by their elected representatives in enactment of the law directing that natural quiet be restored. Based on that direction and the quantified and unquantified costs and benefits contained in this analysis, the FAA finds this proposal to be cost beneficial.

*Alternatives*

As explained in the Introduction of this regulatory evaluation, the proposed rule has been deemed ''significant'' due to its high cost and the impact it would have on small entities. As a result, the FAA has identified and considered alternatives to the proposed rule. Alternative 1 is the proposed rule. Alternative 2 is to not undertake rulemaking at this time beyond the final rule being implemented simultaneously with this proposal. Alternative 3 is the same as Alternative 1, but with no interim phase-out of Category B aircraft. Operators would presumably hold on to their aircraft until the last minute and replace them at the end of 2000 or 2008 depending on what type of aircraft they had.

*Cost of Alternatives*

A side-by-side cost comparison of Alternatives 1 and 3 is presented in the table below. Alternative 2 would have no cost and is therefore not included. Alternatives 1 and 3 have the same total cost because the same type and number of aircraft would be replaced under both alternatives. However, operators would have a longer time in which to comply under Alternative 3 than under Alternative 1. Therefore, the present value of the cost of that compliance would be less.

COST COMPARISON OF ALTERNATIVES 1 AND 3

| Cost categories | Alternative 1 | | Alternative 3 | |
|---|---|---|---|---|
| | Total cost | Present value | Total cost | Present value |
| Certified Noise Efficiency Level | $0.08 | $0.07 | $0.08 | $0.07 |
| Phase Out Category A to B | 74.33 | 42.06 | 74.33 | 33.99 |
| Phase Out Category B to A | 60.92 | 33.49 | 60.92 | 27.05 |
| Non-Addition Category A | 21.76 | 11.87 | 21.76 | 9.68 |

[5] See Notice of Availability of Proposed Air Tour Routes published in the Federal Register with this NPRM.

COST COMPARISON OF ALTERNATIVES 1 AND 3—Continued

| Cost categories | Alternative 1 | | Alternative 3 | |
|---|---|---|---|---|
| | Total cost | Present value | Total cost | Present value |
| Non-Addition Category B | 14.07 | 8.42 | 14.07 | 7.07 |
| Total | 171.16 | 95.91 | 171.16 | 77.86 |

*Benefits of Alternatives*

The benefits of Alternative 1 have already been estimated in the Benefits section above. There are no benefits to Alternative 2 since it merely maintains the status quo.

Alternative 3 would require the same conversion as that required in alternative 1, except that phase-out would not be required. As with the cost analysis, this benefits analysis assumes that all operators of Category A aircraft would wait until the year 2000 to convert their aircraft to Category B. Also, it is assumed that operators would wait until the year 2008 to convert their Category B aircraft to Category C aircraft because there would be no mandatory phase-out of Category B aircraft before 2008.

As with Alternative 1, the indicated reduction in aircraft noise for each year was applied to the total lost value from all aircraft noise. However, the indicated reduction remained constant at −0.74 percent from 1997 to 2000 and 14.23 percent from the years 2000 to 2008. In the year 2008, it is assumed the noise reduction reaches the indicated 45.92 percent. Subtracted from the application is the amount applied as estimated benefits for the final rule making revising SFAR 50–2. That product yields the current use benefit for that year. The annual current use benefits are presented in the following table two tables.

ALTERNATIVE 3.—INDICATED USE BENEFITS OF THE OVERFLIGHT NPRM

| Year | Current value | Present value 3 percent |
|---|---|---|
| 1997 | $(106,234) | $(103,140) |
| 1998 | (103,931) | (97,965) |
| 1999 | (102,204) | (93,531) |
| 2000 | 1,869,864 | 1,661,350 |
| 2001 | 1,818,071 | 1,568,284 |
| 2002 | 1,766,278 | 1.479,230 |
| 2003 | 1,714,486 | 1,394,034 |
| 2004 | 1,662,693 | 1,312,545 |
| 2005 | 1,610,901 | 1,234,621 |
| 2006 | 1,559,108 | 1,160,123 |
| 2007 | 1,507,315 | 1,088,917 |
| 2008 | 4,696,011 | 3,293,688 |
| Total | | 13,898,156 |

The benefits of restoring the Blue 1A route for Alternatives 1, 2, and 3 are the same. As discussed above in the Benefits section, the benefits of implementing this route are $12 million over the 12-year period. When combined with the $13.9 million natural-resource benefits, the total present value benefits of Alternative 3 would be $25.9 million.

The following table compares the costs and benefits of the three proposals. The FAA has rejected Alternative 2 because it relies solely on the final rule issued concurrently with this NPFM to achieve the substantial restoration of natural quiet mandated by Congress. The NPS's definition of substantial restoration is the situation in which 50 percent or more of the Park is free of aircraft noise at least 75 percent of the time. Based on noise estimates contained in the environmental assessment associated with this proposal, the final rule would only marginally achieve these goals in 1997, and would begin to fall below the goal as activity increases in the future. The FAA believes that substantial further reductions in aircraft noise could be achieved by taking advantage of the advanced technology incorporated into quieter aircraft now available. Therefore, the agency rejects Alternative 2 in favor of one that is estimated to meet or exceed NPS standards for the immediate future.

The FAA has rejected Alternative 3 because, while similar to the proposal, it would impose no phase-out schedule for Category B aircraft beyond the requirement that they discontinue operations by December 31, 2008. Imposing no phase-out schedule was considered as a way to provide operators more flexibility in transitioning from Category B to Category C aircraft. A cost analysis of this alternative, based on the assumption that operators would delay phasing out Category B aircraft as long as possible, indicated that there would be a cost savings to operators only in that investment in some Category C aircraft would be delayed. On the other hand, the benefits of less aircraft noise in the Park would also be less during the transition period. Further, if operators actually did delay the phase-out until the last year, they would probably not be able to find suitable replacement aircraft or would have some other reason for requesting an extension of time. The FAA's experience in other rulemaking actions requiring a transition is that most operators do not wait until the deadline. Instead, they develop their own transition schedules. Based on the above, the FAA decided that establishing a transition schedule as contained the proposal would provide for a phase-out that will assure early benefits and can be effectively monitored. Therefore, the Agency rejects Alternative 3.

ALTERNATIVES COSTS AND BENEFITS COMPARISON

[Millions]

| | Present value costs | Present value benefits | Benefit cost ratio |
|---|---|---|---|
| Alternative 1 | $95.91 | $37.5 | .39 |
| Alternative 2 | 0.0 | 0.0 | N/A |
| Alternative 3 | 77.86 | 25.9 | .33 |

*Initial Regulatory Flexibility Analysis*

By both law and executive order, Federal regulatory agencies are required to consider the impact of proposed regulations on small entities. Executive Order 12866 ''Regulatory Planning and Review'', dated September 30, 1993, states that:

Each agency shall tailor its regulations to impose the least burden on society, including individuals, businesses of different sizes, and other entities (including small communities and governmental entities), consistent with obtaining the regulatory objectives, taking into account, among other things, and to the extent practicable, the costs of cumulative regulations.

The 1980 ''Regulatory Flexibility Act'' (RFA) requires Federal agencies to prepare an initial regulatory flexibility analysis of any notice of proposed rulemaking that will have a significant economic impact on a substantial number of small entities. The definition

of small entities and guidance material for making determinations required by the RFA are contained in the Federal Register [47 FR 32825, July 29, 1982]. Federal Aviation Administration (FAA) order 2100.14A outlined the agency's procedures and criteria for implementing the RFA.

With respect to this proposed rule, a ''small entity'' is a commercial sightseeing operator that for all practical purposes owns or operates nine or fewer aircraft. A significant economic impact on a small entity is defined as an annualized net compliance cost to such a small commercial sightseeing operator. In the case of scheduled operators of aircraft for hire having less than 60 passenger seats, a ''significant economic impact'' or cost threshold, is defined as an annualized net compliance cost level that exceeds $69,800; for unscheduled operators the threshold is $4,900. A substantial number of small entities is defined as a number that is more than one-third of the small commercial sightseeing operators (but not less than eleven operators) subject to the proposed rule.

The Federal Aviation Administration has determined that this proposal could have a significant economic impact on all commercial sightseeing operators conducting flights within Grand Canyon National Park and therefore has prepared this initial regulatory flexibility analysis. The analysis, structured in accordance with section 603 of the RFA, requires the following:

1. Why FAA action is being considered.
2. Statement of the objectives and legal basis for the proposed rule.
3. Description of and estimated number of small entities affected.
4. Projected reporting, recordkeeping, and other compliance requirements of the proposed rule.
5. Any relevant Federal rules which may duplicate, overlap or conflict with the proposed rule.

*Why FAA Action is Being Considered:* The proposal to establish noise limitations for certain aircraft operations in the vicinity of the Grand Canyon National Park stems from the need to further reduce the impact of aircraft noise on the park environment and assist the National Park Service in achieving its statutory mandate imposed by Public Law 100–91 to provide for the substantial restoration of natural quiet and experience in the Grand Canyon National Park.

*Statement of the Objectives and Legal Basis for the Proposed Rule*: In 1987, Congress enacted Public Law (Pub. L.) 100–91, commonly known as the National Parks Overflights Act (the Act). The Act stated, in part, that noise associated with aircraft overflights at GCNP was causing a ''significant adverse effect on the natural quiet and experience of the park and current aircraft operations at the Grand Canyon National Park have raised serious concerns regarding public safety, including concerns regarding the safety of park users.''

Public Law 100–91 requires the Department of the Interior to submit to the FAA recommendations to protect resources in the Grand Canyon from adverse impacts associated with aircraft overflights. The law mandated that the recommendations: (1) Provide for substantial restoration of the natural quiet and experience of the park and protection of public health and safety from adverse effects associated with aircraft overflights; (2) with limited exceptions, prohibit the flight of aircraft below the rim of the canyon; and (3) designate flight-free zones except for purposes of administration and emergency operations. In December of 1987, the DOT transmitted its ''Grand Canyon Aircraft Management recommendations'' to the FAA, which included both rulemaking and nonrulemaking actions.

On May 27, 1988, the FAA issued SFAR No. 50–2 revising the procedures for operation of aircraft in airspace above the Grand Canyon (53 FR 20264, June 2, 1988). The SFAR, among other things, limited the areas for aircraft operations by establishing special flight routes for commercial operators. Since that time, a substantial amount of public debate has taken place regarding the effect of aircraft noise on the Grand Canyon's environment. The debate and the objective of the proposal is more thoroughly discussed in the preamble of this proposed rulemaking.

On June 15, 1995, the FAA published a final rule that extended the provisions of SFAR No. 50–2 to June 15, 1997 (60 FR 31608). This action allowed the FAA sufficient time to review thoroughly the NPS recommendations as to their impact on the safety of air traffic over GCNP, and to initiate and complete any appropriate rulemaking action.

On September 16–20, 1996, in Scottsdale, Arizona, and Las Vegas, Nevada, the FAA held public meetings to obtain additional comment on the NPRM. entitled ''Special Flight Rules in the Vicinity of Grand Canyon National Park,'' and on the draft environmental assessment that accompanied that proposal. Comments and the transcripts of these meetings have been placed in rulemaking docket No. 28537 for Notice 96–11.

*Description and Estimated Number of Small Entities Affected*: The proposed rulemaking will affect commercial sightseeing operators conducting flights over the Grand Canyon National Park under 14 CFR part 135. These commercial operators provide sightseeing tours of the Grand Canyon over the four flight zones established by SFAR 50–2. FAA data shows that in 1995, there were 26 potentially affected small commercial sightseeing operators, each owning, but not necessarily operating 9 or fewer aircraft. These operators owned a total of 70 aircraft and the average fleet consisted of about 3 airplanes. The FAA estimated that 26 operators, which are also small entities, will be impacted by the proposed rules.

*Projected Reporting, Recordkeeping, and Other Compliance Requirements of the Proposed Rule*: The proposal would not require affected small commercial sightseeing operators to maintain and report additional information.

The proposed rule would require that operators phaseout noisier aircraft. The proposed rule would allow B category aircraft to replace phased out A category aircraft.

*Any Relevant Federal Rules Which May Duplicate, Overlap or Conflict with the Proposed Rule:* There are no relevant Federal rules which will duplicate, overlap or conflict with the proposed rule.

*Cost of Compliance to Small Entities*

The FAA has determined that four aircraft models currently operating in GCNP predate FAA noise standards and therefore do not have certificated noise levels. To obtain a level to use to compare with the Grand Canyon National Park noise efficiency limit may require analysis or a measurement test. Only four aircraft total operating at the Grand Canyon National Park (CE 180, CE 206, PA–28–180, and BT–206–B), do not have certificated noise levels. The cost per analysis or test is $18,750 or $2670 annualized at 7 percent over 10 years. In no situation would a substantial number of small operators be significantly impacted because the annualized cost is below even the lowest threshold for unscheduled operators and no operator owns more than one of these aircraft.

To calculate the annualized cost impact on a small operator of the phaseout schedule, the FAA in the regulatory evaluation determined the cost impact on operators by aircraft type. That is, given the fleet mix of a particular operator, the FAA calculated the cost of replacing a given noncompliant aircraft with a complaint one. The incremental annualized fixed

and variable costs of replacing noncompliant aircraft with compliant aircraft is shown in the following table.

The FAA has determined that, after multiplying the annualized incremental cost per aircraft type by the number of aircraft that operators currently own/or operate, 23 small entities would be significantly impacted under the guidelines outlined earlier. Therefore, a substantial number of operators affected by this proposed requirement (which is more than one-third of all GCNP commercial sightseeing operators) would incur a significant cost impact (See table in full regulatory evaluation.).

*Description of Alternative Actions*

Section 603(c) of the RFA requires that each initial regulatory flexibility analysis contain a description of any feasible alternatives to the proposed rule that would accomplish the stated objectives of applicable statutes and that minimizes any significant economic impact of the proposed rule on small entities.

The FAA and the NPS have made extensive efforts, including the public meeting at Flagstaff, to determine the optimal action to reduce aircraft noise and provide for the substantial restoration of natural quiet in the GCNP. In addition to this proposed rule's phaseout of operations of certain types of aircraft, the FAA and the NPS considered two other alternatives, described below.

*Alternative Two*

Under this alternative, the FAA would not issue an NPRM phasing out noisier aircraft at this time. Instead, the FAA would adopt an approach that would ''wait-and-see'' the extent to which promulgation of part 93, subpart U—Special Flight Rules in the Vicinity of Grand Canyon National Park, AZ, would reduce aircraft noise and provide for substantial restoration of natural quiet in the GCNP. Promulgation of part 93, subpart U, issued concurrently with this NPRM, will reduce aircraft noise in the park by establishing new and modifying existing flight-free zones and enlarging the Special Flight Rules Area.

Quieter, generally larger, aircraft are available, however, that would restore more of the natural quiet in the park. Based on an extensive review of all current information available, the FAA has concluded that the use of these quieter aircraft is necessary to reducing noise substantially more toward natural quiet, and that initiating a phase-out of noisier aircraft immediately will significantly contribute to achieving natural quiet goals. Therefore, the FAA rejects this alternative.

*Alternative Three*

Under this alternative, Category A aircraft would be banned after December 31, 2000, and Category B aircraft would be banned after December 31, 2008, just as in the proposal, but an interim compliance schedule would not be implemented to phase out Category B aircraft between 2001 and 2008. Although operators of Category B aircraft could replace their aircraft with Category C aircraft before the end of 2008, there would be no requirement to do so.

This alternative could postpone a further reduction in aircraft noise and postpone restoration of the natural quiet in the park during the period 2001–2008. Therefore, the FAA rejects this alternative.

*International Trade Impact Assessment*

The FAA has determined that the proposed rulemaking will not affect non-U.S. operators of foreign aircraft operating outside the United States or U.S. trade. It could however, have an impact on commercial sightseeing at GCNP, much of which is foreign.

The United States Air Tour Association estimates that 60 percent of all commercial sightseeing tourists in the United States are foreign. The Las Vegas FSDO, however, believes this estimate to be considerably higher at GCNP, perhaps as high as 90 percent. The FAA cannot put a dollar value on the portion of the potential loss in commercial sightseeing revenue associated with the loss of foreign tour dollars.

Federalism Implications

The regulations herein would not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12866, it is determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104–13), there are no requirements for information collection associated with the proposed regulation.

Conclusion

For the reasons set forth above, the FAA has determined that this proposed rule is a significant regulatory action under Executive Order 12866. In addition, the FAA certifies that this proposal would have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. This proposed rule is considered significant under DOT Regulatory Policies and Procedures.

List of Subjects in 14 CFR Part 93

Air traffic control, Airports, Navigation (Air), Reporting and recordkeeping requirements.

The Proposed Amendment

For the reasons set forth above, the Federal Aviation Administration proposes to amend 14 CFR part 93 as follows:

## PART 93—SPECIAL AIR TRAFFIC RULES AND AIRPORT TRAFFIC PATTERNS

1. The authority citation for part 93 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40106, 40109, 40113, 44502, 44514, 44701, 44719, 46301.

### § 93.305 [Amended]

2. Section 93.305 is amended by adding before the period at the end of paragraph (c) the words: ''and not including the following airspace designated as the National Canyon corridor: that airspace one mile on either side of a line extending from Lat. 36°08′43″ Long. 113°09′19″ to Lat. 36°15′30″, Long. 112°51′07″ to Lat. 36°14′38″, Long. 112°45′56″ to Lat. 36°18′17″, Long. 112°42′22″ to Lat. 36°17′49″, Long. 112°39′54″ to Lat. 36°12′36″, Long. 112°34′120″ to Lat. 36°08′12″, Long. 112°34′36″ then back to the Blue One Direct Route at Havatagvitch Canyon Point.

3. Section 93.306 is added to read as follows:

### § 93.306 Operation of GCNP Category C Aircraft in National Canyon Corridor.

No person may operate an aircraft within the National Canyon Corridor within the Special Flight Rules Area unless the aircraft is a commercial sightseeing operation aircraft that meets the GCNP Category C aircraft standard, as defined in § 93.319.

### § 93.307 [Amended]

4. Section 93.307 is amended by adding at the end of the section after (b)(2)(iii) a new paragraph (b)(3) to read as follows:

* * * * *

(b) * * *

(3) GCNP Category C aircraft in the National Canyon Corridor. 7,500 feet MSL.

**§ 93.316 [Amended]**

5. Section 93.316 is amended by removing paragraph (b) and removing the paragraph designation ''(a)'' from the remaining paragraph.

6. Section 93.319 is added to read as follows:

**§ 93.319 Noise limitations for commercial sightseeing flights.**

(a) *Definitions.* For the purpose of this section only—

*Base level* for Category A aircraft means the total number of category A aircraft listed on a certificate holder's operations specifications on December 31, 1996, and for Category B aircraft means the total number of Category B aircraft listed on a certificate holder's operations specifications on December 31, 2000, for use in commercial sightseeing operations within the SFRA.

*GCNP Category A aircraft* means an aircraft that has not been shown to comply with the GCNP Category B or GCNP Category C noise limit in appendix B of this part.

*GCNP Category B aircraft* means an aircraft that has been shown to comply with the GCNP Category B noise limit in appendix B of this part, but not the GCNP Category C noise limit in appendix B of this part.

*GCNP Category C aircraft* means an aircraft that has been shown to comply with the GCNP Category C noise limit in appendix B of this part.

*New Entrant Operator* means any person that was not authorized to conduct commercial sightseeing operations within the SFRA as of December 31, 1996.

(b) *GCNP Category A Aircraft.* After [Effective date of final rule], no certificate holder may operate a greater number of GCNP Category A aircraft in commercial sightseeing operations within the SFRA than the number of aircraft listed on that certificate holder's operations specifications on December 31, 1996, for use in commercial sightseeing operations within the SFRA. After December 31, 2000, no certificate holder may operate a GCNP Category A aircraft in commercial sightseeing operations within the SFRA.

(c) *GCNP Category B Aircraft.* (1) After [Effective date of final rule], no certificate holder may operate a greater number of GCNP Category B aircraft in commercial sightseeing operations within the SFRA than the number of aircraft listed on that certificate holder's operations specifications on December 31, 1996, for use in commercial sightseeing operations within the SFRA, unless the aircraft was added to the certificate holder's operations specifications after December 31, 1996, and on or before December 31, 2000, as a replacement for a GCNP Category A aircraft that was listed on that certificate holder's operations specifications on December 31, 1996, for use in commercial sightseeing operations within the SFRA.

(2) After December 31, 2002, no certificate holder may operate more than 75 percent of the base level number of GCNP Category B aircraft in commercial sightseeing operations within the SFRA. Calculations resulting in fractions may be rounded to permit the continued operation of the next whole number of Category B aircraft.

(3) After December 31, 2004, no certificate holder may operate more than 50 percent of the base level number of GCNP Category B aircraft. Calculations resulting in fractions may be rounded to permit the continued operation of the next whole number of Category B aircraft.

(4) After December 31, 2006, no certificate holder may operate more than 25 percent of the base level number of GCNP Category B aircraft. Calculations resulting in fractions may be rounded to permit the continued operation of the next whole number of Category B aircraft.

(5) After December 31, 2008, no certificate holder may operate a GCNP Category B aircraft in commercial sightseeing operations within the SFRA.

(d) *GCNP Category C Aircraft.* Except for GCNP Category B aircraft added to the certificate holder's operations specifications as a replacement aircraft as authorized in paragraph (c)(1) of this section, no certificate holder may add an aircraft to its operations specifications for use in commercial sightseeing operations within the Special Flight Rules Area unless the aircraft is a GCNP Category C aircraft.

(e) *New entrant operators.* After [insert effective date of final rule], no new entrant operator may conduct commercial sightseeing operations within the SFRA unless the aircraft used in those operations is a GCNP Category C aircraft.

7. Appendix B is added to part 93 to read as follows:

## Appendix B—GCNP Aircraft Noise Limits

This appendix contains procedures for determining GCNP aircraft noise limits for each aircraft subject to § 93.319 determined during the noise certification process as prescribed under part 36 of this chapter. Where no certificated noise level is available, an alternative measurement procedure may be approved by the Administrator.

*1. GCNP Category B Noise Limit*

A. For helicopters with a flyover noise level obtained in accordance with the measurement procedures prescribed in Appendix H of 14 CFR part 36, the limit is 84 dB for helicopters having 2 or fewer passenger seats, increasing at 3 decibels per doubling of the number of passenger seats for helicopters having 3 or more passenger seats. The limit at number of passenger seats of 3 or more can be calculated by the formula:

$EPNL_{(H-Cat.\ B)}$=84 +101og (# PAX seats/2) dB

B. For helicopters with a flyover noise level obtained in accordance wit the measurement procedures prescribed in Appendix J of 14 CFR part 36, the limit is 81 dB for helicopters having 2 or fewer passenger seats, increasing at 3 decibels per doubling of the number of passenger seats for helicopters having 3 or more passenger seats. The limit at number of passenger seats of 3 or more can be calculated by the formula;

$SEL_{(J-Cat.\ B)}$=81 +10log(# PAX seats/2) dB

C. For propeller-driven airplanes with a measured flyover noise level obtained in accordance with the measurement procedures prescribed in Appendix F of 14 CFR part 36 without the performance correction defined in Sec. F35.201(c), the limit is 73 dB for airplanes having 2 or fewer passenger seats, increasing at 3 decibels per doubling of the number of passenger seats for airplanes having 3 or more passenger seats. The limit at number of passenger seats of 3 or more can be calculated by the formula:

$L_{Amax\ (F-Cat.\ B)}$=73 +101og(# PAX seats/2) dB

D. In the event that a flyover noise level is not available in accordance with Appendix F of 14 CFR part 36, the noise limit for propeller-driven airplanes with a takeoff noise level obtained in accordance with the measurement procedures prescribed in Appendix G is 78 dB for airplanes having 2 or fewer passenger seats, increasing at 3 decibels per doubling of the number of passenger seats for airplanes having 3 or more passenger seats. The limit at number of passenger seats of 3 or more can be calculated by the formula:

$L_{Amax(G-Cat.\ B)}$=78+10log (# PAX seats/2) dB

*2. GCNP Category C Noise Limit*

A. For helicopters with a flyover noise level obtained in accordance with the measurement procedures prescribed in Appendix H of 14 CFR part 36, the limit is 80 dB for helicopters having 2 or fewer passenger seats, increasing at 3 decibels per doubling of the number of passenger seats for helicopters having 3 or more passenger seats. The limit at number of passenger seats of 3 or more can be calculated by the formula:

$EPNL_{(H-Cat.\ C)}$=80+10log (# PAX seats/2) dB

B. For helicopters with a flyover noise level obtained in accordance with the measurement procedures prescribed in Appendix J of 14 CFR part 36, the limit is 77 dB for helicopters having 2 or fewer passenger seats, increasing at 3 decibels per doubling of the number of passenger seats for helicopters having 3 or more passenger seats. The limit at number of passenger seats of 3 or more can be calculated by the formula:

$SEL_{(J-Cat.\ C)}$=77+10log (# PAX seats/2) dB

C. For propeller-driven airplanes with a measured flyover noise level obtained in accordance with the measurement procedures prescribed in Appendix F of 14 CFR part 36 without the performance correction defined in Sec. F35.201(c), the limit is 69 dB for airplanes having 2 or fewer passenger seats, increasing at 3 decibels per doubling of the number of passenger seats for airplanes having 3 or more passenger seats. The limit at number of passenger seats of 3 or more can be calculated by the formula:

$L_{Amax(F-Cat.\ C)}$=69+10log (# PAX seats/2) dB

D. In the event that a flyover noise level is not available in accordance with Appendix F of 14 CFR part 36, the noise limit for propeller-driven airplanes with a takeoff noise level obtained in accordance with the measurement procedures prescribed in Appendix G is 74 dB for airplanes having 2 or fewer passenger seats, increasing at 3 decibels per doubling of the number of passenger seats for airplanes having 3 or more passenger seats. The limit at number of passenger seats of 3 or more can be calculated by the formula:

$L_{Amax(G-Cat.\ C)}$=74+10log (# PAX seats/2) dB

Issued in Washington, DC, on December 24, 1996.

James D. Erickson,

*Director, Office of Environment and Energy.*

[FR Doc. 96–33145 Filed 12–30–96; 8:45 am]

BILLING CODE 4910–13–M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

### Proposed Air Tour Routes for the Grand Canyon National Park

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

**ACTION:** Notice of availability of proposed commercial air tour routes for the Grand Canyon National Park and request for comments.

**SUMMARY:** This notice announces the availability of and requests comments on proposed commercial air tour routes for the Grand Canyon National park (GCNP). The proposed commercial air tour routes are not being published in today's Federal Register because they are on very large and very detailed charts that would not publish well in the Federal Register. The proposed new routes, or modifications of existing commercial air tour routes, are related to airspace changes contained in a final rule affecting the special flight rules in the vicinity of GCNP and issued concurrently with this notice. The proposed commercial air tour routes are also related to a Notice of Proposed Rulemaking (NPRM) proposing the phase out of noisier aircraft operating in the vicinity of GCNP, also issued concurrently with this notice.

**DATES:** Comments must be received on or before January 30, 1997.

**ADDRESSES:** Comments on the proposed air tour routes may be delivered or mailed, in triplicate, to: Federal Aviation Administration, Attention: Dave Metzbower, Air Carrier Operations Branch, Flight Standards Service, AFS–220, 800 Independence Avenue, SW., Washington, DC 20591. Comments may be examined at the above address between 9 a.m. and 4 p.m. weekdays, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Daniel V. Meier, Jr., Air Carrier Operations Branch, AFS–220, 800 Independence Avenue, SW., Washington, DC 20591, Telephone (202) 267–3749 or Dave Metzbower, Air Carrier Operations Branch, AFS–220, 800 Independence Avenue, SW., Washington, DC 20591, Telephone (202) 267–3724.

**SUPPLEMENTARY INFORMATION:** The proposed commercial air tour routes are not being published in today's Federal Register because they are on very large and very detailed charts that would not publish well in the Federal Register. A copy of the proposed air tour routes may be obtained by contacting Denise Cashmere at (202) 267–3717, by faxing a request to (202) 267–5229, or by sending a request in writing to the Federal Aviation Administration, Air Transportation Division, AFS–200, 800 Independence Avenue, SW., Washington, DC 20591. Interested persons are invited to comment on the routes as they may desire. Commenters must identify that they are commenting on the proposed air tour routes for Grand Canyon National Park. All comments received on or before the closing date for comments will be considered by the Federal Aviation Administration before finalizing the air tour routes. Late-filed comments will be considered to the extent practicable.

Discussion

The FAA, in consultation with the NPS, has developed proposed air tour routes as a result of the final rule affecting the special flight rules in the vicinity of GCNP issued concurrently with this notice. The proposed air tour routes, which complement the final rule affecting the Special Flight Rules in the Vicinity of GCNP and the NPRM concerning noise limitations for aircraft operations in the vicinity of GCNP, will establish new routes or modify existing commercial air tour routes to accommodate airspace changes included in the final rule concerning GCNP. The final rule, which is to be effective May 1, 1997, and the NPRM are being issued concurrently with this notice. The final rule, in part, modifies the dimensions of the GCNP Special Flight Rules Area (SFRA); establishes new and modifies existing flight-free zones; establishes new and modifies existing flight corridors; and establishes reporting requirements for commercial sightseeing companies operating in the SFRA. The NPRM proposes to phase out noisier aircraft operating in the vicinity of GCNP.

The proposed routes were developed on the basis of airspace configurations, safety considerations, the goal of substantial restoration of natural quiet in the GCNP, economic considerations, and comments received in response to Notice No. 96–11, ''Special Flight Rules in the Vicinity of Grand Canyon National Park'' (61 FR 40120). Several commenters to Notice No. 96–11 noted that it was difficult to comment on the effects of the proposed changes since the proposed routes were not included in the notice. One commenter stated that the FAA and NPS have done only half of the task mandated under the Overflights Act (Pub. L. 100–91) since they have not yet proposed the air tour routes that will be flown.

Routes were not proposed concurrently with Notice No. 96–11 because it was necessary for the FAA to develop the final rule in advance of the route structure. The FAA encourages persons who committed on Notice 96–11 to comment on the commercial air tour routes proposed today.

This notice provide interested persons an opportunity to comment on the proposed air tour routes. Before the proposed air tour routes for GCNP are finalized, the FAA and the National Park Service (NPS) will fulfill their responsibilities to consult with Native American tribes on a government-to-government basis. In this consultation process, FAA, in coordination with NBS, will consider feasible actions to mitigate any identified significant impacts to Native American cultural, religious, or historic sites.

History

Public Law 100–91 required the Department of the Interior (DOI) to submit to the FAA recommendations to protect resources in the Grand Canyon from adverse impacts associated with aircraft overflights. In December 1987, the DOI transmitted its ''Grand Canyon Aircraft Management Recommendation'' to the FAA. Public Law 100–91 required the FAA to prepare and issue a final plan for the management of air traffic above the Grand Canyon, implementing the recommendations of the DOI without change unless the FAA determined that executing the recommendations would adversely affect aviation safety. After the FAA determined that some of the DOI recommendations would adversely affect aviation safety, the recommendations were modified to address those concerns.

On May 27, 1988, the FAA issued Special Federal Aviation Regulation (SFAR) No. 50–2 revising the procedures for operation of aircraft in the airspace above the Grand Canyon (53 FR 20264, June 2, 1988). Public Law 100–91 also required the DOI to submit a report to Congress ''* * * discussing * * * whether [SFAR No. 50–2] has succeeded in substantially restoring the natural quiet in the park; and * * * such other matters, including possible revisions in the plan, as may be of interest.'' On September 12, 1994, the DOI submitted its final report and recommendations to Congress. This report, entitled ''Report on Effects of Aircraft Overflights on the National Park System'' (Report to Congress), was published in July 1995. The Report to Congress recommended numerous revisions to SFAR No. 50–2 in order to improve the natural quiet in the national parks. One recommendation was to modify SFAR–50–2 to effect and maintain the

substantial restoration of natural quiet at Grand Canyon National Park.

On June 15, 1995, the FAA published a final rule that extended the effective date of SFAR No. 50–2 to June 15, 1997 (60 FR 31608). This action allowed the FAA sufficient time to review thoroughly the NPS recommendations as to their impact on the safety of air traffic over GCNP.

In April 1996, President Clinton issued a memorandum for the heads of Executive Departments and Agencies (61 FR 18229). In his memorandum, the President directed the Secretary of Transportation to issue proposed regulations within 90 days to place appropriate limits on sightseeing aircraft over the GCNP to reduce the noise immediately and make further substantial progress towards restoration of natural quiet while maintaining aviation safety in accordance with Public Law 100–91. In addition, the President directed that action on the rulemaking to accomplish those purposes should be completed by the end of 1996.

On July 31, 1996, the FAA published a Notice of Proposed Rulemaking (NPRM) to reduce the impact of aircraft noise on GCNP and to assist the National Park Service (NPS) in achieving its statutory mandate imposed by Public Law 100–91 to provide for the substantial restoration of natural quiet and visitor experience in GCNP (Notice No. 96–11; 61 FR 40120).

The FAA held public meetings on September 16–20, 1996, in Scottsdale, AZ and Las Vagas, NV, to obtain additional comment on the NPRM and on the associated draft environmental assessment (EA). Comments and the transcripts of these meetings have been placed in the rulemaking docket (docket no. 28537) and the EA docket (docket no. 28653).

Issued in Washington, DC on December 24, 1996.

William J. White,

*Acting Director, Flight Standards Service.*

[FR Doc. 96–33147 Filed 12–30–96; 8:45 am]

**BILLING CODE 4910–13–M**

federal register

Tuesday
December 31, 1996

# Part V

# Environmental Protection Agency

## 40 CFR Parts 19 and 27
## Civil Monetary Penalty Inflation Adjustment Rule; Final Rule

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Parts 19 and 27

**[FRL–5671–1]**

### Civil Monetary Penalty Inflation Adjustment Rule

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

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (''EPA'') is issuing this final Civil Monetary Penalty Inflation Adjustment Rule as mandated by the Debt Collection Improvement Act of 1996 to adjust EPA's civil monetary penalties (''CMPs'') for inflation on a periodic basis. Prior to this new law, EPA's penalties had never been adjusted for inflation. This rule will allow EPA's penalties to keep pace with inflation and thereby maintain the deterrent effect Congress intended when it originally specified penalties.

This first mandatory adjustment increases almost all of EPA's penalty provisions by ten percent (except for new penalty provisions enacted into law in 1996, which are not being increased). The Agency is required to review its penalties again at least once every four years thereafter and to adjust them as necessary for inflation according to a specified formula.

**EFFECTIVE DATE:** January 30, 1997.

**FOR FURTHER INFORMATION CONTACT:** Steven M. Spiegel, Office of Regulatory Enforcement, Multimedia Enforcement Division, Mail Code 2248W, 401 M Street, SW, Washington, D.C. 20460, or at (703) 308–8507. Further information may also be requested by electronic mail (e-mail) to: spiegel.steven@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** Pursuant to the Federal Civil Penalties Inflation Adjustment Act of 1990 (28 U.S.C. 2461 note; Pub. L. 101–410, enacted October 5, 1990; 104 Stat. 890), as amended by the Debt Collection Improvement Act of 1996 (31 U.S.C. 3701 note; Public Law 104–134, enacted April 26, 1996; 110 Stat. 1321), (''DCIA''), each Federal agency is required to issue regulations adjusting for inflation the maximum civil monetary penalties that can be imposed pursuant to such agency's statutes. With the adoption of this rule implementing these statutes, all violations which take place after January 30, 1997 will be subject to the new statutory maximum civil penalty amounts.

With the exception of the new penalty provisions added by the 1996 amendments to the Safe Drinking Water Act, all of the statutory penalty provisions administered by EPA are being increased. All of these increases are for the maximum allowed, ten percent. The affected penalty provisions and their statutory maximum amounts are set out in Table 1 of the new 40 CFR 19.4.

Section 5 of the DCIA sets forth the formula for adjusting the penalties for inflation:

> The inflation adjustment described under section 4 shall be determined by increasing the maximum CMP or the range of minimum and maximum CMPs, as applicable, for each CMP by the cost-of-living adjustment. * * * The term ''cost-of-living'' adjustment is the percentage for each CMP by which the Consumer Price Index (CPI) for the month of June of the calendar year preceding the adjustment, exceeds the Consumer Price Index for the month of June of the calendar year in which the amount of such CMP was last set or adjusted pursuant to law. Any increase determined under this amendment shall be rounded * * *.

However, the DCIA also sets a ten percent cap on the first adjustment for inflation. Since EPA's penalties have never previously been adjusted for inflation, this first statutorily required adjustment will be limited to ten percent. Table A below sets forth each CMP provision which is being increased pursuant to the DCIA and the intermediate calculations performed to arrive at the adjusted final maximum penalty contained in the last column and in today's rule.

TABLE A.—SUMMARY OF CIVIL MONETARY PENALTY INFLATION ADJUSTMENT CALCULATIONS

| U.S. Code citation | Civil monetary penalty description | Year penalty amount was last set by law | Maximum penalty amount set by law as of 10/23/96 | Inflation factor calculation [1] | Maximum penalty increase amount after P.L. 101–410 rounding [2] | Maximum penalty amount after increase and P.L. 101–410 rounding | Maximum penalty amount after P.L. 101–410 rounding and 10% limit |
|---|---|---|---|---|---|---|---|
| 7 U.S.C. 1361 (1) | FEDERAL INSECTICIDE, FUNGICIDE, & RODENTICIDE ACT CIVIL PENALTY—GENERAL—COMMERCIAL APPLICATORS, ETC. | 1978 | $5,000 | 456.7/195.3 | $7,000 | $12,000 | $5,500 |
| 7 U.S.C. 1361 (2) | FEDERAL INSECTICIDE, FUNGICIDE, & RODENTICIDE ACT CIVIL PENALTY—PRIVATE APPLICATORS—1ST & SUBSEQUENT OFFENSES OR VIOLATIONS. | 1978 | 500/1,000 | 456.7/195.3 | 700/1,000 | 1,200/2,000 | 550/1,100 |
| 15 U.S.C. 2615 | TOXIC SUBSTANCES CONTROL ACT CIVIL PENALTY. | 1976 | 25,000 | 456.7/170.1 | 40,000 | 65,000 | 27,500 |
| 15 U.S.C. 2647(a) | ASBESTOS HAZARD EMERGENCY RESPONSE ACT CIVIL PENALTY. | 1986 | 5,000 | 456.7/327.9 | 2,000 | 7,000 | 5,500 |
| 31 U.S.C. 3802(a)(1). | PROGRAM FRAUD CIVIL REMEDIES ACT/VIOLATION INVOLVING FALSE CLAIM. | 1986 | 5,000 | 456.7/327.9 | 2,000 | 7,000 | 5,500 |
| 31 U.S.C. 3802(a)(2). | PROGRAM FRAUD CIVIL REMEDIES ACT/VIOLATION INVOLVING FALSE STATEMENT. | 1986 | 5,000 | 456.7/327.9 | 2,000 | 7,000 | 5,500 |
| 33 U.S.C. 1319(d) | CLEAN WATER ACT VIOLATION/CIVIL JUDICIAL PENALTY. | 1987 | 25,000 | 456.7/340.1 | 10,000 | 35,000 | 27,500 |
| 33 U.S.C. 1319(g)(2)(A). | CLEAN WATER ACT VIOLATION/ADMINISTRATIVE PENALTY PER VIOLATION AND MAXIMUM. | 1987 | 10,000/25,000 | 456.7/340.1 | 3,000/10,000 | 13,000/35,000 | 11,000/27,500 |

TABLE A.—SUMMARY OF CIVIL MONETARY PENALTY INFLATION ADJUSTMENT CALCULATIONS—Continued

| U.S. Code citation | Civil monetary penalty description | Year penalty amount was last set by law | Maximum penalty amount set by law as of 10/23/96 | Inflation factor calculation [1] | Maximum penalty increase amount after P.L. 101–410 rounding [2] | Maximum penalty amount after increase and P.L. 101–410 rounding | Maximum penalty amount after P.L. 101–410 rounding and 10% limit |
|---|---|---|---|---|---|---|---|
| 33 U.S.C. 1319(g)(2)(B). | CLEAN WATER ACT VIOLATION/ ADMINISTRATIVE PENALTY PER VIOLATION AND MAXIMUM. | 1987 | 10,000/125,000 | 456.7/340.1 | 3,000/40,000 .... | 13,000/165,000 | 11,000/137,500 |
| 33 U.S.C. 1321(b)(6)(B)(I). | CLEAN WATER ACT VIOLATION/ ADMIN PENALTY OF SEC 311(b)(3) & (j) PER VIOLATION AND MAXIMUM. | 1990 | 10,000/25,000 .. | 456.7/389.1 | 2,000/5,000 ..... | 12,000/30,000 .. | 11,000 /27,500 |
| 33 U.S.C. 1321(b)(6)(B)(ii). | CLEAN WATER ACT VIOLATION/ ADMIN PENALTY OF SEC 311(b)(3) & (j) PER VIOLATION AND MAXIMUM. | 1990 | 10,000/125,000 | 456.7/389.1 | 2,000/20,000 .... | 12,000/145,000 | 11,000/137,500 |
| 33 U.S.C. 1321(b)(7)(A). | CLEAN WATER ACT VIOLATION/ CIVIL JUDICIAL PENALTY OF SEC 311(b)(3)—PER VIOLATION PER DAY OR PER BARREL OR UNIT. | 1990 | 10,000 or ..... 1,000 per b/u ... | 456.7/389.1 | 5,000 or 200 .... per barrel/unit ... | 15,000 or 1,200 per barrel/unit ... | 11,000 or 1,100 per barrel or unit |
| 33 U.S.C. 1321(b)(7)(B). | CLEAN WATER ACT VIOLATION/ CIVIL JUDICIAL PENALTY OF SEC 311 (c) & (e)(1)(B). | 1990 | 25,000 ..... | 456.7/389.1 | 5,000 ..... | 30,000 ..... | 27,500 |
| 33 U.S.C. 1321(b)(7) C). | CLEAN WATER ACT VIOLATION/ CIVIL JUDICIAL PENALTY OF SEC 311(j). | 1990 | 25,000 ..... | 456.7/389.1 | 5,000 ..... | 30,000 ..... | 27,500 |
| 33 U.S.C. 1321(b)(7)(D). | CLEAN WATER ACT VIOLATION/ MINIMUM CIVIL JUDICIAL PENALTY OF SEC 311(b)(3)—PER VIOLATION OR PER BARREL/UNIT. | 1990 | 100,000 or 3,000 per b/u. | 456.7/389.1 | 15,000 or 1,000 per b/u. | 115,000 or 4,000 per barrel/unit. | 11,000 or 3,300 per barrel/unit |
| 33 U.S.C. 1414b(d) | MARINE PROTECTION, RESEARCH AND SANCTUARIES ACT VIOL SEC 104b(d). | 1988 | 600 ..... | 456.7/353.5 | 200 ..... | 800 ..... | 660 |
| 33 U.S.C. 1415(a) .. | MARINE PROTECTION, RESEARCH AND SANCTUARIES ACT VIOLATIONS—FIRST & SUBSEQUENT VIOLATIONS. | 1988 | 50,000/125,000 | 456.7/353.5 | 15,000/40,000 .. | 65,000/165,000 | 55,000/137,500 |
| 42 U.S.C. 300g–3(b). | SAFE DRINKING WATER ACT/ CIVIL JUDICIAL PENALTY OF SEC 1414(b). | 1986 | 25,000 ..... | 456.7/327.9 | 10,000 ..... | 35,000 ..... | 27,500 |
| 42 U.S.C. 300g–3(c) | SAFE DRINKING WATER ACT/ CIVIL JUDICIAL PENALTY OF SEC 1414(c). | 1986 | 25,000 ..... | 456.7/327.9 | 10,000 ..... | 35,000 ..... | 27,500 |
| 42 U.S.C. 300g–3(g)(3)(A). | SAFE DRINKING WATER ACT/ CIVIL JUDICIAL PENALTY OF SEC. 1414(g)(3)(A). | 1986 | 25,000 ..... | 456.7/327.9 | 10,000 ..... | 35,000 ..... | 27,500 |
| 42 U.S.C. 300g–3(g)(3)(B). | SAFE DRINKING WATER ACT/ MAXIMUM ADMINISTRATIVE PENALTY PER SEC. 1414(g)(3)(B). | 1986 | 5,000 ..... | 456.7/327.9 | 2,000 ..... | 7,000 ..... | 5,500 |
| 42 U.S.C. 300h–2(b)(1). | CIVIL JUDICIAL PENALTY/VIOLATIONS OF REQS—UNDERGROUND INJECTION CONTROL. | 1986 | 25,000 ..... | 456.7/327.9 | 10,000 ..... | 35,000 ..... | 27,500 |
| 42 U.S.C. 300h–2(c)(1). | CIVIL ADMINISTRATIVE PENALTY—VIOLATIONS OF REQS—UNDERGROUND INJECTION CONTROL—PER VIOLATION AND MAXIMUM. | 1986 | 10,000/125,000 | 456.7/327.9 | 4,000/50,000 .... | 14,000/175,000 | 11,000/137,500 |
| 42 U.S.C. 300h–2(c)(2). | CIVIL ADMINISTRATIVE PENALTY—VIOLATIONS OF REQS—UNDERGROUND INJECTION CONTROL PER VIOLATION & MAXIMUM. | 1986 | 5,000/125,000 .. | 456.7/327.9 | 2,000/50,000 .... | 7,000/175,000 .. | 5,500/137,500 |
| 42 U.S.C. 300h–3(c)(1). | VIOLATION/OPERATION OF NEW UNDERGROUND INJECTION WELL. | 1974 | 5,000 ..... | 456.7/146.9 | 11,000 ..... | 16,000 ..... | 5,500 |
| 42 U.S.C. 300h–3(c)(2). | WILLFUL VIOLATION/OPERATION OF NEW UNDERGROUND INJECTION WELL. | 1974 | 10,000 ..... | 456.7/146.9 | 21,000 ..... | 31,000 ..... | 11,000 |
| 42 U.S.C. 300i–1(b) | ATTEMPTING TO OR TAMPERING WITH PUBLIC WATER SYSTEM/CIVIL JUDICIAL PENALTY. | 1986 | 20,000/50,000 .. | 456.7/327.9 | 10,000/20,000 .. | 30,000/70,000 .. | 22,000/55,000 |
| 42 U.S.C. 300j(e)(2) | FAILURE TO COMPLY W/ORDER ISSUED UNDER SEC. 1‘441(c)(1). | 1974 | 2,500 ..... | 456.7/146.9 | 5,000 ..... | 7,500 ..... | 2,750 |
| 42 U.S.C. 300j–4(c) | REFUSAL TO COMPLY WITH REQS OF SEC. 1445(a) OR (b). | 1986 | 25,000 ..... | 456.7/327.9 | 10,000 ..... | 35,000 ..... | 27,500 |

TABLE A.—SUMMARY OF CIVIL MONETARY PENALTY INFLATION ADJUSTMENT CALCULATIONS—Continued

| U.S. Code citation | Civil monetary penalty description | Year penalty amount was last set by law | Maximum penalty amount set by law as of 10/23/96 | Inflation factor calculation [1] | Maximum penalty increase amount after P.L. 101–410 rounding [2] | Maximum penalty amount after increase and P.L. 101–410 rounding | Maximum penalty amount after P.L. 101–410 rounding and 10% limit |
|---|---|---|---|---|---|---|---|
| 42 U.S.C. 300j–23(d). | VIOLATIONS/SECTION 1463(b)—FIRST OFFENSE/REPEAT OFFENSE. | 1988 | 5,000/50,000 | 456.7/353.5 | 1,000/15,000 | 6,000/65,000 | 5,500/55,000 |
| 42 U.S.C. 6928(a)(3). | RESOURCE CONSERVATION & RECOVERY ACT/VIOLATION SUBTITLE C ASSESSED PER ORDER. | 1984 | 25,000 | 456.7/310.7 | 10,000 | 35,000 | 27,500 |
| 42 U.S.C. 6928(c) | RES. CONS. & REC. ACT/CONTINUED NONCOMPLIANCE OF COMPLIANCE ORDER. | 1984 | 25,000 | 456.7/310.7 | 10,000 | 35,000 | 27,500 |
| 42 U.S.C. 6928(g) | RESOURCE CONSERVATION & RECOVERY ACT/VIOLATION SUBTITLE C. | 1976 | 25,000 | 456.7/170.1 | 40,000 | 65,000 | 27,500 |
| 42 U.S.C. 6928(h)(2). | RES. CONS. & REC. ACT/NONCOMPLIANCE OF CORRECTIVE ACTION ORDER. | 1984 | 25,000 | 456.7/310.7 | 10,000 | 35,000 | 27,500 |
| 42 U.S.C. 6934(e) | RES. CONS. & REC. ACT/NONCOMPLIANCE WITH SECTION 3013 ORDER. | 1976 | 25,000 | 456.7/170.1 | 8,000 | 13,000 | 5,500 |
| 42 U.S.C. 6973(b) | RES. CONS. & REC. ACT/VIOLATIONS OF ADMINISTRATIVE ORDER. | 1976 | 5,000 | 456.7/170.1 | 8,000 | 13,000 | 5,500 |
| 42 U.S.C. 6991e(a)(3). | RES. CONS. & REC. ACT/NONCOMPLIANCE WITH UST ADMIN. ORDER. | 1984 | 25,000 | 456.7/310.7 | 10,000 | 35,000 | 27,500 |
| 42 U.S.C. 6991e(d)(1). | RES. CONS. & REC. ACT/FAILURE TO NOTIFY OR SUBMIT FALSE INFO. | 1984 | 10,000 | 456.7/310.7 | 5,000 | 15,000 | 11,000 |
| 42 U.S.C. 6991e(d)(2). | VIOLATIONS OF SPECIFIED UST REGULATORY REQUIREMENTS. | 1984 | 10,000 | 456.7/310.7 | 5,000 | 15,000 | 11,000 |
| 42 U.S.C. 6992(d)(2). | NONCOMPLIANCE W/MEDICAL WASTE TRACKING ACT ASSESSED THRU ADMIN ORDER. | 1988 | 25,000 | 456.7/353.5 | 5,000 | 30,000 | 27,500 |
| 42 U.S.C. 6992d(a)(4). | NONCOMPLIANCE W/MEDICAL WASTE TRACKING ACT ADMIN ORDER. | 1988 | 25,000 | 456.7/353.5 | 5,000 | 30,000 | 27,500 |
| 42 U.S.C. 6992d(d) | MEDICAL WASTE TRACKING ACT VIOLATIONS—JUDICIAL PENALTY. | 1988 | 25,000 | 456.7/353.5 | 5,000 | 30,000 | 27,500 |
| 42 U.S.C. 7413(b) | CLEAN AIR ACT/VIOLATIONS/OWNERS & OPS OF STATIONARY AIR POLLUTION SOURCES—JUDICIAL PENALTIES. | 1977 | 25,000 | 456.7/181.8 | 40,000 | 65,000 | 27,500 |
| 42 U.S.C. 7413(d)(1). | CLEAN AIR ACT/STATIONARY AIR POLLUTION SOURCES—ADMINISTRATIVE PENALTIES PER VIOLATION AND MAXIMUM. | 1977 | 25,000/200,000 | 456.7/181.8 | 40,000/300,000 | 65,000/300,000 | 27,500/220,000 |
| 42 U.S.C. 7413(d)(3). | CLEAN AIR ACT/MINOR VIOLATIONS/ STATIONARY AIR POLLUTION SOURCES—FIELD CITATIONS. | 1990 | 5,000 | 456.7/389.1 | 1,000 | 6,000 | 5,500 |
| 42 U.S.C. 7524(a) | TAMPERING OR MANUFACTURE/SALE OF DEFEAT DEVICES IN VIOLATION OF 7522(a)(3)(A) OR (a)(3)(B)—BY PERSONS. | 1977 | 2,500 | 456.7/181.8 | 2,000 | 6,500 | 2,750 |
| 42 U.S.C. 7524(a) | VIOLATION OF 7522 (a)(3)(A) OR (a)(3)(B)—BY MANUFACTURERS OR DEALERS; ALL VIOLATIONS OF 7522(a) (1), (2), (4), & (5) BY ANYONE. | 1990 | 25,000 | 456.7/389.1 | 5,000 | 30,000 | 27,500 |
| 42 U.S.C. 7524(c) | ADMINISTRATIVE PENALTIES AS SET IN 7524(a) & 7545(d) WITH A MAXIMUM ADMINISTRATIVE PENALTY. | 1990 | 200,000 | 456.7/389.1 | 30,000 | 230,000 | 220,000 |
| 42 U.S.C. 7545(d) | VIOLATIONS OF FUELS REGULATIONS. | 1990 | 25,000 | 456.7/389.1 | 5,000 | 30,000 | 27,500 |
| 42 U.S.C. 9604(e)(5)(B). | SUPERFUND AMEND. & REAUTHORIZATION ACT/NONCOMPLIANCE W/REQUEST FOR INFO OR ACCESS. | 1986 | 25,000 | 456.7/389.1 | 10,000 | 35,000 | 27,500 |
| 42 U.S.C. 9606(b) | SUPERFUND/WORK NOT PERFORMED W/IMMINENT, SUBSTANTIAL ENDANGERMENT. | 1986 | 25,000 | 456.7/389.1 | 10,000 | 35,000 | 27,500 |

TABLE A.—SUMMARY OF CIVIL MONETARY PENALTY INFLATION ADJUSTMENT CALCULATIONS—Continued

| U.S. Code citation | Civil monetary penalty description | Year penalty amount was last set by law | Maximum penalty amount set by law as of 10/23/96 | Inflation factor calculation [1] | Maximum penalty increase amount after P.L. 101–410 rounding [2] | Maximum penalty amount after increase and P.L. 101–410 rounding | Maximum penalty amount after P.L. 101–410 rounding and 10% limit |
|---|---|---|---|---|---|---|---|
| 42 U.S.C. 9609(a) & (b). | SUPERFUND/ADMIN. PENALTY VIOLATIONS UNDER 42 U.S.C. SECT. 9603, 9608, OR 9622+. | 1986 | 25,000 | 456.7/327.9 | 10,000 | 35,000 | 27,500 |
| 42 U.S.C. 9609(b) | SUPERFUND/ADMIN. PENALTY VIOLATIONS—SUBSEQUENT. | 1986 | 75,000 | 456.7/327.9 | 30,000 | 105,000 | 82,500 |
| 42 U.S.C. 9609(c) | SUPERFUND/CIVIL JUDICIAL PENALTY/VIOLATIONS OF SECT. 9603, 9608, 9622. | 1986 | 25,000 | 456.7/327.9 | 10,000 | 35,000 | 27,500 |
| 42 U.S.C. 9609(c) | SUPERFUND/CIVIL JUDICIAL PENALTY/SUBSEQUENT VIOLATIONS OF SECT. 9603, 9608, 9622. | 1986 | 75,000 | 456.7/327.9 | 30,000 | 105,000 | 82,500 |
| 42 U.S.C. 11045(a) & (b) (1), (2) & (3). | EMERGENCY PLANNING AND COMMUNITY RIGHT-T0-KNOW ACT CLASS I & II ADMINISTRATIVE AND CIVIL PENALTIES. | 1986 | 25,000 | 456.7/327.9 | 10,000 | 35,000 | 27,500 |
| 42 U.S.C. 11045(b) (2) & (3). | EPCRA CLASS I & II ADMINISTRATIVE AND CIVIL PENALTIES—SUBSEQUENT VIOLATIONS. | 1986 | 75,000 | 456.7/327.9 | 30,000 | 105,000 | 82,500 |
| 42 U.S.C. 11045(c)(1). | EPCRA CIVIL AND ADMINISTRATIVE REPORTING PENALTIES FOR VIOLATIONS OF SECTIONS 11022 OR 11023. | 1986 | 25,000 | 456.7/327.9 | 10,000 | 35,000 | 27,500 |
| 42 U.S.C. 11045(c)(2). | EPCRA CIVIL AND ADMINISTRATIVE REPORTING PENALTIES FOR VIOLATIONS OF SECTIONS 11021 OR 11043(b). | 1986 | 10,000 | 456.7/327.9 | 4,000 | 14,000 | 11,000 |
| 42 U.S.C. 11045(d) (2) & (3). | EPCRA—FRIVOLOUS TRADE SECRET CLAIMS—CIVIL AND ADMINISTRATIVE PENALTIES. | 1986 | 25,000 | 456.7/327.9 | 10,000 | 35,000 | 27,500 |

[1] The ''inflation factor'' is the result of dividing the June 1995 CPI by the CPI for June of the year the penalty was last set or adjusted.
[2] The penalties must be rounded after the inflation adjustment pursuant to Public Law 101–410 Sec. 5A.

Future adjustments also be made in accordance with the statutory formula. Since today's inflation adjustments are being made in December 1996, the next scheduled adjustment will cover inflation from June 1996 to June of the year in which the next adjustment is made. The DCIA requires that penalties be adjusted for inflation at least once every four years.

## Procedural Requirements

### *I. Administrative Procedure Act*

In accordance with 5 U.S.C. 553(b), the Administrative Procedure Act (''APA''), EPA generally publishes a rule in a proposed form and solicits public comment on it before issuing the rule in final. However, 5 U.S.C. 553(b)(3)(B), of the APA provides an exception to the public comment requirement if the agency finds good cause to omit advance notice and public participation. Good cause is shown when public comment is ''impracticable, unnecessary, or contrary to the public interest''.

Accordingly, EPA finds that providing an opportunity for public comment prior to publication of this rule is not necessary because EPA is carrying out a ministerial, non-discretionary duty specified in an Act of Congress. This rule incorporates requirements specifically set forth in the DCIA requiring EPA to issue a regulation implementing inflation adjustments for all its civil penalty provisions by October 23, 1996. The formula for the amount of the penalty adjustment is prescribed by Congress in the DCIA as well. Prior notice and opportunity to comment are therefore unnecessary in this case because these changes are not subject to the exercise of discretion by EPA. These technical changes, required by law, do not substantively alter the existing regulatory framework nor in any way affect the terms under which civil penalties are assessed by EPA.

### II. Small Business Regulatory Enforcement Fairness Act

Under 5 U.S.C. 801(a)(1)(A), as added by the Small Business Regulatory Enforcement Fairness Act of 1996 (''SBREFA''), EPA submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives and the Comptroller General of the United States prior to publication of the rule in today's Federal Register. This rule is a not a ''major rule'' as defined by 5 U.S.C. 804(a).

### III. Executive Order 12866-Regulatory Review

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

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

(2) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

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

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

EPA has determined that this rule is not a ''significant regulatory action'' under the terms of Executive Order 12866 and is therefore not subject to OMB review.

IV. Unfunded Mandates Reform Act

Title II of the Unfunded Mandates Reform Act of 1995 (''UMRA''), Public Law 104–4, establishes requirements for Federal agencies to assess the effects of certain regulatory actions on State, local, and tribal governments and the private sector. Under sections 201, 202 and 205 of the UMRA, EPA generally must assess effects and prepare a written statement of economic and regulatory alternatives analyses for proposed and final rules with Federal mandates, as defined by the UMRA, that may result in expenditures to State, local, and tribal governments, in the aggregate, or to the private sector, of $100 million or more in any one year.

UMRA Section 201 excepts agencies from assessing effects on State, local or tribal governments or the private sector of rules that incorporate requirements specifically set forth in law. Since this rule incorporates requirements specifically set forth in the DCIA, EPA is not required to assess its regulatory effects under Section 201. Further, the section 202 and 205 requirements do not apply to today's action because they apply only to rules for which a general notice of proposed rulemaking is published, and such notice was not published for this rule since it was not required based on the finding of good cause contained in Section I above. Additionally, today's action contains no Federal mandates for State, local or tribal governments or for the private sector because it does not impose any enforceable duties on these entities.

In addition, even if the assessment requirements of UMRA Title II otherwise applied to this rule, the requirements of section 203 of UMRA (requiring EPA to develop a small government agency plan before EPA establishes any regulatory requirements that may significantly or uniquely affect small governments, including tribal governments) would not apply here. This rule contains no regulatory requirements that might significantly or uniquely affect small governments because the prescribed inflation adjustments do not change a small government's regulatory obligations. Additionally, this rule will have a similar effect on all individuals and entities subject to civil monetary penalties.

V. Regulatory Flexibility Act

In accordance with 5 U.S.C. 603, the Agency has determined that the regulation being issued today is not subject to the Regulatory Flexibility Act (''RFA''), which generally requires an agency to conduct a regulatory flexibility analysis of any significant impact the rule will have on a substantial number of small entities. By its terms, the RFA applies only to rules subject to notice-and-comment rulemaking requirements under the APA or any other statute. Today's rule is not subject to notice and comment requirements under the APA or any other statute because it is exempted. As discussed in Section I, while the rule is subject to the APA, the Agency has invoked the ''good cause'' exemption from the APA notice and comment requirements.

The Agency nonetheless has assessed the potential of this rule to adversely impact small entities. This rule contains no regulatory requirements that might significantly or uniquely affect small entities because the prescribed inflation adjustments have similar effect on all entities subject to civil monetary penalties and does not substantively alter the existing regulatory framework.

VI. Paperwork Reduction Act

This action contains no reporting or record keeping requirements for any non-federal persons or entities and consequently is not subject to the Paperwork Reduction Act, 44 U.S.C. 3501 et seq.

List of Subjects

*40 CFR Part 19*

Environmental protection, Administrative practice and procedure, Penalties.

*40 CFR Part 27*

Administrative practice and procedure, Assessments, False claims, False statements, Penalties.

Dated: December 20, 1996.

Carol M. Browner,

*Administrator.*

For the reasons set out in the preamble, title 40, chapter I of the Code of Federal Regulations is amended by adding a new part 19 as follows:

1. By adding a new part 19 to read as follows:

## PART 19—ADJUSTMENT OF CIVIL MONETARY PENALTIES FOR INFLATION

**Sec.**

19.1 Applicability.
19.2 Effective Date.
19.3 [Reserved].
19.4 Penalty Adjustment and Table.

Authority: Pub. L. 101–410, 104 Stat. 890, 28 U.S.C. 2461 note; Pub. L. 104–134, 110 Stat. 1321, 31 U.S.C. 3701 note.

## PART 19—ADJUSTMENT OF CIVIL MONETARY PENALTIES FOR INFLATION

### § 19.1 Applicability.

This part applies to each statutory provision under the laws administered by the Environmental Protection Agency concerning the maximum civil monetary penalty which may be assessed in either civil judicial or administrative proceedings.

### § 19.2 Effective Date.

The increased penalty amounts set forth in this rule apply to all violations under the applicable statutes and regulations which occur after January 30, 1997.

### § 19.3 [Reserved].

### § 19.4 Penalty Adjustment and Table.

The adjusted statutory penalty provisions and their maximum applicable amounts are set out in Table 1. The last column in the table provides the newly effective maximum penalty amounts.

TABLE 1 OF SECTION 19.4.—CIVIL MONETARY PENALTY INFLATION ADJUSTMENTS

| U.S. Code citation | Civil monetary penalty description | New maximum penalty amount |
|---|---|---|
| 7 U.S.C. 136(1) | FEDERAL INSECTICIDE, FUNGICIDE, & RODENTICIDE ACT CIVIL PENALTY—GENERAL—COMMERCIAL APPLICATORS, ETC. | $5,500 |
| 7 U.S.C. 136(2) | FEDERAL INSECTICIDE, FUNGICIDE, & RODENTICIDE ACT CIVIL PENALTY—PRIVATE APPLICATORS—FIRST AND SUBSEQUENT OFFENSES OR VIOLATIONS. | 550/1,000 |
| 15 U.S.C. 2615 | TOXIC SUBSTANCES CONTROL ACT CIVIL PENALTY | 27,500 |
| 15 U.S.C. 2647(a) | ASBESTOS HAZARD EMERGENCY RESPONSE ACT CIVIL PENALTY | 5,500 |
| 31 U.S.C. 3802(a)(1) | PROGRAM FRAUD CIVIL REMEDIES ACT/VIOLATION INVOLVING FALSE CLAIM | 5,500 |

TABLE 1 OF SECTION 19.4.—CIVIL MONETARY PENALTY INFLATION ADJUSTMENTS—Continued

| U.S. Code citation | Civil monetary penalty description | New maximum penalty amount |
|---|---|---|
| 31 U.S.C. 3802(a)(2) | PROGRAM FRAUD CIVIL REMEDIES ACT/VIOLATION INVOLVING FALSE STATEMENT. | 5,500 |
| 33 U.S.C. 1319(d) | CLEAN WATER ACT VIOLATION/CIVIL JUDICIAL PENALTY | 27,500 |
| 33 U.S.C. 1319(g)(2)(A) | CLEAN WATER ACT VIOLATION/ADMINISTRATIVE PENALTY PER VIOLATION AND MAXIMUM. | 11,000/27,500 |
| 33 U.S.C. 1319(g)(2)(B) | CLEAN WATER ACT VIOLATION/ADMINISTRATIVE PENALTY PER VIOLATION AND MAXIMUM. | 11,000/137,500 |
| 33 U.S.C. 1321(b)(6)(B)(I) | CLEAN WATER ACT VIOLATION/ADMIN PENALTY OF SEC 311(B)(3)&(J) PER VIOLATION AND MAXIMUM. | 11,000/27,500 |
| 33 U.S.C. 1321(b)(6)(B)(ii) | CLEAN WATER ACT VIOLATION/ADMIN PENALTY OF SEC 311(B)(3)&(J) PER VIOLATION AND MAXIMUM. | 11,000/137,500 |
| 33 U.S.C. 1321(b)(7)(A) | CLEAN WATER ACT VIOLATION/CIVIL JUDICIAL PENALTY OF SEC 311(b)(3)—PER VIOLATION PER DAY OR PER BARREL OR UNIT. | 11,000 or 1,100 per barrel or unit |
| 33 U.S.C. 1321(b)(7)(B) | CLEAN WATER ACT VIOLATION/CIVIL JUDICIAL PENALTY OF SEC 311(c)&(e)(1)(B). | 27,500 |
| 33 U.S.C. 1321(b)(7)(C) | CLEAN WATER ACT VIOLATION/CIVIL JUDICIAL PENALTY OF SEC 311(j) | 27,500 |
| 33 U.S.C. 1321(b)(7)(D) | CLEAN WATER ACT VIOLATION/MINIMUM CIVIL JUDICIAL PENALTY OF SEC 311(b)(3)—PER VIOLATION OR PER BARREL/UNIT. | 11,000 or 3,300 per barrel or unit |
| 33 U.S.C. 1414b(d) | MARINE PROTECTION, RESEARCH & SANCTUARIES ACT VIOL SEC 104b(d) | 660 |
| 33 U.S.C. 1415(a) | MARINE PROTECTION RESEARCH AND SANCTUARIES ACT VIOLATIONS—FIRST AND SUBSEQUENT VIOLATIONS. | 55,000/137,500 |
| 42 U.S.C. 300g–3(b) | SAFE DRINKING WATER ACT/CIVIL JUDICIAL PENALTY OF SEC 1414(b) | 27,500 |
| 42 U.S.C. 300g–3(c) | SAFE DRINKING WATER ACT/CIVIL JUDICIAL PENALTY OF SEC 1414(c) | 27,500 |
| 42 U.S.C. 300g–3(g)(3)(A) | SAFE DRINKING WATER ACT/CIVIL JUDICIAL PENALTY OF SEC. 1414(g)(3)(a) | 27,500 |
| 42 U.S.C. 300g–3(g)(3)(B) | SAFE DRINKING WATER ACT/MAXIMUM ADMINISTRATIVE PENALTY PER SEC. 1414(g)(3)(B). | 5,500 |
| 42 U.S.C. 300h–2(b)(1) | CIVIL JUDICIAL PENALTY/VIOLATIONS OF REQS—UNDERGROUND INJECTION CONTROL (UIC). | 27,500 |
| 42 U.S.C. 300h–2(c)(1) | CIVIL ADMIN PENALTY/VIOLATIONS OF UIC REQS—PER VIOLATION AND MAXIMUM. | 11,000 / 137,500 |
| 42 U.S.C. 300h–2(c)(2) | CIVIL ADMIN PENALTY/VIOLATIONS OF UIC REQS—PER VIOLATION AND MAXIMUM. | 11,000 |
| 42 U.S.C. 300h–3(c)(1) | VIOLATION/OPERATION OF NEW UNDERGROUND INJECTION WELL | 5,500 |
| 42 U.S.C. 300h–3(c)(2) | WILLFUL VIOLATION/OPERATION OF NEW UNDERGROUND INJECTION WELL | 11,000 |
| 42 U.S.C. 300i–1(b) | ATTEMPTING TO OR TAMPERING WITH PUBLIC WATER SYSTEM/CIVIL JUDICIAL PENALTY. | 22,000 / 55,000 |
| 42 U.S.C. 300j(e)(2) | FAILURE TO COMPLY W/ORDER ISSUED UNDER SEC. 1441(c)(1) | 2,750 |
| 42 U.S.C. 300j–4(c) | REFUSAL TO COMPLY WITH REQS. OF SEC. 1445(a) OR (b) | 27,500 |
| 42 U.S.C. 300j–23(d) | VIOLATIONS/SECTION 1463(b)—FIRST OFFENSE/REPEAT OFFENSE | 5,500 / 55,000 |
| 42 U.S.C. 6928(a)(3) | RESOURCE CONSERVATION & RECOVERY ACT/VIOLATION SUBTITLE C ASSESSED PER ORDER. | 27,500 |
| 42 U.S.C. 6928(c) | RES. CONS. & REC. ACT/CONTINUED NONCOMPLIANCE OF COMPLIANCE ORDER. | 27,500 |
| 42 U.S.C. 6928(g) | RESOURCE CONSERVATION & RECOVERY ACT/VIOLATION SUBTITLE C | 27,500 |
| 42 U.S.C. 6928(h)(2) | RES. CONS. & REC. ACT/NONCOMPLIANCE OF CORRECTIVE ACTION ORDER | 27,500 |
| 42 U.S.C. 6934(e) | RES. CONS. & REC. ACT/NONCOMPLIANCE WITH SECTION 3013 ORDER | 5,500 |
| 42 U.S.C. 6973(b) | RES. CONS. & REC. ACT/VIOLATIONS OF ADMINISTRATIVE ORDER | 5,500 |
| 42 U.S.C. 6991e(a)(3) | RES. CONS. & REC. ACT/NONCOMPLIANCE WITH UST ADMINISTRATIVE ORDER | 27,500 |
| 42 U.S.C. 6991e(d)(1) | RES. CONS. & REC. ACT/FAILURE TO NOTIFY OR SUBMIT FALSE INFO | 11,000 |
| 42 U.S.C. 6991e(d)(2) | VIOLATIONS OF SPECIFIED UST REGULATORY REQUIREMENTS | 11,000 |
| 42 U.S.C. 6992d(a)(2) | NONCOMPLIANCE W/MEDICAL WASTE TRACKING ACT ASSESSED THRU ADMIN ORDER. | 27,500 |
| 42 U.S.C. 6992d(a)(4) | NONCOMPLIANCE W/MEDICAL WASTE TRACKING ACT ADMINISTRATIVE ORDER. | 27,500 |
| 42 U.S.C. 6992d(d) | VIOLATIONS OF MEDICAL WASTE TRACKING ACT—JUDICIAL PENALTIES | 27,500 |
| 42 U.S.C. 7413(b) | CLEAN AIR ACT/VIOLATION/OWNERS & OPS OF STATIONARY AIR POLLUTION SOURCES—JUDICIAL PENALTIES. | 27,500 |
| 42 U.S.C. 7413(d)(1) | CLEAN AIR ACT/VIOLATION/OWNERS & OPS OF STATIONARY AIR POLLUTION SOURCES—ADMINISTRATIVE PENALTIES PER VIOLATION & MAX. | 27,500/220,000 |
| 42 U.S.C. 7413(d)(3) | CLEAN AIR ACT/MINOR VIOLATIONS/STATIONARY AIR POLLUTION SOURCES—FIELD CITATIONS. | 5,500 |
| 42 U.S.C. 7524(a) | TAMPERING OR MANUFACTURE/SALE OF DEFEAT DEVICES IN VIOLATION OF 7522(a)(3)(A) OR (a)(3)(B)—BY PERSONS. | 2,750 |
| 42 U.S.C. 7524(a) | VIOLATION OF 7522(a)(3)(A) OR (a)(3)(B)—BY MANUFACTURERS OR DEALERS; ALL VIOLATIONS OF 7522(a)(1), (2), (4), & (5) BY ANYONE. | 27,500 |
| 42 U.S.C. 7524(c) | ADMINISTRATIVE PENALTIES AS SET IN 7524(a) & (7545(d) WITH A MAXIMUM ADMINISTRATIVE PENALTY. | 220,000 |
| 42 U.S.C. 7545(d) | VIOLATIONS OF FUELS REGULATIONS | 27,500 |
| 42 U.S.C. 9604(e)(5)(B) | SUPERFUND AMEND. & REAUTHORIZATION ACT/NONCOMPLIANCE W/REQUEST FOR INFO OR ACCESS. | 27,500 |

TABLE 1 OF SECTION 19.4.—CIVIL MONETARY PENALTY INFLATION ADJUSTMENTS—Continued

| U.S. Code citation | Civil monetary penalty description | New maximum penalty amount |
|---|---|---|
| 42 U.S.C. 9606(b) | SUPERFUND/WORK NOT PERFORMED W/IMMINENT, SUBSTANTIAL ENDANGERMENT. | 27,500 |
| 42 U.S.C. 9609(a) & (b) | SUPERFUND/ADMIN. PENALTY VIOLATIONS UNDER 42 U.S.C. SECT. 9603, 9608, OR 9622. | 27,500 |
| 42 U.S.C. 9609(b) | SUPERFUND/ADMIN. PENALTY VIOLATIONS—SUBSEQUENT | 82,500 |
| 42 U.S.C. 9609(c) | SUPERFUND/CIVIL JUDICIAL PENALTY/VIOLATIONS OF SECT. 9603, 9608, 9622 | 27,500 |
| 42 U.S.C. 9609(c) | SUPERFUND/CIVIL JUDICIAL PENALTY/SUBSEQUENT VIOLATIONS OF SECT. 9603, 9608, 9622. | 82,500 |
| 42 U.S.C. 11045(a) & (b)(1), (2) & (3). | EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT CLASS I & II ADMINISTRATIVE AND CIVIL PENALTIES. | 27,500 |
| 42 U.S.C. 11045(b) & (2)(3) | EPCRA CLASS I & II ADMINISTRATIVE AND CIVIL PENALTIES—SUBSEQUENT VIOLATIONS. | 82,500 |
| 42 U.S.C. 11045(c)(1) | EPCRA CIVIL AND ADMINISTRATIVE REPORTING PENALTIES FOR VIOLATIONS OF SECTIONS 11022 OR 11023. | 27,500 |
| 42 U.S.C. 11045(c)(2) | EPCRA CIVIL AND ADMINISTRATIVE REPORTING PENALTIES FOR VIOLATIONS OF SECTIONS 11021 OR 11043(b). | 11,000 |
| 42 U.S.C. 11045(d) & (2)(3) | EPCRA—FRIVOLOUS TRADE SECRET CLAIMS—CIVIL AND ADMINISTRATIVE PENALTIES. | 27,500 |

## PART 27—[AMENDED]

2. The authority citation for part 27 is revised to read as follows:

Authority: 31 U.S.C. 3801–3812; Pub. L. 101–410, 104 Stat. 890, 28 U.S.C. 2461 note; Pub. L. 104–134, 110 Stat. 1321, 31 U.S.C. 3701 note.

4. Section 27.3 is amended by revising paragraphs (a)(1) and (b)(1) to read as follows:

### § 27.3 Basis for civil penalties and assessments.

(a) *Claims.* (1) Except as provided in paragraph (c) of this section, any person who makes a claim that the person knows or has reason to know—

(i) Is false, fictitious, or fraudulent;

(ii) Includes or is supported by any written statement which asserts a material fact which is false, fictitious, or fraudulent;

(iii) Includes, or is supported by, any written statement that—

(A) Omits a material fact;

(B) Is false, fictitious, or fraudulent as a result of such omission; and

(C) Is a statement in which the person making such statement has a duty to include such material fact; or

(iv) Is for payment for the provision of property or services which the person has not provided as claimed, shall be subject, in addition to any other remedy that may be prescribed by law, to a civil penalty of not more than $5,500 [1] for each such claim.

* * * * *

(b) *Statements.* (1) Except as provided in paragraph (c) of this section, any person who makes a written statement that—

(i) The person knows or has reason to know—

(A) Asserts a material fact which is false, factitious, or fraudulent; or

(B) Is false, factitious, or fraudulent because it omits a material fact that the person making the statement has a duty to include in such statement; and

(ii) Contains, or is accompanied by, an express certification or affirmation of the truthfulness and accuracy of the contents of the statement, shall be subject, in addition to any other remedy that may be prescribed by law, to a civil penalty of not more than $5,500 [2] for each such statement.

* * * * *

[FR Doc. 96–32972 Filed 12–30–96; 8:45 am]

BILLING CODE 6560–50–P

[1] As adjusted in accordance with the Federal Civil Penalties Inflation Adjustment Act of 1990 (Pub. L. 101–410, 104 Stat. 890), as amended by the Debt Collection Improvement Act of 1996 (Pub. L. 104–134, 110 Stat. 1321).

[2] As adjusted in accordance with the Federal Civil Penalties Inflation Adjustment Act of 1990 (Pub. L. 101–410, 104 Stat. 890), as amended by the Debt Collection Improvement Act of 1996 (Pub. L. 104–134, 110 Stat. 1321).

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