

agency and the source or informant consent;

(4) Reveal records or information compiled for law enforcement purposes which would interfere with enforcement proceedings or disclose investigative techniques and procedures the effectiveness of which would be impaired;

(5) Reveal trade secrets or commercial or financial information which is privileged or confidential without prior consultation with the person from whom it was obtained; or

(6) Be contrary to a recognized privilege.

(g) The Appropriate Authority's determination, including any reasons for denial or limitations on disclosure or production, shall be made as expeditiously as possible and shall be communicated in writing to the issuer of the demand and appropriate current or former GSA employee(s). In proceedings in which GSA, its current or former employees, or the United States are represented by DOJ the determination shall be coordinated with DOJ which may respond to the issuer of the subpoenas or demand in lieu of the Appropriate Authority.

#### **§ 105–60.606 Procedure where response to demand is required prior to receiving instructions.**

(a) If a response to a demand is required before the Appropriate Authority's decision is issued, a GSA attorney designated by the Appropriate Authority for the purpose shall appear with the employee or former employee upon whom the demand has been made, and shall furnish the judicial or other authority with a copy of the instructions contained in this Subpart. The attorney shall inform the court or other authority that the demand has been or is being referred for the prompt consideration by the Appropriate Authority. The attorney shall respectfully request the judicial or administrative authority to stay the demand pending receipt of the requested instructions.

(b) The designated GSA attorney shall coordinate GSA's response with DOJ's Civil Division or the relevant Office of the United States Attorney and may request that a DOJ or Assistant United States Attorney appear with the employee in addition to or in lieu of a designated GSA attorney.

(c) If an immediate demand for production or disclosure is made in circumstances which preclude the appearance of a GSA or DOJ attorney on the behalf of the employee or the former employee, the employee or former employee shall respectfully make a request to the demanding authority for

sufficient time to obtain advice of counsel.

#### **§ 105–60.607 Procedure in the event of an adverse ruling.**

If the court or other authority declines to stay the effect of the demand in response to a request made in accordance with 105–60.606 pending receipt of instructions, or if the court or other authority rules that the demand must be complied with irrespective of instructions by the Appropriate Authority not to produce the material or disclose the information sought, the employee or former employee upon whom the demand has been made shall respectfully decline to comply, citing these instructions and the decision of the United States Supreme Court in *United States ex rel. Touhy v. Ragen*, 340 U.S. 462 (1951).

#### **§ 105–60.608 Fees, expenses, and costs.**

(a) In consultation with the Appropriate Authority, a current employee who appears as a witness pursuant to a demand shall ensure that he or she receives all fees and expenses, including travel expenses, to which witnesses are entitled pursuant to rules applicable to the judicial or administrative proceedings out of which the demand arose.

(b) Witness fees and reimbursement for expenses received by a GSA employee shall be disposed of in accordance with rules applicable to Federal employees in effect at the time.

(c) Reimbursement to the GSA for costs associated with producing material pursuant to a demand shall be determined in accordance with rules applicable to the proceedings out of which the demand arose.

Dated: March 17, 1997.

**Martha N. Johnson,**

*Associate Administrator for Management Services and Human Resources.*

[FR Doc. 97–7076 Filed 3–24–97; 8:45 am]

BILLING CODE 6820–34–P

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## **FEDERAL COMMUNICATIONS COMMISSION**

### **47 CFR Part 73**

**[MM Docket No. 97–39; RM–8905]**

#### **Radio Broadcasting Services; Driggs, ID**

**AGENCY:** Federal Communications Commission.

**ACTION:** Correction to proposed rule.

**SUMMARY:** This document contains a correction to the proposed rule (MM Docket No. 97–39; RM–8905) which was

published in the **Federal Register** on Friday, February 7, 1997 [62 FR 5789]. The proposed rule relates to a rule making proposal to allot FM Channel 271A to Driggs, Idaho.

**FOR FURTHER INFORMATION CONTACT:**  
Nancy Joyner, Mass Media Bureau, (202) 418–2180.

#### **SUPPLEMENTARY INFORMATION:**

#### **Background**

The synopsis of the Notice of Proposed Rule Making, MM Docket No. 97–39, adopted January 24, 1997, and released January 31, 1997, that is the subject of this correction is under 47 CFR Part 73, Radio Broadcasting.

#### **Need for Correction**

As published, the synopsis of the Notice of Proposed Rule Making contains an error which may prove to be misleading and is in need of clarification.

#### **Correction of Publication**

Accordingly, the publication on February 7, 1997 of the proposed rule (MM Docket No. 97–39; RM–8905), which is the subject of FR Doc. 97–3120, is corrected as follows:

On page 5789, in the second column under **ADDRESSES** the second sentence beginning on line 3 should read as follows:

"In addition to filing comments with the FCC, interested parties should serve the petitioner, as follows: Vixon Valley Broadcasting, Attn: Victor A. Michael, Jr., President, c/o Magic City Media, 1912 Capitol Avenue, Suite 300, Cheyenne, WY 82001."

Federal Communications Commission.

**John A. Karousos,**

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

[FR Doc. 97–7259 Filed 3–24–97; 8:45 am]

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## **47 CFR Part 73**

**[MM Docket No. 97–91, RM–8854]**

**Radio Broadcasting Services; Lewisville, Gainesville, Robinson, Corsicana, Jacksboro and Mineral Wells, TX**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition by Heftel Broadcasting Corporation, permittee of Station KECS(FM), Channel 300C2, Gainesville, Texas, and licensee of Station KICI(FM), Channel 300C1,