

number of mobile units, interconnection status, and/or sharing status to notify the Commission. This information collection applies only to licensees who elect to inform the Commission by letter of these changes. Licensees may also use forms to notify us of these changes. Notification is necessary to maintain an accurate database that is used by both the Commission, frequency coordinators and the public in corresponding with licensees regarding interference resolution and licensing matters.

OMB Control No.: 3060-0281.

Expiration Date:

Title: 90.651 Supplemental reports required of licensees authorized under this subpart.

Form Number: Not applicable.

Estimated Annual Burden: 2,724 hours; 0.166 hour per respondent; 16,408 respondents.

Description: The radio facilities addressed in this subpart of the rules are allocated on and governed by regulations designed to award facilities on a need basis determined by the number of mobile units served by each base station. This is necessary to avoid frequency hoarding by applicants. This rule section requires licensees to report the actual number of mobile units served. The various subparagraphs of this rule apply to different categories of licensees and define exactly what reports are required of each category. Federal Communications Commission.

Magalie Roman Salas,

Secretary.

[FR Doc. 98-3831 Filed 2-13-98; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

Public Information Collections Approved by Office of Management and Budget

February 10, 1998.

The Federal Communications Commission (FCC) has received Office of Management and Budget (OMB) approval for the following public information collections pursuant to the Paperwork Reduction Act of 1995, Pub. L. 104-13. 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 control number. For further information contact Shoko B. Hair, Federal Communications Commission, (202) 418-1379.

Federal Communications Commission

OMB Control No.: 3060-0810.

Expiration Date: 05/31/98.

Title: Procedures for Designation of Eligible Telecommunications Carriers Pursuant to Section 214(e)(6) of the Communications Act of 1934, as amended.

Form No.: N/A.

Respondents: Business or other for-profit.

Estimated Annual Burden: 35 respondents; 47.14 hours per response (avg.); 1650 total annual burden hours for all collections.

Estimated Annual Reporting and Recordkeeping Cost Burden: \$0.

Frequency of Response: On occasion.

Description: The Communications Act of 1934, as amended (the Act), mandates that, after the date the Commission's rules implementing section 254 of the Act, only eligible telecommunications carriers may receive universal service support. The Commission's rules implementing section 254 of the Act take effect on January 1, 1998. Under the Act, state commissions must designate telecommunications carriers as eligible. On December 1, 1997 Public Law 105-125 added subsection (e)(6) to section 214(e) of the Act. New section 214(e)(6) states that a telecommunications carrier that is not subject to the jurisdiction of a state may request that the Commission determine whether it is eligible. Specifically, section 214(e)(6) states that "[i]n the case of a common carrier * * * that is not subject to the jurisdiction of a State commission, the Commission shall upon request designate such a common carrier that meets the requirements of paragraph (1) as an eligible telecommunications carrier for a service area designated by the Commission. * * *" The Commission must evaluate whether such telecommunications carriers, almost all of which are expected to be companies owned by Native American tribes, meet the eligibility criteria set forth in the Act. a. *Petition for Designation as Eligible Telecommunications Carriers Pursuant to Section 214(e)(6).* Carriers seeking designation from the Commission pursuant to section 214(e)(6) must demonstrate that they fulfill the requirements of section 214(e)(1). Carriers seeking designation from the Commission early in 1998 are instructed to provide specific information. See Public Notice, FCC 97-219, released 12/29/97. (No. of respondents: 25; hours per response: 58; total annual hours: 1450 hours). b. *Submission of Written Comments by Interested Third Parties.* Oppositions or comments on petitions are due 10 days after a Public Notice announcing receipt of a petition is released. Reply comments are due 7 days after comments are due. (No. of

respondents: 10; hours per response: 20 hours; total annual burden: 200 hours). The Commission will use the information collected to determine whether the telecommunications carriers providing the data are eligible to receive universal service support. Obligation to respond: Mandatory.

OMB Control No.: 3060-0815.

Expiration Date: 07/31/98.

Title: North American Numbering Plan Funding Worksheet.

Form No.: FCC Form 496.

Respondents: Business or other for-profit.

Estimated Annual Burden: 3700 respondents; .50 hours per response (avg.); 1850 total annual burden hours.

Estimated Annual Reporting and Recordkeeping Cost Burden: \$0.

Frequency of Response: On occasion.

Description: Pursuant to Congress' directive in the Telecommunications Act of 1996 that the Commission establish an independent entity to administer telecommunications numbering, the Commission determined on July 13, 1995, that the costs associated with administering numbering duties should be based on each telecommunications carrier's gross revenues less payments made to other carriers. We authorize the North American Numbering Plan Administrator's (NANPA) billing and collections agent to send FCC Form 496 requesting that telecommunications carriers provide information regarding their yearly gross revenues less payments made to other telecommunications carriers. The Worksheet, FCC Form 496, seeks financial data, and payment from telecommunications carriers to fund NANPA. All common carriers providing telecommunications service between U.S. and foreign points must file this worksheet. The Commission and the NANPA will use the information collected in the worksheet to determine the total revenue received from telecommunications carriers in order to arrive at an amount that each carrier must pay to fund the NANPA.

OMB Control No.: 3060-0760.

Expiration Date: 07/31/98.

Title: Access Charge Reform, CC Docket No. 96-262 (First Report and Order); Second Order on Reconsideration and Memorandum Opinion and Order, and Third Report and Order.

Form No.: N/A.

Respondents: Business or other for-profit.

Estimated Annual Burden: 16 respondents; 112,945 hours per response (avg.); 1,807,120 total annual burden hours for all collections.

Incremental burdens associated with collections approved by OMB on 1/29/98 are listed below.

Estimated Annual Reporting and Recordkeeping Cost Burden: \$33,000.

Frequency of Response: On occasion.

Description: In the Order Designating Issues for Investigation and Order on Reconsideration (Order), CC Docket No. 97-250, Tariffs Implementing Access Charge Reform, the FCC's Common Carrier Bureau adopts that the price cap incumbent local exchange carriers (LECs) must file supplementary information to support their tariff filings implementing access charge reform. In all instances described below, the price cap LEC has failed to provide adequate support for the position taken in its tariff filing. The information collections are as follows:

a. Primary and Non-Primary

Residential Line Definitions: BellSouth, SNET, and SWBT must explain fully their definitions of primary and non-primary residential lines, including any assumptions that went into these definitions, and submit modified, expanded, or clarified definitions as necessary. These price cap LECs should make clear what lines these definitions include and the manner in which they would be identified, such as by account number(s), billing number(s), customer name, location, or by whatever sorting method the LEC chose to use. (No. of respondents: 3; hours per response (avg.): 2; total annual burden: 6 hours).

b. Identification of Primary and Non-Primary Lines: The Bureau requires price cap LECs to identify the number of lines in each of the following categories: (1) primary residential lines; (2) single-line business lines; (3) non-primary residential lines; and (4) BRI ISDN lines. Each price cap LEC's direct case must delineate what, how, and in which order data were sorted and used in accordance with its definition to arrive at the primary and non-primary residential line count totals submitted pursuant to this order. The Bureau also directs each price cap LEC to include in its direct case an explanation of why its definition is reasonable. (No. of respondents: 16; hours per response (avg.): 16 hours; total annual burden: 256 hours).

c. Inward-Only Line PICC Demand: The Bureau requires Ameritech and CBT to include inward-only lines in their SLC and PICC counts. Ameritech and CBT must include in their direct cases an explanation as to why their practices with respect to determining PICC demand should be considered reasonable and consistent with the *First Report and Order*. U S West must include in its direct case its rationale as

to why it is reasonable to exclude inward-only lines from the development of common line rates. Further, U S West must identify in its direct case the portion, if any, of the costs of these lines that is assigned to the interstate jurisdiction. If a portion of these costs is assigned to the interstate jurisdiction, U S West must include in its direct case an explanation of how these costs are recovered in interstate rates, and how U S West's treatment of these lines in computing common line rates is consistent with the Commission's Part 69 rules. If none of these costs is assigned to the interstate jurisdiction, U S West must explain how this is consistent with the Commission's Part 36 rules. The Bureau also directs Ameritech to include in its direct case an explanation as to why its practice of counting each PRI ISDN service application as five SLCs, but only one PICC is reasonable and consistent with the *First Report and Order*. In addition, the Bureau directs Ameritech, CBT, and U S West to submit with their direct cases their recalculated line counts. (No. of respondents: 3; hours per response (avg.): 2 hours; total annual burden: 6 hours).

d. Maximum CCL Rate Reduction Calculation: The Bureau directs Bell Atlantic, NYNEX, GTE, SWBT, the Sprint LTCs, and U S West to provide a recalculation of their maximum common line revenues. (No. of respondents: 6; hours per response (avg.): 24 hours; total annual burden: 144 hours).

e. Method for Calculating Exogenous Cost Changes for Line Ports and End Office Trunk Ports: Each LEC must list all exogenous adjustments it has made since it entered price cap regulation that had the purpose of reallocating costs among baskets, categories, rate elements, or between price cap and non price cap services. LECs should list the method used in each instance. (No. of respondents: 16; hours per response (avg.): 24 hours; total annual burden: 384 hours).

f. Attribution of tandem switching revenue requirement to SS7 costs: The Bureau requires Bell Atlantic and U S West to provide cost studies justifying the amount that was removed from the transport interconnection charge (TIC) as SS7 costs. The Bureau also requires detailed information regarding any additional SS7 costs that were incorporated into the TIC during the period January 1, 1994 to December 31, 1997. Furthermore, Bell Atlantic and U S West should provide detailed information regarding any true-up to SS7 costs due to exogenous cost adjustments in the trunking basket. (No.

of respondents: 2; hours per response (avg.): 8 hours; total annual burden: 16 hours).

g. Removal of COE maintenance and marketing expenses from the TIC: Price cap LECs must provide supporting documentation justifying the amount that was removed from the TIC as COE maintenance and marketing expenses. In particular, the price cap LECs must provide detailed information substantiating the amount of COE maintenance and marketing costs that were removed from the trunking basket, and the portion of that amount that was removed from the TIC. Price cap LECs should explain their theory for determining the portion removed from the TIC. (No. of respondents: 16; hours per response (avg.): 8 hours; total annual burden: 128 hours).

h. Recalculation of Removal of TIC: PacBell and certain of the United, Frontier, and GTE operating companies must recalculate the removal of TIC costs and the facilities-based portion of the TIC. (No. of respondents: 4; hours per response (avg.): 6 hours; total annual burden: 24 hours).

i. Universal Service Fund (USF) obligation allocation: Price cap LECs must submit explanations detailing why the methodology each has used to allocate different amounts of the universal service fund obligation to individual price cap baskets more accurately reflects the distribution of interstate end-user revenues across baskets. As part of this explanation, each price cap LEC must explain in detail the methodology it uses and any assumptions it makes to determine these allocations. Price cap LECs must report the interstate end-user revenues they derived from each basket during the accounting period they used to calculate their universal service contribution. If the proportions of the USF contributions that LECs allocate for recovery from the common line, trunking, and interexchange baskets differ from the proportions of the total interstate end-user revenues they report for these baskets, they must explain the reason for this difference. Also, Citizens must justify allocating a portion of its USF contribution to the traffic sensitive basket, given the Commission's finding in the Access Reform Order that none of the service categories in this basket generate, interstate end-user revenues. (No. of respondents: 18; hours per response (avg.): 7.3 hours; total annual burden: 132 hours). Our authority to collect this information is provided under 47 U.S.C. 201-204 and 303(r). The information collected under this Order would be submitted to the FCC by incumbent LECs for use in determining

whether the incumbent LEC properly calculated its tariffed rates in its December 17, 1997 tariff filing. Obligation to comply: Mandatory.

OMB Control No.: 3060-0646.

Expiration Date: 01/31/2001.

Title: Policies and Rules Concerning Unauthorized Changes of Consumers' Long Distance Carriers—CC Docket No. 94-129.

Form No.: N/A.

Respondents: Business or other for-profit.

Estimated Annual Burden: 500 respondents; 2 hours per response (avg.); 1000 total annual burden hours for all collections.

Estimated Annual Reporting and Recordkeeping Cost Burden: \$0.

Frequency of Response: On occasion.

Description: In Policies and Rules Concerning Unauthorized Changes of Consumers' Long Distance Carriers, CC Docket No. 94-129, Report and Order, the Commission adopted consumer protection mechanisms that were designed to curb widespread instances of slamming and associated deceptive or misleading marketing practices by many long distance carriers. In response to six petitions for reconsideration of the 1995 Report and Order, the Commission amended its rules in three respects. First, Section 64.1150(g) was modified to clarify that interexchange carriers using letters of agency must fully translate their LOAs into the same language(s) as their associated promotional materials or oral descriptions and instructions. Second Section 1150(e)(4) was modified to incorporate the terms interLATA and intraLATA, as well as interstate and intrastate, in order to remove all possible confusion or uncertainty about the scope of our rules, which are generally relevant to all jurisdictions. Third, Section 64.1100(a) was modified to clarify that IXCs must confirm orders for long distance service generated by telemarketing using only one of the four verification options. This information will be used to inform long distance carriers of their additional and continuing obligations to verify all orders for long distance service generated by telemarketing in accordance with the Commission's verification rules. The information received from the current collection was used to identify and strengthen the areas in which increased protection and/or clarification of our verification rules were needed. Obligation to comply: mandatory.

OMB Control No.: 3060-0786.

Expiration Date: 01/31/2001.

Title: Petitions for LATA Association Changes by Independent Telephone Companies.

Form No.: N/A.

Respondents: Business or other for-profit.

Estimated Annual Burden: 20 respondents; 6 hours per response (avg.); 120 total annual burden hours for all collections.

Estimated Annual Reporting and Recordkeeping Cost Burden: \$0.

Frequency of Response: On occasion.

Description: In the Memorandum Opinion and Order issued in CC Docket 97-158, the Commission pursuant to the provisions of the Communications Act of 1934, as amended requests that independent telephone companies (ITC) and Bell Operating Companies (BOC) provide certain information to the Commission regarding ITC requests for changes in local access and transport area (LATA) association and modification of LATA boundaries to permit the change in association. The Commission has provided voluntary guidelines to assist ITCs in filing petitions for changes in LATA association and connected modification of LATA boundaries. The guidelines ask that each LATA association change request include the following information: (1) type of request; (2) exchange information; (3) number of access lines or customers; (4) public interest statement; (5) a map showing exchanges and LATA boundaries involved; (6) a list of extended local calling service routes between the independent exchange and the LATA with which it is currently associated; and (7) a BOC supplement requesting a modification of the LATA boundary. The requested information is used by the Commission to determine whether the need for the proposed changes in LATA association outweighs the risk of potential anticompetitive effects, and thus whether requests for changes in LATA association and connected modifications of LATA boundaries should be granted.

OMB Control No.: 3060-0808.

Expiration Date: 02/28/2001.

Title: Amendments to Uniform System of Accounts for Interconnection—CC Docket No. 97-212 (Proposed Rule).

Form No.: N/A.

Respondents: Business or other for-profit.

Estimated Annual Burden: 68 respondents; 320 hours per response (avg.); 21,760 total annual burden hours for all collections.

Estimated Annual Reporting and Recordkeeping Cost Burden: \$0.

Frequency of Response: On occasion.

Description: In the NPRM issued in CC Docket No. 97-212, the Commission proposed rules for the accounting treatment of transactions related to interconnection and shared infrastructure. Specifically, the Commission proposed new part 32 accounts and subsidiary recordkeeping requirements to record the revenues and expenses related to providing and obtaining interconnection. The following are the new proposed accounts: Account 5071, Interconnection and access to unbundled network elements; Account 6551, interconnection and access; Account 5072, Transport and termination revenue; Account 6552, transport and termination expense; and Account 6553, Purchased telecommunications service expense. (No. of respondents: 68; hours per response (avg.): 40 hours; total annual burden: 2720). The Commission also proposed several subsidiary account records: Subsidiary recordkeeping categories that will enable carriers to identify the revenue from and amounts paid for interconnection and each unbundled network element; Subsidiary records categories so that the amounts attributable to transport and termination may be separately recorded; Subsidiary record categories for carriers to report the amounts contained in existing part 32 revenue accounts that result from the wholesale of telecommunications service pursuant to Section 251(c)(4); Subsidiary accounting records to record the costs associated with providing interconnection. We propose that the total amount of costs to be recorded in the subsidiary records be based on the revenues received for providing interconnection and that the apportionment of the costs should be consistent with cost studies underlying the charges for these services and elements. (No. of respondents: 68; hours per response (avg.): 120 hours; total annual burden: 8160 hours). The Commission proposes to require ILEC to construct a cost study reflecting the agreement upon which to base its assignment of costs to the subsidiary records. Any action of the state that alters the underlying cost study should be reflected in the underlying cost study upon which the ILEC bases the reclassification of costs to the subsidiary records. ILECs must maintain a sufficiently detailed audit trail of the assignments of costs to permit audits of the method of assignment and amounts assigned to the subsidiary records. (No. of respondents: 68; hours per response (avg.): 160 hours; total annual burden:

10,880 hours). The proposed information collection requirements will provide the necessary information to enable this Commission to fulfill its regulatory responsibilities. Obligation to comply with the requirements, if adopted, is mandatory

OMB Control No.: 3060-0774.

Expiration Date: 08/31/98.

Title: Federal-State Joint Board on Universal Service, CC Docket No. 96-45 (47 CFR 36.611-36.612 and 47 CFR Part 54).

Form No.: N/A.

Respondents: Business or other for-profit entities; individuals or households, state.

Estimated Annual Burden: 5,565,451 respondents; .32 hours per response (avg.); 1,801,570 hours total annual burden for all collections. See estimates provided below for burden for requirements approved by OMB on 2/6/98.

Estimated Annual Reporting and Recordkeeping Cost Burden: \$0.

Frequency of Response: On occasion.

Description: On December 30, 1997, the Commission released the *Fourth Order on Reconsideration* in Federal-Joint Board on Universal Service, CC Docket 96-45, Access Charge Reform, Price Cap Performance Review for Local Exchange Carriers, Transport Rate Structure and Pricing, End User Common Line Charge, CC Docket Nos. 96-262, 94-1, 91-213, 95-72 (Order). Following publication of the Commission's May 8th *Report and Order* on Universal Service, the Commission received significant comment from the public regarding universal service in the form of petitions for reconsideration, oppositions to those petitions, and comments on those petitions. In the Order, the Commission responded to various issues raised in the petitions for reconsideration and/or clarification of the Commission's May 8th *Report and Order* on Universal Service. Several of the rules adopted in the Order reduce existing reporting requirements or impose new reporting requirements.

a. *47 CFR §54.201(a)(2)—Submission of eligibility criteria.* Pursuant to section 214(e), a carrier must be designated an eligible telecommunications carrier by a state commission before receiving universal service support in accordance with section 254. A state commission that is unable to designate as an eligible telecommunications carrier, by January 1, 1998, a carrier that sought such designation before January 1, 1998, may, once it has designated such carrier, file with the Commission a petition for waiver of paragraph (a)(1) of this section

requesting that the carrier receive universal service support retroactive to January 1, 1998. The state commission must demonstrate in its petition that exceptional circumstances prevented it from designating such carrier as an eligible telecommunications carrier by January 1, 1998. (No. of respondents: 100; avg. hours per response: 4 hours; total annual burden: 400 hours).

b. *Demonstration of Reasonable Steps.* Carriers also are encouraged to file with the Commission information demonstrating that they took reasonable steps to be designated as eligible telecommunications carriers by January 1, 1998. (No. of respondents: 50; avg. hours per response: 1 hour; total annual burden: 50 hours).

c. *47 CFR §54.519—State telecommunications networks.* State telecommunications networks that secure discounts on eligible services on behalf of eligible schools and libraries must maintain records listing eligible schools and libraries, showing the basis on which eligibility determinations were made, and demonstrating the discount amount to which each eligible school and library is entitled. The state networks must direct the eligible schools and libraries to pay the discounted price for services and must comply with the competitive bid requirements established in 47 CFR §54.504. (No. of respondents: 50; avg. hours per response: 4 hours; total annual burden: 200 hours).

d. *Streamlined application process for schools and libraries and for rural health care providers.* An eligible school or library will not be required to undergo the competitive bid process outlined in 47 CFR §54.504(a) for a minor modification to a universal service contract as defined in 47 CFR §54.500(h). An eligible school or library making a minor modification to a contract must submit an FCC Form 471 indicating the value of the proposed contract modification. An eligible school or library will not be required to undergo the competitive bid process outlined in 47 CFR §54.504(a) if the eligible entity elects to order services from a master contract negotiated by a third party as defined in 47 CFR §54.500(g). An eligible rural health care provider shall not be required to undergo the competitive bid process outlined in §54.603 for a minor modification to a universal service contract. Such health care provider, however, shall be required to file an FCC Form 466 indicating the value of the proposed contract modification. An eligible rural health care provider shall not be required to undergo the competitive bid process outlined in 47

CFR §54.603 if the eligible entity elects to order services from a master contract negotiated by a third party. (See Order, Section J, pps. 130-136). (No. of respondents: 16,000; avg. hours per response: 1 hour; total annual burden: 16,000 hours).

e. *47 CFR §54.604—Existing contracts.* Rural health care providers bound by existing contracts for services shall not be required to comply with the competitive bid process outlined in 47 CFR §54.603. (This rule reduces the total annual burden of Section 54.603(b)(1) by 1,000 burden hours).

f. *Obligation to notify underlying carrier.* Systems integrators that derive *de minimis* amounts of revenue from the resale of telecommunications and small entities that qualify for the *de minimis* exemption are not required to contribute to universal service. They must, however, notify their underlying carriers that they constitute end users for universal service purposes. (No. of respondents: 1700; avg. hours per response: 1 hour; total annual burden: 1,700 hours). All the requirements contained herein are necessary to implement the congressional mandate for universal service. These reporting requirements are necessary to calculate the contribution amount owed by each telecommunications carrier or to verify that particular carriers and other respondents are eligible to receive universal service support. Obligation to comply: Mandatory.

OMB Control No.: 3060-0785.

Expiration Date: 08/31/98.

Title: Changes to the Board of Directors of the National Exchange Carrier Association and the Federal-State Joint Board on Universal Service, CC Docket Nos. 97-21 and 96-45.

Form No.: FCC Form 457.

Respondents: Business or other for-profit entities.

Estimated Annual Burden: 5,000 respondents; 11.3 hours per response (avg.); 55,650 hours total annual burden all requirements.

Estimated Annual Reporting and Recordkeeping Cost Burden: \$4,903,000.

Frequency of Response: On occasion.

Description: On December 30, 1997, the Commission released the *Fourth Order on Reconsideration* in Federal-Joint Board on Universal Service, CC Docket 96-45, Access Charge Reform, Price Cap Performance Review for Local Exchange Carriers, Transport Rate Structure and Pricing, End User Common Line Charge, CC Docket Nos. 96-262, 94-1, 91-213, 95-72 (Order). Following publication of the Commission's May 8th *Report and Order* on Universal Service, the Commission received significant

comment from the public regarding universal service in the form of petitions for reconsideration, oppositions to those petitions, and comments on those petitions. In the Order, the Commission responded to various issues raised in the petitions for reconsideration and/or clarification of the Commission's May 8th Report and Order on Universal Service. The Commission reconsidered certain aspects of the Universal Service Order and exempted additional entities from universal service contribution and reporting requirements. Broadcasters and schools, colleges, universities, rural health care providers, and systems integrators that derive *de minimis* amounts of revenue from the resale of telecommunications will not be required to contribute to universal service. See 47 CFR Section 54.703. Entities whose annual contribution would be less than \$10,000 will not be required to contribute to universal service or comply with universal service reporting requirements. See 47 CFR Section 54.705. Obligation to comply: Mandatory.

Public reporting burden for the collections of information is as noted above. Send comments regarding the burden estimate or any other aspect of the collections of information, including suggestions for reducing the burden to Performance Evaluation and Records Management, Washington, D.C. 20554.

Federal Communications Commission.

Magalie Roman Salas,
Secretary.

[FR Doc. 98-3989 Filed 2-13-98; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL EMERGENCY MANAGEMENT AGENCY

Draft American Indian and Alaska Native Policy

AGENCY: Federal Emergency
Management Agency (FEMA).

ACTION: Notice, with request for
comments.

SUMMARY: The Federal Emergency Management Agency (FEMA) has developed a draft American Indian and Alaska Native Policy that reflects the Agency's commitment to a government-to-government relationship. The draft policy reinforces the importance of partnership between and among all levels of government on issues related to disaster preparedness, mitigation, response and recovery. Contained within this draft policy are guiding principles for FEMA's interactions with Tribal governments.

DATES: We invite your comments on this policy and are extending the comment period to March 15, 1998.

ADDRESSES: Please send written comments to the Office of Policy and Regional Operations, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472. Comments may also be submitted via facsimile, (202) 646-4215, or by e-mail to Tribal.Liaison@fema.gov.

FOR FURTHER INFORMATION CONTACT: Rachael A. Rowland, Intergovernmental Affairs, Office of Policy and Regional Operations, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-2889.

SUPPLEMENTARY INFORMATION: In order to provide more time for comments on this draft policy we are republishing this notice, which first appeared in the **Federal Register** on November 17, 1997, and we are extending the comment period to March 15, 1998. The draft FEMA American Indian and Alaska Native Policy follows:

The United States has historically bonded together during times of disaster to provide assistance to those who have suffered the losses of loved ones or personal belongings. The guiding principle of the Federal Emergency Management Agency is "people helping people." It is in this spirit that the Federal Emergency Management Agency declares its policy towards American Indians and Alaska Natives.

The American Indian and Alaska Native tribal governments hold a unique status in the United States with the rights and benefits of sovereign nations. This policy outlines the principles under which all employees of the Federal Emergency Management Agency are to operate with regard to American Indian and Alaska Native tribal governments. This policy is based on the United States Constitution, Federal treaties, policy, statutes, court decisions, and the ongoing political relationship between Indian tribes and the Federal Government.

In recognition of the historic relationship between the United States, the American Indians and Alaska Native tribal governments, the Federal Emergency Management Agency supports a government-to-government relationship between the Federal Government and American Indian and Alaska Native tribes.

This policy pertains to federally recognized tribes and provides guidance to employees of the Federal Emergency Management Agency for issues affecting American Indians and Alaska Natives. This policy does not apply to Federal Emergency Management Agency

interactions with State-recognized tribes, Indians, or Alaska Natives who are not members of tribes with respect to matters provided for by Federal statute or regulation.

This partnership is intended to be flexible and dynamic to provide for the evolution of the partnerships between the Federal Emergency Management Agency and American Indian governments. Working relationships between the Federal Emergency Management Agency and the American Indian governments will be generally consistent nationwide; however, they will vary according to the legal basis and management requirements for each relationship.

This policy is adopted pursuant to and consistent with existing law and does not preempt or modify the authorities of the Federal Emergency Management Agency or other Federal departments and agencies. Nor does the policy suggest recognition of tribal authority that does not currently exist. However, the Federal Emergency Management Agency need not wait for judicial recognition over emergency management programs when such authority is already supported by law. This policy is for internal management only and shall not be construed to grant or vest any right to any party in respect to any Federal action not otherwise granted or vested by existing law or regulations.

Definitions

Indian Tribe: Any tribe, band, nation, Pueblo, or other organized group or community, including any Alaska Native Village (as defined in, or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 *et seq.*)), that is acknowledged by the Federal Government to constitute a tribe with a government-to-government relationship with the United States and eligible for the programs, services, and other relationships established by the United States for Indians because of their status as Indians and tribes.

Tribal Government: The recognized government of an Indian tribe and any affiliated or component Band government of such tribe that has been determined eligible for specific services by Congress or officially recognized by inclusion in 61 Fed. Reg. 58211, November 13, 1996, "Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs."

Policy Principles

The following policy statements provide general guidance to Federal Emergency Management Agency