

1997, at 62 FR 46682, provided for a 60-day period during which the public could submit comments. That period ended November 3, 1997. Due to the number of comments received, on November 12, 1997, at 62 FR 60672, we extended the public comment period to January 5, 1998. Altogether we received over 1,400 comments, almost all of which expressed opposition to the proposed changes.

Because of the information provided in the comments, we have decided to reconsider this proposal and to withdraw the proposed rules. We thank all those who took the time to submit comments to us.

Dated: February 1, 1999.

Kenneth S. Apfel,

Commissioner of Social Security.

[FR Doc. 99-3303 Filed 2-10-99; 8:45 am]

BILLING CODE 4190-29-P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

25 CFR Part 170

Notice of the Proposed Membership of the Negotiated Rulemaking Committee Under Section 1115 of the Transportation Equity Act for the 21st Century (TEA-21)

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: As required by the Negotiated Rulemaking Act, the Secretary of the Interior has selected the proposed member of a committee to develop proposed rules for the Indian Reservation Roads program. Tribes in each of the twelve Bureau of Indian Affairs (BIA) Areas were invited to nominate two representatives and two alternates to serve on the committee. After considering nominations, the Secretary proposes to appoint the persons named in this notice as committee members. Tribes, tribal organizations, and individual tribal members who believe that their interests will not be adequately represented by the persons identified in this notice may submit comments on the proposed selection, apply for membership on the committee, or submit other nominations.

DATES: Comments on the proposed committee membership to this negotiated rulemaking committee must be received no later than March 13, 1999.

ADDRESSES: Send nominations and comments to Mr. LeRoy Gishi, Chief,

Division of Transportation, Bureau of Indian Affairs, U.S. Department of the Interior, MS-4058-MIB, 1849 C Street NW, Washington, DC 20240.

Nominations and comments received by the BIA will be available for inspection at the address listed above from 9:00 a.m. to 4:00 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Mr. LeRoy Gishi, Chief, Division of Transportation, Bureau of Indian Affairs, at the address listed above, or by telephone at (202) 208-4359 or fax at (202) 208-4696. Additional information may be posted on the Indian Reservation Roads web site at www.irr.bia.gov, as it becomes available.

SUPPLEMENTARY INFORMATION: As required by 23 U.S.C. section 202, as amended by TEA-21, the Secretary shall, pursuant to a negotiated rulemaking process, issue regulations governing the Indian Reservation Roads program and establish a formula for allocating all contractible funds among Indian tribes for fiscal year 2000 and subsequent years. Section 202 also requires that in establishing this committee, the Secretary will (1) apply the procedures of negotiated rulemaking under subchapter III of chapter 5 of title 5 (the Negotiated Rulemaking Act) in a manner that reflects the unique government-to-government relationship between the Indian tribes and the United States, and (2) ensure that the membership of the committee includes only representatives of the Federal Government and of geographically diverse small, medium, and large Indian tribes.

In negotiating a proposed regulation establishing a funding formula, the committee will base its proposal on factors that reflect (a) the relative needs of the Indian tribes, and reservation or tribal communities, for transportation assistance, and (b) the relative administrative capacities of, and challenges faced by, various Indian tribes, including the cost of road construction in each BIA Area, geographic isolation and difficulty in maintaining all-weather access to employment, commerce, health, safety, and educational resources. Also, the committee will develop a regulation governing the Indian Reservation Roads program.

The Secretary invites organizations and individuals to comment on the nominations in this notice or nominate other persons for membership on the committee. The Secretary intends that the proposed committee (including any

additional members selected) reflect balanced interests as follows:

- (1) Members of geographically diverse small, medium, and large Indian tribes;
- (2) Members of tribes identified as Direct Service, Self-Determination and Self-Governance tribes; and
- (3) Members of tribes with various levels and types of experience in the diverse concerns of transportation development and management (e.g., jurisdictional issues, complexity of transportation systems, climatic concerns, environmental issues, geographic isolation, etc.).

The Secretary has determined that the proper functioning of the committee requires more than the 25 members recommended by the Negotiated Rulemaking Act (5 U.S.C. 565) in order to achieve balanced representation from geographically diverse small, medium, and large Indian tribes as required by Section 1115 of TEA-21. The Secretary has selected 29 tribal representatives and 13 Federal representatives for the committee, for a proposed total of 42 members. The first meeting of the committee is tentatively scheduled for March 16-18, 1999. The following membership for the committee is proposed:

Federal Representatives

Robert Baracker, Designated Federal Official, BIA Albuquerque Area Office
 LeRoy Gishi, Chief, BIA Division of Transportation
 Justin P. Patterson, Assistant Solicitor, Office of the Solicitor (One representative), BIA Juneau Area Office
 Cordell Ringel, Area Road Engineer, BIA Billings Area Office
 Wilfred Frazier, Area Road Engineer, BIA Navajo Area Office
 Vernon Palmer, Area Road Engineer, BIA Phoenix Area Office
 Robert Ecoffy, Superintendent, Pine Ridge Agency, BIA Aberdeen Area Office
 Joel Smith, Superintendent, Minnesota Agency, BIA Minneapolis Area Office
 Mike Smith, Assistant Area Director, BIA Sacramento Area Office (Three representatives) Department of Transportation

Representatives of Tribes, Tribal Organizations, and Individual Indians

ABERDEEN AREA

Pete Red Tomahawk, Transportation Planner
 Standing Rock Sioux Tribe
 Fort Yates, ND
 Ted Danks, Transportation Planner
 Three Affiliated Tribes of Mandan, Arikara and Hidatsa
 New Town, ND

- Alternates:
 Fern Peltier, Transportation Planner
 Turtle Mountain Band of Chippewa
 Indians
 Belcourt, ND
 Diane Zephier, Transportation Planner
 Oglala Sioux Tribe
 Pine Ridge, SD
 ALBUQUERQUE AREA
 Edward Little, Director, Indian Pueblos
 Federal Development Corp.
 All Indian Pueblo Council
 Albuquerque, NM
 James Mark Wright, Tribal Roads
 Engineer
 Jicarilla Apache Tribe
 Dulce, NM
 David Wyaco, Sr, Tribal Council
 Pueblo of Zuni
 Zuni, NM
 Alternates:
 Delfino Calabaza, AIPC Program
 Administrator
 Pueblo of Santo Domingo
 Santo Domingo Pueblo, NM
 Robert Goffinett, Tribal Transportation
 Director
 Ute Mountain Ute Tribe
 Towaco, CO
 ANADARKO AREA
 Chuck Tsoodle, Tribal Roads & Transit
 Director
 Kiowa Tribe of Oklahoma
 Carnegie, OK
 Tim Ramirez, Tribal Roads Director
 Prairie Band of Potawatami Nation
 Mayetta, KS
 Alternates:
 Bill Tall Bear, Program Coordinator-
 Transportation Planner
 Cheyenne-Arapaho Tribes of Oklahoma
 Concho, OK
 John Barrett, Chairman
 Citizen Potawatomi Nation
 Shawnee, OK
 BILLINGS AREA
 John Smith, Transportation Planner
 Shoshone & Arapaho Tribes
 Fort Washakie, WY
 Norma Gorneau, Vice Chair
 Northern Cheyenne Tribe
 Lame Deer, MT
 Alternates:
 John Healy, Transportation Planner
 Fort Belknap Tribes
 Harlem, MT
 Caleb Shields, Tribal Council
 Ft. Peck Tribe
 Poplar, MT
 EASTERN AREA
 Eddie Tullis, Tribal Chairman
 Poarch Band of Creek Indians
 Atmore, AL
 Jody Clark, Transportation Manager
 Seneca Nation of Indians
 Salamanca, NY
 Alternates:
 Johnson Owle, Transportation Planner
 Eastern Band of Cherokee Indians
 Cherokee, NC
 Clifford Francis, Tribal Council
 Pleasant Point Passamaquoddy
 Perry, ME
 JUNEAU AREA
 Loretta Bullard, President
 Kawarek, INC.
 Nome, AK
 Al Ketzler Sr., Chief Administrative
 Officer
 Tanana Chiefs Conference
 Fairbanks, AK
 Gideon James, Tribal Operations
 Director
 Native Village of Venetie Tribal
 Government
 Venetie, AK
 Alternates:
 Dugan Nielsen, Director, Land &
 Resources
 Bristol Bay Native Association
 Dillingham, AK
 Edward Thomas, President
 Central Council Tlingit and Haida
 Indian Tribes of Alaska
 Juneau, AK
 MINNEAPOLIS AREA
 Jim Garrigan, Director of Tribal Roads
 Red Lake Band of Chippewa Indians
 Red Lake, MN
 Mike Christensen, Tribal Roads
 Committee
 Lac Du Flambeau Chippewa
 Lac du Flambeau, WI
 Alternates:
 Bruce Danforth, Public Works Area
 Manager
 Oneida Nation
 Oneida, WI
 John Stewart, Tribal Engineer
 Prairie Island Indian Community
 Welch, MN
 MUSKOGEE AREA
 George Almerigi, Second Chief
 Muskogee Creek Nation
 Okmulgee, OK
 Everett Waller, Councilman
 Osage Nation
 Pawhuska, OK
 Alternates:
 Robert Endicott, Transportation Planner
 Cherokee Nation
 Tahlequah, OK
 Rebecca Torres, Chief
 Alabama Quassarat Tribal Town
 Henryetta, OK
 NAVAJO AREA
 Sampson Begay, Tribal Council
 Navajo Nation
 Window Rock, AZ
 Andrew Simpson, Tribal Council
 Navajo Nation
 Window Rock, AZ
 Alternates:
 Alfred Yazzie, Navajo Nation Council
 Navajo Nation
 Window Rock, AZ
 Thomas Christie, Department of Justice
 Navajo Nation
 Window Rock, AZ
 PHOENIX AREA
 Alex Cabello, Councilman
 Hualapai Tribe
 Peach Springs, AZ
 Robyn Burdette, Chairperson
 Summit Lake Paiute Tribe
 Winnemucca, NV
 Wade Large, Asst. Economic
 Development Director
 Uintah & Ouray Ute Tribe
 Fort Duchesne, UT
 Alternates:
 Cecil Antone, Lieutenant Governor
 Gila River Indian Community
 Sacaton, AZ
 Rita Martinez, Councilwoman
 Tohono O'odham Nation
 Sells, AZ
 PORTLAND AREA
 Michael Marchand, Colville Business
 Council
 Confederated Tribes of Colville Indians
 Nespelem, WA
 Dave Whitener, Chairman
 Squaxin Island Tribe
 Shelton, WA
 Della Cree, Community Development
 Planner
 Nez Perce Tribe
 Lapwai, ID
 Alternates:
 Andy Kampkoff, Construction Manager
 Lummi Indian Business Council
 Bellingham, WA
 Mike Clement, Economic Development
 Manager
 Confederated Tribes of Warm Springs
 Warm Springs, OR
 SACRAMENTO AREA
 Anthony Largo, Spokesman
 Santa Rosa Indian Reservation
 Hemet, CA
 Mervin Hess, Chairperson
 Bishop Indian Reservation
 Bishop, CA
 Vlayn McCovey, Council Member
 Yurok Tribe
 Eureka, CA
 Alternates:
 Mac Hayward, Public Works Director
 Redding Rancheria
 Redding, CA
 Randolph Feliz, Tribal Vice Chair
 Hopland Band of Pomo Indians
 Hopland, CA
 If you believe that your interests will
 not be adequately represented by any
 person identified in the committee
 membership, you may apply or
 nominate another person for
 membership on the committee. Each
 application or nomination must include:
 (1) The name of the nominee.
 (2) The tribal interest(s) to be
 represented by the nominee (based on
 the interests listed above).
 (3) Evidence that the applicant or
 nominee is authorized to represent

parties related to the interest(s) the person proposed to represent.

(4) The reasons that the proposed members of the committee identified in this notice do not represent the interests of the person submitting the application or nomination.

(5) Your name, address, telephone number, and the name of the tribe or tribal organization with which you are affiliated.

To be considered, comments and nominations must be received by the close of business on March 13, 1999, at the location indicated in the "Addresses" section.

Dated: February 4, 1999.

Kevin Gover,

Assistant Secretary—Indian Affairs.

[FR Doc. 99-3301 Filed 2-10-99; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA 164-0112b; FRL-6227-3]

Approval and Promulgation of State Implementation Plans; California State Implementation Plan Revision, San Joaquin Valley Unified Air Pollution Control District, Sacramento Metropolitan Air Quality Management District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve revisions to the California State Implementation Plan (SIP) which concern the control of oxides of nitrogen (NO_x) emissions from solid fuel fired boilers, steam generators and process heaters within the San Joaquin Valley Unified Air Pollution Control District and from stationary gas turbine operations within the Sacramento Metropolitan Air Quality Management District.

The intended effect of proposing approval of these rules is to regulate emissions of NO_x in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). In the Final Rules Section of this **Federal Register**, the EPA is approving the state's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for this approval is set forth in the direct final rule. If no adverse comments are received in response to this rule, no further activity is contemplated in

relation to this rule. If EPA receives adverse comments, the direct final rule will not take effect and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this document. Any parties interested in commenting on this action should do so at this time.

DATES: Written comments must be received by March 15, 1999.

ADDRESSES: Written comments should be addressed to: Andrew Steckel, Rulemaking Office (AIR-4), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901.

Copies of the rule revisions and EPA's evaluation report of each rule are available for public inspection at EPA's Region IX office during normal business hours. Copies of the submitted rules are also available for inspection at the following locations:

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 2020 "L" Street, Sacramento, CA 95814.

San Joaquin Valley Unified Air Pollution Control District, 1999 Tuolumne Street, Suite 200, Fresno, CA 93721.

Sacramento Metropolitan Air Quality Management District, 8411 Jackson Road, Sacramento, CA 95826

FOR FURTHER INFORMATION CONTACT:

Andrew Steckel, Rulemaking Office (AIR-4), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901, Telephone: (415) 744-1185.

SUPPLEMENTARY INFORMATION: This document concerns San Joaquin Valley Unified Air Pollution Control District's (SJVUAPCD) Rule 4352, Solid Fuel Fired Boilers, Steam Generators and Process Heaters, and Sacramento Metropolitan Air Quality Management District's (SMAQMD) Rule 413, Stationary Gas Turbines. The SJVUAPCD rule was submitted by the California Air Resources Board (CARB) to EPA on March 26, 1996 and the SMAQMD rule was submitted on May 18, 1998. For further information, please see the information provided in the direct final action which is located in the Rules Section of this **Federal Register**.

Authority: 42 U.S.C. 7401-7671q.

Dated: January 14, 1999.

Felicia Marcus,

Regional Administrator, Region 9.

[FR Doc. 99-3144 Filed 2-10-99; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

42 CFR Parts 410, 414, 424, 476, and 498

[HCFA-3002-P]

RIN 0938-A196

Medicare Program; Expanded Coverage for Outpatient Diabetes Self-Management Training Services

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

ACTION: Proposed rule.

SUMMARY: This proposed rule would provide for uniform coverage of outpatient diabetes self-management training services. These services include educational and training services furnished to a beneficiary with diabetes by an entity deemed to meet certain quality standards proposed in this rule. The physician or qualified nonphysician practitioner treating the beneficiary's diabetes would certify that these services are needed as part of a comprehensive plan of care. It sets forth proposed payment amounts that have been established in consultation with appropriate diabetes organizations. It would implement section 4105 of the Balanced Budget Act of 1997.

COMMENT DATE: Comments will be considered if we receive them at the appropriate address, as provided below, no later than 5 p.m. on April 12, 1999.

ADDRESSES: Mail written comments (1 original and 3 copies) to the following address: Health Care Financing Administration, Department of Health and Human Services, Attention: HCFA-3002-P, PO Box 31850, Baltimore, MD 21207-8850.

If you prefer, you may deliver your written comments (1 original and 3 copies) to one of the following addresses:

Room 309-G, Hubert H. Humphrey Building, 200 Independence Avenue, SW., Washington, DC 20201, or Room C5-09-26, 7500 Security Boulevard, Baltimore, MD 21244-1850.

Because of staffing and resource limitations, we cannot accept comments by facsimile (FAX) transmission. In commenting, please refer to file code HCFA-3002-P. 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 309-G of the Department's offices at 200 Independence Avenue,