

private property or otherwise have taking implications under this Order.

E.O. 12875, Enhancing the Intergovernmental Partnership. This proposed rule will not impose, on any State, local, or tribal government, a mandate that is not required by statute and that is not funded by the Federal government.

E.O. 12988, Civil Justice Reform. This proposed rule meets applicable standards in sections 3(a) and 3(b)(2) of this Order to minimize litigation, eliminate ambiguity, and reduce burden.

E.O. 13045, Protection of Children from Environmental Health Risks and Safety Risks. This proposed rule is not an economically significant rule and does not concern an environmental risk to safety disproportionately affecting children.

#### List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reports and recordkeeping requirements, Security measures, Waterways.

#### Proposed Regulation

For reasons set out in the preamble, the Coast Guard proposes to amend 33 CFR Part 165 as follows:

#### Part 165—[AMENDED]

1. The authority citation for Part 165 continues to read as follows:

**Authority:** 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05-1(g) 6.04-6, 160.5; 49 CFR 1.46. Section 165.100 is also issued under authority of Sec. 311, Pub. L. 105-383.

2. Add temporary § 165.T01-051 to read as follows:

#### § 165.T01-051 Safety Zone: Macy's Fourth of July Fireworks, East River, New York.

(a) *Location.* The following area is a safety zone: All waters of the East River east of a line drawn from the Fireboat Station, at Battery Park, Manhattan, New York in approximate position 40°42'16"N 074°01'07"W (NAD 1983) to Governors Island Light (LLNR 35010), in approximate position 40°41'35"N 074°01'11"W (NAD 1983); north of a line drawn from the Brooklyn Battery Tunnel ventilator shaft at Governors Island, New York, in approximate position 40°41'35"N 074°01'11"W (NAD 1983) to the northwest corner of Pier 6, Brooklyn, New York; south of a line drawn from Lawrence Point (40°47'27"N 073°54'35"W (NAD 1983)) to Stony Point (40°47'48"N 073°54'42"W (NAD 1983)), and south of the Harlem River Foot Bridge, New York. This safety zone also includes all waters of Newtown Creek west of the Pulaski Bascule Bridge.

(b) *Effective period.* This section is effective from 7:30 p.m. until 11:30 p.m. on July 4th, 1999. There is no rain date for this event.

#### (c) Regulations.

(1) The general regulations in 33 CFR 165.23 apply.

(2) No vessels will be allowed to transit the safety zone without the permission of the Captain of the Port, New York.

(3) Vessels may remain in the safety zone for the purpose of viewing the event in accordance with the following pre-established viewing areas:

(i) Vessels less than 20 meters (65.6 feet) in length, carrying persons for the purpose of viewing the fireworks, may take position in the northern area of the zone, north of the southern tip of Roosevelt Island, south of the safety zone's southern area in Buttermilk Channel, and in Newtown Creek, east of the Pulaski Bascule Bridge.

(ii) Vessels equal to or greater than 20 meters (65.6 feet) in length, carrying persons for the purpose of viewing the fireworks, may take position in an area at least 200 yards off the bulkhead on the west bank and just off the pierhead faces on the east bank of the East River between the Williamsburg Bridge and a line drawn from East 15th Street, Manhattan, to a point due east on the Brooklyn shore at the north corner of the Bushwick Inlet entrance.

(iii) Vessels must be positioned in their respective viewing areas within the safety zone between 6:30 p.m. and 8 p.m.

(4) All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the designated on-scene-patrol personnel. These personnel comprise commissioned, warrant, and petty officers of the Coast Guard. Upon being hailed by a U.S. Coast Guard vessel by siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed.

**R. E. Bennis,**

*Captain, Coast Guard, Captain of the Port, New York.*

[FR Doc. 99-13240 Filed 5-24-99; 8:45 am]

BILLING CODE 4910-15-M

#### POSTAL SERVICE

#### 39 CFR Part 111

#### Packaging Material Standards for Flat-Size Periodicals and Standard Mail

**AGENCY:** Postal Service.

**ACTION:** Withdrawal of proposed rule.

**SUMMARY:** The Postal Service is withdrawing its proposal to prohibit use

of string and rubber bands to secure packages of flat-size Periodicals and Standard Mail when prepared on pallets.

**FOR FURTHER INFORMATION CONTACT:** Lynn M. Martin, (202) 268-6351.

**SUPPLEMENTARY INFORMATION:** In the **Federal Register** issue of March 9, 1999 (64 FR 11402) the Postal Service published a proposed rule to prohibit the use of string and rubber bands to secure packages of flat-size Periodicals mail and Standard Mail when prepared on pallets. This proposal also stated that the Postal Service planned, in the future, to extend this prohibition to flat-size Periodicals mail and Standard Mail prepared in sacks. Twenty-nine comments were received in response to the proposed rule.

In response to many of these comments, the Postal Service has decided to withdraw this proposal until additional research can be done as to why packages do not maintain their integrity during processing. When more specific data have been gathered, the Postal Service will publish for public comment a new proposed rule governing packaging standards for flat-size Periodicals and Standard Mail (A).

**Stanley F. Mires,**

*Chief Counsel, Legislative.*

[FR Doc. 99-13112 Filed 5-24-99; 8:45 am]

BILLING CODE 7710-12-P

#### FEDERAL COMMUNICATIONS COMMISSION

**47 CFR Parts 1, 22, 24, 26, 27, 73, 74, 80, 87, 90, 95, 97, and 101**

[WT Docket No. 99-87, RM-9332, RM-9405; FCC 99-52]

#### Revised Competitive Bidding Authority; Correction

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice of proposed rulemaking; correction.

**SUMMARY:** This document corrects the heading to a *Notice of Proposed Rule Making* ("NPRM"), published in the **Federal Register** of May 3, 1999, regarding Revised Competitive Bidding Authority. This correction adds the Commission's file number, RM-9405, to the heading.

**FOR FURTHER INFORMATION CONTACT:** Gary D. Michaels, Auctions & Industry Analysis Division, Wireless Telecommunications Bureau, at (202) 418-0660, or Scot Stone Public Safety & Private Wireless Division, Wireless

Telecommunications Bureau, at (202) 418-0680.

### Correction

In the *Notice of Proposed Rule Making* ("NPRM") published in the **Federal Register** of May 3, 1999, 64 FR 23571, make the following correction to the heading. On page 23571 in the first column, in the heading, add RM-9405.

**SUPPLEMENTARY INFORMATION:** On May 7, 1999, the Auctions and Industry Analysis Division of the Wireless Telecommunications Bureau released an Erratum to correct the caption of the Commission's *Notice of Proposed Rule Making* ("NPRM"), WT Docket No. 99-87, RM-9332, RM-9405, FCC 99-52. The caption was corrected to add RM No. 9405. The *NPRM* has not yet been published in the FCC Record.

Accordingly, the corrected caption shall be incorporated into the *NPRM* prior to such publication. The complete text of the Erratum is available for inspection and copying during normal business hours in the FCC Reference Information Center, Room CY-A257, 445 Twelfth Street, S.W., Washington, D.C.

Federal Communications Commission.

**Magalie Roman Salas,**

*Secretary.*

[FR Doc. 99-13101 Filed 5-24-99; 8:45 am]

BILLING CODE 6712-01-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MM Docket No. 99-155, RM-9606]

### Radio Broadcasting Services; Elgin, OR

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by Gary Noel to allot Channel 290A to Elgin, Oregon, as the community's first local aural service. Channel 290A can be allotted to Elgin in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction, at coordinates 45-33-54 NL; 117-55-00 WL.

**DATES:** Comments must be filed on or before July 6, 1999, and reply comments on or before July 21, 1999.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, SW., Room TW-A325, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should

serve the petitioner, or its counsel or consultant, as follows: Gary Noel, 71536 Levi Lane, Elgin, OR 97827 (Petitioner).

**FOR FURTHER INFORMATION CONTACT:** Leslie K. Shapiro, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 99-155, adopted May 5, 1999, and released May 14, 1999. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street, SW, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, Inc., (202) 857-3800, 1231 20th Street, NW, Washington, DC 20036.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

### List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

**John A. Karousos,**

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

[FR Doc. 99-13166 Filed 5-24-99; 8:45 am]

BILLING CODE 6712-01-U

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MM Docket No. 99-156, RM-9613]

### Radio Broadcasting Services; Pleasant Dale, NE

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by Mountain West Broadcasting to allot Channel 256A to Pleasant Dale, NE, as the community's first local aural service. Petitioner is requested to provide further information

demonstrating that Pleasant Dale is a "community" for allotment purposes. Channel 256A can be allotted to Pleasant Dale in compliance with the Commission's minimum distance separation requirements with a site restriction of 7.3 kilometers (4.5 miles) north, at coordinates 40-51-25 NL; 96-55-37 WL, to avoid a short-spacing to Station KUTT, Channel 258C1, Fairbury, NE.

**DATES:** Comments must be filed on or before July 6, 1999, and reply comments on or before July 21, 1999.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, SW., Room TW-A325, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Victor A. Michael, Jr., President, Mountain West Broadcasting, 6807 Foxglove Drive, Cheyenne, WY 82009 (Petitioner).

**FOR FURTHER INFORMATION CONTACT:** Leslie K. Shapiro, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 99-156, adopted May 5, 1999, and released May 14, 1999. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street, SW, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, Inc., (202) 857-3800, 1231 20th Street, NW, Washington, DC 20036.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

### List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

**John A. Karousos,**

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

[FR Doc. 99-13167 Filed 5-24-99; 8:45 am]

BILLING CODE 6712-01-U