

or statement is provided, the VA employee documents in the beneficiary's VA records the specific information or statement provided, the date such information or statement was provided, the identity of the provider, the steps taken to verify the identity of the provider as being either the beneficiary or his or her fiduciary, and that he or she informed the provider that the information would be used for the purpose of calculating benefit amounts.

(Authority: 38 U.S.C. 501, 1115, 1506, 5104)

5. Section § 3.256(a) introductory text is amended by removing "in writing".

6. Section § 3.277(b) introductory text is amended by removing "in writing".

[FR Doc. 01-9643 Filed 4-19-01; 8:45 am]

**BILLING CODE 8320-01-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Parts 52 and 81

[Region 7 Tracking No. 0124-1124(a); FRL-6968-4]

#### Approval and Promulgation of Implementation Plans and Redesignation of Areas for Air Quality Planning Purposes; State of Nebraska

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA proposes to approve the State Implementation Plan (SIP) revision and request for redesignation submitted by the state of Nebraska for the purpose of redesignating the lead nonattainment area in eastern Douglas County, Nebraska, to attainment of the national ambient air quality standards (NAAQS). In the final rules section of the **Federal Register**, EPA is approving the state's SIP revision and promulgating an attainment designation as a direct final rule without prior proposal because the Agency views this as a noncontroversial action and anticipates no relevant adverse comments to this action. A detailed rationale for the action is set forth in the direct final rule. If no relevant adverse comments are received in response to this action, no further activity is contemplated in relation to this action. If EPA receives relevant adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed action. 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:** Comments on this proposed action must be received in writing by May 21, 2001.

**ADDRESSES:** Comments may be mailed to Kim Johnson, Environmental Protection Agency, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101.

**FOR FURTHER INFORMATION CONTACT:** Kim Johnson at (913) 551-7975.

**SUPPLEMENTARY INFORMATION:** See the information provided in the direct final rule which is located in the rules section of the **Federal Register**.

Dated: April 11, 2001.

**William A. Spratlin,**

*Acting Regional Administrator., Region 7.*

[FR Doc. 01-9740 Filed 4-19-01; 8:45 am]

**BILLING CODE 6560-50-U**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 01-804; MM Docket No. 01-80, RM-10089; MM Docket No. 01-81; RM-10090]

#### Radio Broadcasting Services; Eagle Lake, TX; Montana City, MT

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document proposes two allotments. The Commission requests comments on a petition filed by Stargazer Broadcasting, Inc., proposing the allotment of Channel 237C3 at Eagle Lake, Texas, as the community's first local aural transmission service. Channel 237C3 can be allotted to Eagle Lake in compliance with the Commission's minimum distance separation requirement with a site restriction of 16.4 kilometers (10.2 miles) west to avoid short-spacings to the licensed sites of Station KVIC(FM), Channel 236C3, Victoria, Texas, and Station KIKK-FM, Channel 239C, Houston, Texas. The coordinates for Channel 237C3 at Eagle Lake are 29-35-15 North Latitude and 96-30-03 West Longitude. The Commission requests comments on a petition filed by Montana Magic Investments, Inc., proposing the allotment of Channel 293A at Montana City, Montana, as the community's first local aural transmission service. Channel 293A can be allotted to Montana City in compliance with the Commission's minimum distance separation requirements with a site restriction of

3.8 kilometers (2.4 miles) north to avoid a short-spacing to the licensed site of Station KWYS-FM, Channel 293C, Island Park, Idaho. The coordinates for Channel 293A at Montana City are 46-33-43 North Latitude and 111-57-39 West Longitude. Since Montana City is located within 320 kilometers (200 miles) of the U.S.-Canadian border, concurrence of the Canadian government has been requested.

**DATES:** Comments must be filed on or before May 21, 2001, and reply comments on or before June 5, 2001.

**ADDRESSES:** Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, his counsel, or consultant, as follows: David P. Garland, President, Stargazer Broadcasting, Inc., P.O. Box 519, Woodville, Texas 75797 (Petitioner); Roger Lonnquist, Montana Magic Investments, Inc., P.O. Box 4218, Helena, Montana 59604 (Petitioner).

**FOR FURTHER INFORMATION CONTACT:**

Sharon P. McDonald, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 01-80 and MM Docket No. 01-81, adopted March 21, 2001, and released March 30, 2001. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Information Center (Room CY-A257), 445 12th Street, SW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857-3800, 1231 20th Street, NW., Washington, DC 20036.

The 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.  
For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR Part 73 as follows: