

patient who is not under gas anesthesia from class II (performance standards) into class II (special controls), and the PcO<sub>2</sub> monitor for all other uses from class III (premarket approval) into class II (special controls).

**DATES:** Submit written or electronic comments on this guidance at any time. General comments on agency guidances are welcome at any time.

**ADDRESSES:** Submit written requests for single copies on a 3.5" diskette of the guidance document entitled "Class II Special Controls Guidance Document: Cutaneous Carbon Dioxide (PcCO<sub>2</sub>) and Oxygen (PcO<sub>2</sub>) Monitors; Guidance for Industry and FDA" to the Division of Small Manufacturers, International, and Consumer Assistance (HFZ-220), Center for Devices and Radiological Health, Food and Drug Administration, 1350 Piccard Dr., Rockville, MD 20850. Send two self-addressed adhesive labels to assist that office in processing your request, or fax your request to 301-443-8818. See the **SUPPLEMENTARY INFORMATION** section for information on electronic access to the guidance.

Submit written comments concerning this guidance to the Dockets Management Branch (HFA-305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852. Comments should be identified with the docket number found in brackets in the heading of this document. Submit electronic comments to <http://www.fda.gov/dockets/ecomments>.

**FOR FURTHER INFORMATION CONTACT:** William A. Noe, Center for Devices and Radiological Health (HFZ-450), Food and Drug Administration, 9200 Corporate Blvd., Rockville, MD 20850, 301-443-8609, ext. 174.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

In the **Federal Register** of February 12, 2002 (67 FR 6444), FDA published a proposed rule to reclassify the PcCO<sub>2</sub> monitor from class II (performance standards) into class II (special controls), the PcO<sub>2</sub> monitor for an infant patient who is not under gas anesthesia from class II (performance standards) into class II (special controls), and the PcO<sub>2</sub> monitor for all other uses from class III (premarket approval) into class II (special controls).

In the **Federal Register** of February 12, 2002 (67 FR 6544), FDA also identified the document "Class II Special Controls Guidance Document: Cutaneous Carbon Dioxide (PcCO<sub>2</sub>) and Oxygen (PcO<sub>2</sub>) Monitors; Draft Guidance for Industry and FDA" as the special control capable of providing reasonable assurance of safety and effectiveness for

these devices. This guidance document describes a means by which PcCO<sub>2</sub> and PcO<sub>2</sub> monitors may comply with the requirement of special controls for class II devices. Designation of this guidance document as a special control means that a manufacturer attempting to establish that its device is substantially equivalent to a predicate class II monitor must demonstrate that the proposed device complies with either the specific recommendations of this guidance or some alternate control that provides equivalent assurances of safety and effectiveness.

Interested persons were invited to comment on the draft guidance by May 13, 2002. FDA received two comments on the draft guidance document. The comments, from manufacturers, suggested that the draft guidance does not cite current voluntary consensus standards applicable to the devices subject to this guidance. FDA considered the comments and revised the guidance where we believe appropriate. FDA also clarified the description of the risks to health, in order to relate the risks more directly to the recommended mitigation measures.

**II. Significance of Guidance**

This guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The guidance represents the agency's current thinking on "Class II Special Controls Guidance Document: Cutaneous Carbon Dioxide (PcCO<sub>2</sub>) and Oxygen (PcO<sub>2</sub>) Monitors; Guidance for Industry and FDA." It does not create or confer any rights for or on any person and does not operate to bind FDA or the public. An alternative approach may be used if such approach satisfies the requirements of the applicable statute and regulations.

**III. Electronic Access**

In order to receive "Class II Special Controls Guidance Document: Cutaneous Carbon Dioxide (PcCO<sub>2</sub>) and Oxygen (PcO<sub>2</sub>) Monitors; Guidance for Industry and FDA," via your fax machine, call the CDRH Facts-On-Demand system at 800-899-0381 or 301-827-0111 from a touch-tone telephone. Press 1 to enter the system. At the second voice prompt press 1 to order a document. Enter the document number (1335) followed by the pound sign (#). Follow the remaining voice prompts to complete your request.

Persons interested in obtaining a copy of the guidance may also do so using the Internet. CDRH maintains an entry on the Internet for easy access to information including text, graphics, and files that may be downloaded to a

personal computer with Internet access. Updated on a regular basis, the CDRH home page includes device safety alerts, **Federal Register** reprints, information on premarket submissions (including lists of approved applications and manufacturers' addresses), small manufacturers' assistance, information on video conferencing and electronic submissions, Mammography Matters, and other device-oriented information. The CDRH home page may be accessed at <http://www.fda.gov/cdrh>. A search capability for all CDRH guidance documents is available at <http://www.fda.gov/cdrh/guidance.html>. Guidance documents are also available on the Dockets Management Branch Internet site at <http://www.fda.gov/ohrms/dockets>.

**IV. Paperwork Reduction Act of 1995**

The premarket notification information collections addressed in the guidance have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (PRA) under OMB control number 0910-0120. The labeling provisions addressed in the guidance have been approved by OMB under the PRA under OMB control number 0910-0485.

**V. Comments**

Interested persons may submit to the Dockets Management Branch (see **ADDRESSES**) written or electronic comments on the guidance. Two copies of any comments are to be submitted, except that individuals may submit one copy. Comments are to be identified with the docket number found in brackets in the heading of this document. The guidance document and received comments may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

Dated: December 2, 2002.

**Linda S. Kahan,**

*Deputy Director, Center for Devices and Radiological Health.*

[FR Doc. 02-31441 Filed 12-12-02; 8:45 am]

**BILLING CODE 4160-01-S**

**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

**[Docket No. FR-4730-N-50]**

**Federal Property Suitable as Facilities To Assist the Homeless**

**AGENCY:** Office of the Assistant Secretary for Community Planning and Development, HUD.

**ACTION:** Notice.

**SUMMARY:** This Notice identifies unutilized, underutilized, excess, and surplus Federal property reviewed by HUD for suitability for possible use to assist the homeless.

**FOR FURTHER INFORMATION CONTACT:**

Mark Johnston, room 7266, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, DC 20410; telephone (202) 708-1234; TTY number for the hearing- and speech-impaired (202) 708-2565 (these telephone numbers are not toll-free), or call the toll-free Title V information line at 1-800-927-7588.

**SUPPLEMENTARY INFORMATION:** In accordance with 24 CFR part 581 and section 501 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411), as amended, HUD is publishing this Notice to identify Federal buildings and other real property that HUD has reviewed for suitability for use to assist the homeless. The properties were reviewed using information provided to HUD by Federal landholding agencies regarding unutilized and underutilized buildings and real property controlled by such agencies or by GSA regarding its inventory of excess or surplus Federal property. This Notice is also published in order to comply with the December 12, 1988 Court Order in *National Coalition for the Homeless v. Veterans Administration*, No. 88-2503-OG (D.D.C.).

Properties reviewed are listed in this Notice according to the following categories: Suitable/available, suitable/unavailable, suitable/to be excess, and unsuitable. The properties listed in the three suitable categories have been reviewed by the landholding agencies, and each agency has transmitted to HUD: (1) Its intention to make the property available for use to assist the homeless, (2) its intention to declare the property excess to the agency's needs, or (3) a statement of the reasons that the property cannot be declared excess or made available for use as facilities to assist the homeless.

Properties listed as suitable/available will be available exclusively for homeless use for a period of 60 days from the date of this Notice. Where property is described as for "off-site use only" recipients of the property will be required to relocate the building to their own site at their own expense. Homeless assistance providers interested in any such property should send a written expression of interest to HHS, addressed to Shirley Kramer, Division of Property Management, Program Support Center, HHS, room 58-41, 5600 Fishers Lane, Rockville, MD 20857; (301) 443-2265. (This is not a

toll-free number.) HHS will mail to the interested provider an application packet, which will include instructions for completing the application. In order to maximize the opportunity to utilize a suitable property, providers should submit their written expressions of interest as soon as possible. For complete details concerning the processing of applications, the reader is encouraged to refer to the interim rule governing this program, 24 CFR part 581.

For properties listed as suitable/to be excess, that property may, if subsequently accepted as excess by GSA, be made available for use by the homeless in accordance with applicable law, subject to screening for other Federal use. At the appropriate time, HUD will publish the property in a Notice showing it as either suitable/available or suitable/unavailable.

For properties listed as suitable/unavailable, the landholding agency has decided that the property cannot be declared excess or made available for use to assist the homeless, and the property will not be available.

Properties listed as unsuitable will not be made available for any other purpose for 20 days from the date of this Notice. Homeless assistance providers interested in a review by HUD of the determination of unsuitability should call the toll free information line at 1-800-927-7588 for detailed instructions or write a letter to Mark Johnston at the address listed at the beginning of this Notice. Included in the request for review should be the property address (including zip code), the date of publication in the **Federal Register**, the landholding agency, and the property number.

For more information regarding particular properties identified in this Notice (*i.e.*, acreage, floor plan, existing sanitary facilities, exact street address), providers should contact the appropriate landholding agencies at the following addresses: Army: Ms. Julie Jones-Conte, Department of the Army, Office of the Assistant Chief of Staff for Installation Management, Attn: DAIM-MD, Room 1E677, 600 Army Pentagon, Washington, DC 20310-600; (703) 692-9223; DOT: Mr. Rugene Spruill, Principal, Space Management, SVC-140, Transportation Administrative Service Center, Department of Transportation, 400 7th Street, SW, Room 2310, Washington, DC 20590; (202) 366-4266; Energy: Mr. Tom Knox, Department of Energy, Office of Engineering & Construction Management, CR-80, Washington, DC 20585; (202) 586-8715; GSA: Mr. Brian K. Polly, Assistant Commissioner,

General Services Administration, Office of Property Disposal, 18th and F Streets, NW., Washington, DC 20405; (202) 501-0052; Navy: Mr. Charles C. Cocks, Director, Department of the Navy, Real Estate Policy Division, Naval Facilities Engineering Command, Washington Navy Yard, 1322 Patterson Ave., SE., Suite 1000, Washington, DC 20374-5065; (202) 685-9200; (These are not toll-free numbers).

Dated: December 6, 2002.

**John D. Garrity,**

*Director, Office of Special Needs Assistance Programs.*

**Title V. Federal Surplus Property Program  
Federal Register Report for 12/13/02**

**Suitable/Available Properties**

*Buildings (by State)*

Missouri

Old Custom House/P.O.  
815 Olive Street  
St. Louis Co: MO 63101-  
Landholding Agency: GSA  
Property Number: 54200240016  
Status: Surplus  
Comment: 6-story office building, restrictive use due to Historical Landmark status  
GSA Number: 7-G-MO-074

Pennsylvania

Bldg. 00634  
Carlisle Barracks  
Carlisle Co: Cumberland PA 17013-  
Landholding Agency: Army  
Property Number: 21200240089  
Status: Unutilized  
Comment: 113 sq. ft., presence of asbestos, most recent use—plant/utility bldg., off-site use only

California

Bldgs. 18017, 18018  
SATCOM  
Paso Robles Co: San Luis Obispo CA 93451-  
Landholding Agency: Army  
Property Number: 212002240081  
Status: Unutilized  
Comment: 1440 sq. ft., most recent use—storage, off-site use only

Bldg. 18300

SATCOM  
Paso Robles Co: San Luis Obispo CA 93451-  
Landholding Agency: Army  
Property Number: 212002240082  
Status: Unutilized  
Comment: 864 sq. ft., presence of asbestos, most recent use—admin., off-site use only

Georgia

Bldg. T-920  
Fort Stewart  
Hinesville Co: Liberty GA 31314-  
Landholding Agency: Army  
Property Number: 212002240083  
Status: Excess  
Comment: 13,337 sq. ft., most recent use—office, off-site use only

North Carolina

Bldgs. A2245, A2345  
Fort Bragg  
Ft. Bragg Co: Cumberland NC 28310-

Landholding Agency: Army  
Property Number: 21200240084  
Status: Excess  
Comment: 3444 sq. ft. each, possible asbestos/lead paint, most recent use—vehicle maint. shop, off-site use only

Bldg. A2544  
Fort Bragg  
Ft. Bragg Co: Cumberland NC—  
Landholding Agency: Army  
Property Number: 21200240085  
Status: Excess  
Comment: 4000 sq. ft., possible asbestos/lead paint, most recent use—admin. facility, off-site use only

Bldg. D2826  
Fort Bragg  
Ft. Bragg Co: Cumberland NC—28310—  
Landholding Agency: Army  
Property Number: 21200240086  
Status: Excess  
Comment: 41,520 sq. ft., possible asbestos/lead paint, most recent use—barracks, off-site use only

Bldg. N4116  
Fort Bragg  
Ft. Bragg Co: Cumberland NC—28310—  
Landholding Agency: Army  
Property Number: 21200240087  
Status: Excess  
Comment: 3944 sq. ft., possible asbestos/lead paint, most recent use—community facility, off-site use only

103 Bldgs.  
Fort Bragg  
Ft. Bragg Co: Cumberland NC—28310—5000  
Location: WS001—WS02A, PE001—PE031, 002F1—02F36, 00651, 1101, DT001—DT035, DT052—DT056, 09051  
Landholding Agency: Army  
Property Number: 21200240088  
Status: Excess  
Comment: Multi-use structures, various sq ft., possible asbestos/lead paint, off-site use only

Virginia  
Bldgs. T0107—T0111  
Fort Pickett  
Blackstone Co: Nottoway VA 23824—  
Landholding Agency: Army  
Property Number: 2120024090  
Status: Unutilized  
Comment: 9017 sq. ft., poor condition, presence of asbestos, most recent use—warehouse, off-site use only

Washington  
Bldg. 04180  
Fort Lewis  
Ft. Lewis Co: Pierce WA 98433—9500  
Landholding Agency: Army  
Property Number: 21200240091  
Status: Unutilized  
Comment: 72 sq. ft., most recent use—guard shack, off-site use only

Bldg. 05904  
Fort Lewis  
Ft. Lewis Co: Pierce WA 98433—9500  
Landholding Agency: Army  
Property Number: 21200240092  
Status: Excess  
Comment: 82 sq. ft., most recent use—guard shack, off-site use only

Bldgs. 9003, 9517  
Fort Lewis  
Ft. Lewis Co: Pierce WA 98433—9500  
Landholding Agency: Army  
Property Number: 21200240093  
Status: Excess  
Comment: 80 and 82 sq. ft., most recent use—guard shack, off-site use only

**Unsuitable properties**

*Buildings (by State)*

Hawaii  
Bldg. 329  
NCTAMS PAC  
Wahiawa Co: HI 96786—  
Landholding Agency: Navy  
Property Number: 77200240058  
Status: Excess  
Reason: Secured Area

Mississippi  
Bldgs. 239, 240  
Naval Air Station  
Meridian Co: Lauderdale MS 39309—  
Landholding Agency: Navy  
Property Number: 77200240060  
Status: Unutilized  
Reason: Secured Area

Bldg. 248  
Naval Air Station  
Meridian Co: Lauderdale MS 39309—  
Landholding Agency: Navy  
Property Number: 77200240061  
Status: Unutilized  
Reason: Secured Area

Bldg. 412  
Naval Air Station  
Meridian Co: Lauderdale MS 39309—  
Landholding Agency: Navy  
Property Number: 77200240062  
Status: Unutilized  
Reason: Secured Area

New Jersey  
4 Bldgs.  
Naval Air Engineering Station 26, 75, 126, 303  
Lakehurst Co: Ocean NJ 08733—5000  
Landholding Agency: Navy  
Property Number: 77200240059  
Status: Unutilized  
Reason: Extensive deterioration

Sheds OV1, OV2, OV3  
U.S. Coast Guard  
Shark River  
Avon by the Sea Co: Monmouth NJ 13640—  
Landholding Agency: DOT  
Property Number: 87200240001  
Status: Unutilized  
Reason: Secured Area

Unit 13  
USCG Station Barnegat Light  
Station Barnegat Co: Ocean NJ  
Landholding Agency: DOT  
Property Number: 87200240002  
Status: Unutilized  
Reason: Secured Area

Units 9—12  
USCG Station Barnegat Light  
Station Barnegat Co: Ocean NJ  
Landholding Agency: DOT  
Property Number: 87200240003  
Status: Unutilized  
Reason: Secured Area

New Mexico  
Bldg. 805  
Kirtland Air Force Base  
Albuquerque Co: Bernalillo NM 87185—  
Landholding Agency: Energy  
Property Number: 41200240001  
Status: Unutilized  
Reason: Secured Area

Bldg. 8898  
Kirtland Air Force Base  
Albuquerque Co: Bernalillo NM 87185—  
Landholding Agency: Energy  
Property Number: 41200240002  
Status: Unutilized  
Reason: Secured Area

8 Bldgs., TA—16  
Los Alamos National Lab  
195, 220—226  
Los Alamos Co: NM 87545—  
Landholding Agency: Energy  
Property Number: 41200240003  
Status: Unutilized  
Reason: Secured Area

Bldg. 2, TA—11  
Los Alamos National Lab  
Los Alamos Co: NM 87545—  
Landholding Agency: Energy  
Property Number: 41200240004  
Status: Unutilized  
Reason: Secured Area

Bldg. 4, TA—41  
Los Alamos National Lab  
Los Alamos Co: NM 87545—  
Landholding Agency: Energy  
Property Number: 41200240005  
Status: Unutilized  
Reason: Secured Area

Bldg. 16, TA—41  
Los Alamos National Lab  
Los Alamos Co: NM 87545—  
Landholding Agency: Energy  
Property Number: 41200240006  
Status: Unutilized  
Reason: Secured Area

Bldg. 30, TA—41  
Los Alamos National Lab  
Los Alamos Co: NM 87545—  
Landholding Agency: Energy  
Property Number: 41200240007  
Status: Unutilized  
Reason: Secured Area

Bldg. 53, TA—41  
Los Alamos National Lab  
Los Alamos Co: NM 87545—  
Landholding Agency: Energy  
Property Number: 41200240008  
Status: Unutilized  
Reason: Secured Area

North Carolina  
Frying Pan Shoals Light  
USCG  
Cape Fear Co: NC  
Landholding Agency: DOT  
Property Number: 87200240004  
Status: Unutilized  
Reason: Secured Area

Diamond Shoals Light  
USCG  
Cape Hatteras Co: NC  
Landholding Agency: DOT  
Property Number: 87200240005  
Status: Unutilized  
Reason: Secured Area

**Unsuitable Properties***Land (by State)*

Washington

Hanford Training Site #2

Horn Rapids Road

Benton Co: Benton WA

Landholding Agency: GSA

Property Number: 54200240017

Status: Excess

Reason: Within 2000 ft. of flammable or explosive material GSA Number: 9-B-WA-1198B

[FR Doc. 02-31257 Filed 12-12-02; 8:45 am]

BILLING CODE 4210-29-M

**DEPARTMENT OF THE INTERIOR****Office of the Secretary****John H. Chafee Blackstone River Valley National Heritage Corridor Commission; Notice of Meeting**

Notice is hereby given in accordance with section 552b of title 5, United States Code, that a meeting of the John H. Chafee Blackstone River Valley National Heritage Corridor Commission will be held on Thursday, November 21, 2002.

The Commission was established pursuant to Public Law 99-647. The purpose of the Commission is to assist federal, state and local authorities in the development and implementation of an integrated resource management plan for those lands and waters within the Corridor.

The meeting will convene at 7 p.m. at Leicester Town Hall located at 3 Washburn Square in Leicester, MA for the following reasons:

1. Approval of Minutes.
2. Chairman's Report.
3. Executive Director's Report.
4. Financial Budget.
5. Public Input.

It is anticipated that about twenty-five people will be able to attend the session in addition to the Commission members.

Interested persons may make oral or written presentations to the Commission or file written statements. Such requests should be made prior to the meeting to: Michael Creasey, Executive Director, John H. Chafee Blackstone River Valley National Heritage Corridor Commission, One Depot Square, Woonsocket, RI 02895. Tel.: (401) 762-0250.

Further information concerning this meeting may be obtained from Michael Creasey, Executive Director of the

Commission at the aforementioned address.

Michael Creasey,

*Executive Director BRVNHCC.*

[FR Doc. 02-31573 Filed 12-12-02; 8:45 am]

BILLING CODE 4310-RK-P

**DEPARTMENT OF THE INTERIOR****Bureau of Indian Affairs****Proposed Information Collection Under the Paperwork Reduction Act; Comment Request**

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995, the Bureau of Indian Affairs (BIA) invites comments on two information collection requests which will be renewed. The two collections are: Class III Gaming Procedures, 1076-0149, and Tribal Revenue Allocation Plans, 1076-0150.

**DATES:** Submit your comments and suggestions on or before February 11, 2003, to be assured of consideration.

**ADDRESSES:** Comments should be sent to: George Skibine, Bureau of Indian Affairs, Office of Indian Gaming Management, Mail Stop 4543-MIB, 1849 C Street, NW., Washington, DC 20240.

**FOR FURTHER INFORMATION CONTACT:** Interested persons may get copies of the information collection requests without charge by contacting George Skibine at 202-219-4066 or facsimile number 202-273-3153.

**SUPPLEMENTARY INFORMATION:** The Paperwork Reduction Act of 1995 provides an opportunity for interested parties to comment on proposed information collection requests. The Bureau of Indian Affairs, Office of Indian Gaming Management is proceeding with this public comment period as the first step in getting a normal information collection clearance from the Office of Management and Budget (OMB). Each request contains (1) type of review, (2) title, (3) summary of the collection, (4) respondents, (5) frequency of collection, (6) reporting and recordkeeping requirements.

Please note that we will not sponsor nor conduct, and you need not respond to, a request for information unless we display the OMB control number and the expiration date.

**Class III Gaming Procedures**

*Type of review:* Extension of a currently-approved collection.

*Title:* Class III Gaming Procedures, 25 CFR part 291.

*Summary:* The collection of information will ensure that the provisions of IGRA, the relevant provisions of State laws, Federal law and the trust obligations of the United States are met when federally recognized tribes submit Class III procedures for review and approval by the Secretary of the Interior. Sections 291.4, 291.10, 291.12 and 291.15 of 25 CFR part 291, Class III Gaming Procedures, specifies the information collection requirement. An Indian tribe must ask the Secretary to issue Class III gaming procedures. The information to be collected includes: name of Tribe and State; tribal documents, State documents, regulatory schemes, the proposed procedures and other documents deemed necessary. Collection of this information is currently authorized under an approval by OMB (OMB Control Number 1076-0149). All information is collected when the tribe makes a request for Class III gaming procedures. Annual reporting and recordkeeping burden for this collection of information is estimated to occur one time on an annual basis. The estimated number of annual requests is 12 tribes seeking Class III gaming procedures. The estimated time to review instructions and complete each application is 320 hours. Thus, the total annual reporting and recordkeeping burden for this collection is estimated to be 3,840 hours.

*Frequency of Collection:* Annually.

*Description of Respondents:* Federally recognized tribes.

*Total Respondents:* 12.

*Response Hours per Application:* 320.

*Total Annual Burden Hours:* 3,840 hours.

**Tribal Revenue Allocation Plans**

*Type of review:* Extension of a currently-approved collection.

*Title:* Tribal Revenue Allocation Plans, 25 CFR part 290.

*Summary:* In order for Indian tribes to distribute net gaming revenues in the form of per capita payments, information is needed by the BIA to ensure that Tribal Revenue Allocation Plans include assurances that certain statutory requirements are met, a breakdown of the specific uses to which net gaming revenues will be allocated, eligibility requirements for participation, tax liability notification and the assurance of the protection and preservation of the per capita share of