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Briefings on How To Use the Federal Register—
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THE FEDERAL REGISTER
WHAT IT IS AND HOW TO USE IT

FOR: Any person who uses the Federal Register and Code of Federal Regulations.

WHO: The Office of the Federal Register.

WHAT: Free public briefings (approximately 2 1/2 hours) to present:

1. The regulatory process, with a focus on the Federal Register system and the public's role in the development of regulations.
2. The relationship between the Federal Register and Code of Federal Regulations.
3. The important elements of typical Federal Register documents.
4. An introduction to the finding aids of the FR/CFR system.

WHY: To provide the public with access to information necessary to research Federal agency regulations which directly affect them. There will be no discussion of specific agency regulations.

WASHINGTON, DC

WHEN: September 29, at 9 a.m.
WHERE: Office of the Federal Register, First Floor Conference Room, 1100 L Street NW., Washington, DC.
RESERVATIONS: Janice Booker, 202–523–5239

Contents

Federal Register

Vol. 52, No. 161

Thursday, August 20, 1987

Agricultural Marketing Service
RULES
Egg research and promotion, 31376
Marketing orders; expenses and rates of assessment, 31375
PROPOSED RULES
Milk marketing orders:
Middle Atlantic, 31408
NOTICES
Meetings:
Tobacco Inspection Services National Advisory Comittee, 31434

Agriculture Department
See also Agricultural Marketing Service; Animal and Plant Health Inspection Service; Commodity Credit Corporation; Federal Grain Inspection Service; Soil Conservation Service
RULES
Organization, functions, and authority delegations:
Cooperative State Research Service, 31373
NOTICES
Cooperative agreements:
Agricultural Research Institute, 31434
Virginia Polytechnic Institute and State University, 31434

Alcohol, Drug Abuse, and Mental Health Administration
NOTICES
Meetings; advisory committees:
September, 31447

Animal and Plant Health Inspection Service
RULES
Plant-related quarantine, domestic:
Sugarcane juice from Hawaii and Puerto Rico, 31373
NOTICES
Environmental statements; availability, etc.:
Boll weevil eradication program, AL, et al., 31434

Centers for Disease Control
NOTICES
Grants and cooperative agreements; availability, etc.:
Sanitation inspection of cruise ships, 31448
Meetings:
Chemical agents; effects of long-term low-dose exposure, 31449

Coast Guard
RULES
Ports and waterways safety:
Delaware River and Bay, PA; security zone, 31395
Regattas and marine parades:
Labor Day Fireworks Display; Maumee River, OH, 31395
PROPOSED RULES
Disabled vessels, towing:
Licensing and manning requirements, 31429

Commerce Department
See International Trade Administration; National Oceanic and Atmospheric Administration; National Telecommunications and Information Administration; Patent and Trademark Office

Commodity Credit Corporation
NOTICES
Loan and purchase programs:
Peanut price support levels, 31435

Comptroller of the Currency
RULES
Minimum security devices and procedures, reports of crimes and suspected crimes and Bank Secrecy Act compliance; annual certification requirements
Correction, 31477

Congressional Budget Office
NOTICES
Balanced Budget and Emergency Deficit Control Act (Gramm-Rudman-Hollings):
Sequestration report to Congress, 31530

Copyright Royalty Tribunal
NOTICES
Meetings; Sunshine Act, 31475

Customs Service
NOTICES
Automated surety interface; new information dissemination product, proposed; correction, 31476

Energy Department
See also Federal Energy Regulatory Commission
NOTICES
Nuclear waste management:
Civilian radioactive waste management—
Defense program waste; disposal fee calculation, 31508

Environmental Protection Agency
NOTICES
Toxic and hazardous substances control:
Testing consent agreement development—
1,1,1-Trichloroethane, 31445

Federal Aviation Administration
RULES
Airworthiness directives:
Am-Safe, Inc., 31377
General Dynamics, 31378
McDonnell Douglas, 31379
Short Brothers PLC, 31381, 31382
(3 documents)
Control zones, 31383-31386
(5 documents)
Control zones and transition areas, 31386
Transition areas, 31387
(2 documents)
PROPOSED RULES
Airworthiness directives:
Airbus Industrie, 31409
British Aerospace, 31410
Transition areas, 31411
NOTICES
Exemption petitions; summary and disposition, 31465

Federal Communications Commission
RULES
Radio and television broadcasting:
FM radio and television booster stations, 31398
PROPOSED RULES
Frequency allocations and radio treaty matters:
Equipment authorization and identification requirements
Correction, 31432
Radio broadcasting:
Nighttime operation on Canadian, Mexican, and Bahamian AM clear channels, 31432

Federal Emergency Management Agency
PROPOSED RULES
Flood elevation determinations:
Alabama et al., 31417

Federal Energy Regulatory Commission
NOTICES
Gas transportation rate design and use of auctions to allocate capacity; technical conference, 31444
Applications, hearings, determinations, etc.:
Burrell, Jack L., et al., 31444

Federal Grain Inspection Service
NOTICES
Meetings:
Advisory Committee, 31436

Federal Highway Administration
RULES
Engineering and traffic operations:
Agreement provisions regarding overruns in contract time, 31388
NOTICES
Environmental statements; notice of intent:
Montgomery County, MD, 31465

Federal Maritime Commission
NOTICES
Agreements filed, etc., 31446
(2 documents)
Casualty and nonperformance certificates:
Raymond & Whitcomb Co., 31447
Freight forwarder licenses:
DVS International Co. et al., 31447
Meetings; Sunshine Act, 31475

Federal Trade Commission
PROPOSED RULES
Prohibited trade practices:
Supermarket Development Corp., 31412

Financial Management Service
See Fiscal Service

Fiscal Service
NOTICES
Surety companies acceptable on Federal bonds:
Gramercy Insurance Co., 31474

Fish and Wildlife Service
NOTICES
Endangered and threatened species permit applications, 31453

Health and Human Services Department
See Alcohol, Drug Abuse, and Mental Health Administration; Centers for Disease Control; Health Resources and Services Administration; Public Health Service; Social Security Administration

Health Resources and Services Administration
See also Public Health Service
NOTICES
Grants and cooperative agreements:
Nursing special projects; demonstration activities, 31449

Indian Affairs Bureau
RULES
Tribal government:
San Pasqual Band of Mission Indians in California, enrollment, 31391

Interior Department
See Fish and Wildlife Service; Indian Affairs Bureau; Land Management Bureau; Minerals Management Service

International Trade Administration
NOTICES
Antidumping:
Industrial phosphoric acid from—
Belgium, 31439
Malleable cast iron pipe fittings from—
Thailand, 31440
Export trade certificates of review, 31440
Machine tools special issue license; U.S. Taiwan arrangement, 31441
Applications, hearings, determinations, etc.:
University of Nevada School of Medicine et al.; correction, 31477

International Trade Commission
NOTICES
Import investigations:
Liquid crystal display television receivers from Japan, 31454

Interstate Commerce Commission
NOTICES
Motor carriers; control, purchase, and tariff filing exemptions, etc.:
ConAgra, Inc., 31455
Railroad services abandonment:
Chesapeake & Ohio Railway Co., 31456
Missouri Pacific Railroad Co., 31456

Justice Department
See also Juvenile Justice and Delinquency Prevention Office
NOTICES
Pollution control; consent judgments:
Tuten, J.E., et al., 31457

Juvenile Justice and Delinquency Prevention Office
NOTICES
Grants and cooperative agreements:
Youth drug and alcohol abuse; effective strategies systemwide, introduction, 31480

Land Management Bureau
NOTICES
Environmental concern; designation of critical areas:
Iceberg Point and Point Colville, Lopez Island, WA, 31450
Meetings:
Butte District Advisory Council, 31451

Butte District Grazing Advisory Board, 31451
Miles City District Grazing Advisory Board, 31452
Oil and gas leases:
Wyoming, 31451
Realty actions; sales, leases, etc.:
Arizona; correction, 31477
California; correction, 31477
Idaho; correction, 31477
Utah, 31451
Wyoming; correction, 31477
Right-of-way applications:
New Mexico, 31452
Wilderness areas; characteristics, inventories, etc.:
Nevada, 31453

Management and Budget Office
NOTICES
Balanced Budget and Emergency Deficit Control Act (Gramm-Rudman-Hollings):
Sequestration report to Congress, 31530

Minerals Management Service
NOTICES
Outer Continental Shelf; development operations coordination:
Amoco Production Co., 31454

National Institute for Occupational Safety and Health
See Centers for Disease Control

National Mediation Board
NOTICES
Meetings; Sunshine Act, 31475

National Oceanic and Atmospheric Administration
NOTICES
Senior Executive Service:
Performance Review Boards; membership, 31441

National Railroad Passenger Corporation
RULES
Freedom of Information Act; implementation:
Uniform fee schedule and administrative guidelines, 31407

National Telecommunications and Information Administration
RULES
Public telecommunications facilities program, 31496

Nuclear Regulatory Commission
NOTICES
Meetings:
National State Liaison Officers, 31457

Panama Canal Commission
RULES
Freedom of Information Act; implementation:
Uniform fee schedule and administrative guidelines, 31396

Patent and Trademark Office
NOTICES
Electronic data dissemination policies and guidelines, 31442

Public Health Service
See also Alcohol, Drug Abuse, and Mental Health Administration; Centers for Disease Control; Health Resources and Services Administration
NOTICES
Meetings:
National Commission on Orphan Diseases, 31449

Railroad Retirement Board
NOTICES
Supplemental annuity program; determination of quarterly rate of excise tax, 31457

Research and Special Programs Administration
PROPOSED RULES
Hazardous materials:
Emergency response communication standards, 31486

Securities and Exchange Commission
NOTICES
Meetings; Sunshine Act, 31475
(2 documents)
Self-regulatory organizations; proposed rule changes:
Chicago Board Options Exchange, Inc., 31458
(2 documents)
National Association of Securities Dealers, Inc., 31459
Self-regulatory organizations; unlisted trading privileges:
Pacific Stock Exchange, Inc., 31460
Applications, hearings, determinations, etc.:
Equitable Funds et al., 31460
New England Mutual Life Insurance Co. et al., 31463

Small Business Administration
RULES
Disaster loans:
Home loan program; discount prepayment, 31526

Social Security Administration
RULES
Authority citation revisions
Correction, 31477

Soil Conservation Service
NOTICES
Environmental statements; availability, etc.:
Hagerman Water Drainage, ID, 31438
Pigeon Creek Watershed, IN, 31439

Transportation Department
See also Coast Guard; Federal Aviation Administration; Federal Highway Administration; Research and Special Programs Administration; Urban Mass Transportation Administration
NOTICES
Aviation proceedings:
Hearings, etc.—
Wright Air Lines, Inc., 31464

Treasury Department
See also Comptroller of the Currency; Customs Service; Fiscal Service
NOTICES
Bonds, Treasury:
2017 series, 31467, 31469
(2 documents)
Notes, Treasury:
B-1997 series, 31470, 31472
(2 documents)
U-1990 series, 31472, 31474
(2 documents)

United States Information Agency
NOTICES
Meetings:
Public Diplomacy, U.S. Advisory Commission, 31474

Urban Mass Transportation Administration
NOTICES
Grants; UMTA sections 3 and 9 obligations:
Rochester-Genesee Regional Transportation Authority, NY, et al., 31466

Veterans Administration
PROPOSED RULES
Vocational rehabilitation and education:
Election of benefits, 31416

Separate Parts In This Issue

Part II
Department of Justice, Office of Juvenile Justice and Delinquency Prevention, 31480

Part III
Department of Transportation, Research and Special Programs Administration, 31486

Part IV
Department of Commerce, National Telecommunications and Information Administration, 31496

Part V
Department of Energy, 31508

Part VI
Small Business Administration, 31526

Part VII
Office of Management and Budget; Congressional Budget Office, 31530

Reader Aids
Additional information, including a list of public laws, telephone numbers, and finding aids, appears in the Reader Aids section at the end of this issue.

CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

7 CFR
2.....31373
301.....31373
916.....31375
917.....31375
921.....31375
923.....31375
924.....31375
931.....31375
945.....31375
946.....31375
947.....31375
948.....31375
1250.....31376
Proposed Rules:
1004.....31408

12 CFR
21.....31477

13 CFR
144.....31526

14 CFR
39 (6 documents).....31377–31382
71 (8 documents).....31383–31387
Proposed Rules:
39 (2 documents).....31409, 31410
71.....31411

15 CFR
2301.....31496

16 CFR
Proposed Rules:
13.....31412

20 CFR
416.....31477

23 CFR
630.....31388

25 CFR
76.....31391

33 CFR
100.....31395
165.....31395

35 CFR
9.....31396

38 CFR
Proposed Rules:
21.....31416

44 CFR
Proposed Rules:
67.....31417

46 CFR
Proposed Rules:
10.....31429
157.....31429
187.....31429

47 CFR
73.....31398
74.....31398
Proposed Rules:
2.....31432
73.....31432

49 CFR
701.....31407
Proposed Rules:
172.....31486

Rules and Regulations

Federal Register
Vol. 52, No. 161
Thursday, August 20, 1987

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.
The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

DEPARTMENT OF AGRICULTURE

Office of the Secretary

7 CFR Part 2

Revision of Delegations of Authority

AGENCY: Department of Agriculture.
ACTION: Final rule.

SUMMARY: This document amends the delegations of authority from the Secretary of Agriculture and General Officers of the Department to reflect the abolishment of the Office of Grants and Program Systems and the transfer of its authorities, responsibilities and activities to the Cooperative State Research Service.

EFFECTIVE DATE: August 20, 1987.

FOR FURTHER INFORMATION CONTACT: Richard L. Prather, Director, Personnel and Management Services Division, Extension Service, United States Department of Agriculture, Washington, DC 20250, (202) 475–4806.

SUPPLEMENTARY INFORMATION: The delegations of authority of the Department of Agriculture are amended to reflect the abolishment of the Office of Grants and Program Systems (OGPS). This Office administered programs of competitive grants for research in the food and agricultural sciences, programs in higher education, and the Small Business Innovative Research Program.

Funding for OGPS activities was provided by the Cooperative State Research Service (CSRS) which also administers extramural agricultural research programs involving many of the same participants. In order to consolidate the nationwide system of agricultural research program planning and coordination, all of the authorities, responsibilities and activities of OGPS are transferred to CSRS.

This rule relates to internal agency management. Therefore, pursuant to 5 U.S.C. 553, notice of proposed rulemaking and opportunity for comment are not required, and this rule may be made effective less than 30 days after publication in the **Federal Register.**

Further, since this rule relates to internal agency management, it is exempt from the provisions of Executive Order 12291. Finally, this action is not a rule as defined by the Regulatory Flexibility Act and thus is exempt from the provisions of that Act.

List of Subjects in 7 CFR Part 2

Authority delegations (Government Agencies).

PART 2—DELEGATIONS OF AUTHORITY BY THE SECRETARY OF AGRICULTURE AND GENERAL OFFICERS OF THE DEPARTMENT

Accordingly, Part 2, Title 7, Code of Federal Regulations is amended as follows:

1. The authority citation for Part 2 continues to read as follows:

Authority: 5 U.S.C. 301 and Reorganization Plan No. 2 of 1953, except as otherwise stated.

Subpart N—Delegations of Authority by the Assistant Secretary for Science and Education

2. Section 2.107 is amended by adding new paragraphs (a)(26) through (a)(34) as follows:

§ 2.107 Administrator, Cooperative State Research Service.

(a) *Delegations.* * * *

(26) Administer a program of competitive grants to State agricultural experiment stations, colleges, and universities, other research institutions and organizations, Federal agencies, private organizations or corporations and individuals for research to further the programs of the Department of Agriculture (7 U.S.C. 450i).

(27) Participate with agencies reporting to the Assistant Secretary for Science and Education in the administration of competitive grants (i) to develop or administer programs to meet unique food and agricultural educational problems, and (ii) to administer and conduct specialized programs to attract individuals for undergraduate and graduate programs and to administer and conduct graduate fellowship programs in the food and agricultural sciences (7 U.S.C. 3152).

(28) Participate with agencies reporting to the Assistant Secretary for Science and Education in the administration of competitive research grants related to uses of solar energy (7 U.S.C. 3241).

(29) Administer the Small Business Innovation Development Act of 1982 for the Department of Agriculture (15 U.S.C. 638(e)(k).

(30) Enter into grants for the purpose of carrying out the Department's Small Business Innovation Research Program (7 U.S.C. 3318).

(31) Provide management support services to agencies reporting to the Assistant Secretary for Science and Education in the administration of discretionary grants.

(32) Administer the appropriation for the endowment and maintenance of colleges for the benefit of agriculture and the mechanics arts (7 U.S.C. 321–326a).

(33) Administer teaching funds authorized under section 22 of the Bankhead Jones Act as amended (7 U.S.C. 329).

(34) Administer higher education programs in the food and agriculture sciences as well as grants to colleges and universities (7 U.S.C. 3152).

§ 2.110 [Removed and reserved]

3. Section 2.110 is removed and reserved.

Date: August 14, 1987.
For Subpart N.
Robert W. Long,
Acting Assistant Secretary for Science and Education.

[FR Doc. 87–19047 Filed 8–19–87; 8:45 am]
BILLING CODE 3410–01–M

Animal and Plant Health Inspection Service

7 CFR Part 301

[Docket No. 87–022]

Sugarcane Diseases

AGENCY: Animal and Plant Health Inspection Service, USDA.
ACTION: Final rule.

SUMMARY: We are amending the regulations concerning sugarcane diseases by specifically designating

sugarcane juice as a regulated article. We are also amending the regulations by adding provisions for the interstate movement of sugarcane juice from Hawaii and Puerto Rico pursuant to the issuance of a certificate based upon a determination by an inspector that the sugarcane juice has been heated at 100° C for 10 or more minutes. This action is necessary to relieve current restrictions on the interstate movement of sugarcane juice without increasing the risk of spreading diseases of sugarcane.

EFFECTIVE DATE: September 21, 1987.

FOR FURTHER INFORMATION CONTACT: Bhisham Singh, Biological Assessment Support Staff, PPQ, APHIS, USDA, Room 627, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, (301) 436–5215.

SUPPLEMENTARY INFORMATION: In a document published in the **Federal Register** on December 18, 1986 (51 FR 45332–45333, Docket No. 85–394), we proposed to amend the regulations by specifically designating sugarcane juice as a regulated article since its interstate movement from Hawaii and Puerto Rico constitutes a substantial risk of causing the interstate spread of sugarcane diseases. We also proposed to amend the regulations by adding provisions for the interstate movement of sugarcane juice from Hawaii and Puerto Rico pursuant to the issuance of a certificate based upon a determination made by an inspector that the sugarcane juice has been heated at 100° C for 10 or more minutes. Juice extracted from infected sugarcane during processing may contain *Xanthomonas campestris* pv. *vasculorum* (Cobb) Dye and *Xanthomonas albilineans* (Ashby) Dowson, which are destroyed when sugarcane juice is subjected to this heat treatment.

Our proposal of December 18, 1986, invited the submission of written comments on or before February 17, 1987. One comment was received, which asked two questions:

(1) Is there a published scientific basis to assure the destruction of the *Xanthomonas* species by heating sugarcane juice for 10 or more minutes at 100° C?

The book, "Sugarcane Diseases of the World," edited by Martin, Abbott, and Hughes, describes the characteristics of the organism. It states that the thermal death point of one of the organisms in question is 50° C. We have increased this to 100° C to ensure that the organism is destroyed and to avoid the possibility of measurement errors. Plant Protection and Quarantine Inspectors can visually verify the treatment since water boils at 100° C.

(2) Is it possible that the exteriors of the shipping containers or vessels might become contaminated at the point of origin with untreated sugarcane juice containing the bacteria?

The possibility that the exteriors of the shipping containers would become contaminated is very unlikely. However, even if the exteriors become contaminated, the disease organism would die within two hours of the juice drying out.

Based on the rationale set forth in the proposal, and in this document, we are adopting this proposed rule as a final rule.

Executive Order 12291 and Regulatory Flexibility Act

We are issuing this rule in conformance with Executive Order 12291, and we have determined that it is not a "major rule." Based on information compiled by the Department, we have determined that this rule will have an effect on the economy of less than $100 million; will not cause a major increase in costs or prices for consumers, individual industries, Federal, State or local government agencies, or geographic regions; and will not cause a significant adverse effect on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

These amendments provide for regulations governing the interstate movement of sugarcane juice from Hawaii and Puerto Rico. Under the requirements for issuance of limited permits and certificates, movement of these juices will not increase the risk of the spread of diseases of sugarcane.

The commercial demand for sugarcane juice from Hawaii and Puerto Rico is extremely limited. It appears that quantities marketed interstate will not represent a significant portion of the sales or inventory of affected entities. In addition, although we are specifically designating sugarcane juice as a regulated article, sugarcane juice has been considered to be a regulated article under the previously designated § 301.87–2(d).

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action will not have a significant economic impact on a substantial number of small entities.

Executive Order 12372

This program/activity is listed in the Catalog of Federal Domestic Assistance under No. 10.025 and is subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with State and local officials. (See 7 CFR Part 3015, Subpart V.)

List of Subjects in 7 CFR Part 301

Agricultural commodities, Hawaii, Plant diseases, Plant pests, Plants (Agricultural), Puerto Rico, Quarantine, Sugarcane, Transportation.

Accordingly, 7 CFR Part 301, is amended as follows:

PART 301—DOMESTIC QUARANTINE NOTICE

1. The authority citation for Part 301 continues to read as follows:

Authority: 7 U.S.C. 150dd, 150ee, 150ff, 161, 162, and 164–167; 7 CFR 2.17, 2.51, and 371.2(c).

2. In § 301.87–1, the definition of "regulated article" is revised to read as follows:

§ 301.87–1 Definitions.

* * * * *

Regulated article. Any article listed in § 301.87–2(a), (b), (c), (d), or otherwise designated as a regulated article in accordance with § 301.87–2(e).

* * * * *

3. In paragraph (c) of § 301.87–2, the word "and" following the semicolon is removed.

4. In paragraph (d) of § 301.87–2, the reference to "paragraph (a), (b), or (c) of this section" is revised to read "paragraph (a), (b), (c), or (d) of this section".

5. In § 301.87–2, paragraph (d) is redesignated as paragraph "(e)" and a new paragraph (d) is added to read as follows:

§ 301.87–2 Regulated articles.

* * * * *

(d) Sugarcane juice; and

* * * * *

6. Section 301.87–10 is amended by adding a new paragraph (e) to read as follows:

§ 301.87–10 Treatments.

* * * * *

(e) Sugarcane juice: Heat at 100° C (212° F) for 10 or more minutes.

Done in Washington, DC, this 17th day of August, 1987.

D. Husnik,

Acting Deputy Administrator, Plant Protection and Quarantine, Animal and Plant Health Inspection Service.

[FR Doc. 87–19100 Filed 8–19–87; 8:45 am]

BILLING CODE 3410–34–M

Agricultural Marketing Service

7 CFR Parts 916, 917, 921, 923, 924, 931, 945, 946, 947, and 948

Expenses and Assessment Rates for Specified Marketing Orders

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This final rule authorizes expenditures and establishes assessment rates under Marketing Orders 916, 917, 921, 923, 924, 931, 945, 946, 947, and 948 for the 1987–88 fiscal period established for each order, and amends the 1986–87 fiscal period budget for Marketing Order 948. Funds to administer these programs are derived from assessments on handlers.

EFFECTIVE DATES: July 1, 1986–August 31, 1987 (§ 948.295); March 1, 1987–February 29, 1988 (§§ 916.226, 917.247, 917.248, and 917.249); April 1, 1987–March 31, 1988 (§§ 921.226, 923.227, and 924.227); July 1, 1987–June 30, 1988 (§§ 931.222, 946.240 and 947.240); August 1, 1987–July 31, 1988 (§ 945.240); September 1, 1987–August 31, 1988 (§ 948.296).

FOR FURTHER INFORMATION CONTACT: James M. Scanlon, Acting Chief, Marketing Order Administration Branch, F&V, AMS, USDA, Washington, DC 20250–0200, telephone (202) 447–5697.

SUPPLEMENTARY INFORMATION: This final rule has been reviewed under Executive Order 12291 and Departmental Regulation 1512–1 and has been determined to be a "non-major" rule under criteria contained therein.

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA), the Administrator of the Agricultural Marketing Service has considered the economic impact on small entities.

The purpose of the RFA is to fit regulatory actions to the scale of business subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (the Act, 7 U.S.C. 601–674), and rules issued thereunder, are unique in that they are brought about through group action of essentially small entities acting on their own behalf. Thus, both statutes have small entity orientation and compatibility.

There are an estimated 649 handlers of California nectarines, plums, and peaches, 43 handlers of California pears, 84 handlers of Washington peaches, 68 handlers of Washington cherries, 41 handlers of Washington-Oregon prunes, 78 handlers of Oregon-Washington Bartlett pears, 71 handlers of Idaho-Oregon potatoes, 60 handlers of Washington potatoes, 42 handlers of Oregon-California potatoes, and 72 handlers of Colorado Area 2 potatoes who will be subject to regulation under these marketing orders during the course of the respective season for each specified commodity. Small agricultural producers have been defined by the Small Business Administration (13 CFR 121.2) as those having annual gross revenues for the last 3 years of less than $100,000, and agricultural services firms, which include handlers, are defined as those whose gross annual receipts are less than $3,500,000. The majority of the handlers may be classified as small entities.

Each marketing order requires that the assessment rate for a particular fiscal period shall apply to all assessable commodities handled from the beginning of such year. An annual budget of expenses is prepared by each administrative committee and submitted to the Department of Agriculture for approval. The members of administrative committees are handlers and producers of the regulated commodities. This is appropriate because they are familiar with the committees' needs and with the costs for goods, services, and personnel in their local areas and are thus in a position to formulate appropriate budgets. The budgets are formulated and discussed in public meetings; thus all directly affected persons have an opportunity to participate and provide input.

While this action may impose some additional costs on handlers, including small entities, the costs are in the form of uniform assessments on all handlers which do not impose a significant economic impact on the small entities involved.

Based on available information, the Administrator of the Agricultural Marketing Service has determined that the issuance of this final rule will not have a significant economic impact on a substantial number of small entities.

The assessment rate recommended by each committee is derived by dividing anticipated expenses by expected shipments of the commodity (e.g. pounds, tons, boxes, cartons, etc.). That rate is applied to actual shipments to produce income sufficient to pay the committees' expected expenses. Recommended budgets and rates of assessment are usually acted upon by the committees shortly before a season starts and expenses are incurred on a continuous basis. Therefore, budget and assessment rate approvals must be expedited in order that the committees will have funds to pay their expenses.

Based on the foregoing, the Secretary finds that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice and to engage in public rulemaking procedure with respect to this action and that good cause exists for not postponing the effective date of this action until 30 days after publication in the **Federal Register** (5 U.S.C. 553). It is found that the specified expenses and assessment rates will tend to effectuate the declared policy of the Act.

List of Subjects in 7 CFR Parts 916, 917, 921, 923, 924, 931, 945, 946, 947, and 948

Marketing agreements and orders, Nectarines (California), Pears, Plums, Peaches (California), Peaches (Washington), Cherries (Washington), Prunes (Washington-Oregon), Pears (Oregon-Washington), Potatoes (Idaho-Oregon), Potatoes (Washington), Potatoes (Oregon-California), Potatoes (Colorado).

For the reasons set forth in the preamble, Parts 916, 917, 921, 923, 924, 931, 945, 946, 947, and 948 of Title 7 of the Code of Federal Regulations are amended as follows:

1. The authority citation for 7 CFR Parts 916, 917, 921, 923, 924, 931, 945, 946, 947, and 948 continues to read as follows:

Authority: Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674.)

2. New §§ 916.226, 917.247, 917.248, 917.249, 921.226, 923.227, 924.227, 931.222, 945.240, 946.240, 947.240, and 948.296 are added; and § 948.295 (52 FR 36997, October 17, 1986) is revised to read as follows (the following sections prescribe annual expenses and assessment rates and will not be published in the Code of Federal Regulations):

PART 916—NECTARINES GROWN IN CALIFORNIA

§ 916.226 Expenses and assessment rate.

Expenses of $2,844,417 by the Nectarine Administrative Committee are authorized, and an assessment rate of $0.16 per No. 22D standard lug box of assessable nectarines is established for the fiscal period ending February 29, 1988. Unexpended funds may be carried over as a reserve.

PART 917—FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

§ 917.247 Expenses and assessment rate.

Expenses of $3,036,485 by the Plum Commodity Committee are authorized,

and an assessment rate of $0.19 per No. 22D standard lug box of assessable plums is established for the fiscal period ending February 29, 1988. Unexpended funds may be carried over as a reserve.

§ 917.248 Expenses and assessment rate.

Expenses of $2,401,435 by the Peach Commodity Committee are authorized, and an assessment rate of $0.16 per No. 22D standard lug box of assessable peaches is established for the fiscal period ending February 29, 1988. Unexpended funds may be carried over as a reserve.

§ 917.249 Expenses and assessment rate.

Expenses of $899,551 by the Pear Commodity Committee are authorized, and an assessment rate of $0.20 per No. 29B special lug box of assessable pears is established for the fiscal period ending February 29, 1988. Unexpended funds may be carried over as a reserve.

PART 921—FRESH PEACHES GROWN IN DESIGNATED COUNTIES IN WASHINGTON

§ 921.226 Expenses and assessment rate.

Expenses of $25,136 by the Washington Fresh Peach Marketing Committee are authorized, and an assessment rate of $2.00 per ton of assessable peaches is established for the fiscal period ending March 31, 1988. Unexpended funds may be carried over as a reserve.

PART 923—SWEET CHERRIES GROWN IN DESIGNATED COUNTIES IN WASHINGTON

§ 923.227 Expenses and assessment rate.

Expenses of $85,100 by the Washington Cherry Marketing Committee are authorized, and an assessment rate of $2.00 per ton of assessable cherries is established for the fiscal period ending March 31, 1988. Unexpended funds may be carried over as a reserve.

PART 924—FRESH PRUNES GROWN IN DESIGNATED COUNTIES IN WASHINGTON AND IN UMATILLA COUNTY, OREGON

§ 924.227 Expenses and assessment rate.

Expenses of $29,462 by the Washington-Oregon Fresh Prune Marketing Committee are authorized, and an assessment rate of $3.00 per ton of assessable prunes is established for the fiscal period ending March 31, 1988. Unexpended funds may be carried over as a reserve.

PART 931—FRESH BARTLETT PEARS GROWN IN OREGON AND WASHINGTON

§ 931.222 Expenses and assessment rate.

Expenses of $56,656 by the Northwest Fresh Bartlett Pear Marketing Committee are authorized, and an assessment rate of $0.015 per Western Standard pear box of assessable pears is established for the fiscal period ending June 30, 1988. Unexpended funds may be carried over as a reserve.

PART 945—IRISH POTATOES GROWN IN CERTAIN DESIGNATED COUNTIES IN IDAHO, AND MALHEUR COUNTY, OREGON

§ 945.240 Expenses and assessment rate.

Expenses of $66,470 by the Idaho-Eastern Oregon Potato Committee are authorized, and an assessment rate of $0.0026 per hundredweight of assessable potatoes is established for the fiscal period ending July 31, 1988. Unexpended funds may be carried over as a reserve.

PART 946—IRISH POTATOES GROWN IN WASHINGTON

§ 946.240 Expenses and assessment rate.

Expenses of $29,400 by the State of Washington Potato Committee are authorized, and an assessment rate of $0.002 per hundredweight of assessable potatoes is established for the fiscal period ending June 30, 1988. Unexpended funds may be carried over as a reserve.

PART 947—IRISH POTATOES GROWN IN MODOC AND SISKIYOU COUNTIES IN CALIF., AND ALL COUNTIES IN OREGON, EXCEPT MALHEUR COUNTY

§ 947.240 Expenses and assessment rate.

Expenses of $36,800 by the Oregon-California Potato Committee are authorized, and an assessment rate of $0.004 per hundredweight of assessable potatoes is established for the fiscal period ending June 30, 1988. Unexpended funds may be carried over as a reserve.

PART 948—IRISH POTATOES GROWN IN COLORADO

§ 948.295 Amended expenses and assessment rate.

Expenses of $45,500 by the Colorado Area 2 Potato Committee are authorized, and an assessment rate of $0.0031 per hundredweight of assessable potatoes is established for the fiscal period ending August 31, 1987. Unexpended funds may be carried over as a reserve.

PART 948—IRISH POTATOES GROWN IN COLORADO

§ 948.296 Expenses and assessment rate.

Expenses of $42,202 by the Colorado Area 2 Potato Committee are authorized, and an assessment rate of $0.0034 per hundredweight of assessable potatoes is established for the fiscal period ending August 31, 1988. Unexpended funds may be carried over as a reserve.

Dated: August 14, 1987.

Ronald L. Cioffi,

Acting Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 87-19101 Filed 8-19-87; 8:45 am]

BILLING CODE 3410-02-M

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7 CFR Part 1250

Egg Research and Promotion

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Interim final rule with request for comments.

SUMMARY: This document implements a decrease in the rate of assessment for the activities of the American Egg Board from 5 cents per 30-dozen case of eggs to 2½ cents. This action is intended to secure a broader base of producer support for programs of primary importance to the egg industry.

DATES: Interim rule effective September 1, 1987; comments must be received on or before September 21, 1987.

ADDRESS: Written comments, in duplicate, may be mailed to Janice L. Lockard, Poultry Division, Agricultural Marketing Service, U.S. Department of Agriculture, Room 3955-South Agriculture Building, Washington, DC 20250-0200.

FOR FURTHER INFORMATION CONTACT: Janice L. Lockard, (202) 382-8132.

SUPPLEMENTARY INFORMATION:

Executive Order 12291

This rule has been reviewed under Executive Order 12291 and Departmental Regulation 1512-1 and has been designated as a "non-major" rule under the criteria contained therein. It will not (i) result in an annual effect on the economy of $100 million or more; (ii) result in a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or (iii) have significant effects on competition, employment, investment, productivity, innovation, or on the ability of the United States based enterprises to compete with foreign-

based enterprises in domestic or export markets. No additional costs would be incurred in administering the change in assessment and only a minor alteration in computer programming would be required for implementation by the American Egg Board. In addition, there would be no added regulatory burden to egg producers and handlers as a result of the decrease in the assessment as the procedure for collection and remittance of assessments under the Egg Research and Promotion Rules and Regulations (7 CFR 1250.500–522) would remain unchanged.

Effect on Small Entities

The Administrator, Agricultural Marketing Service, has determined that this proposed action will not have a significant economic impact on a substantial number of small entities, as defined by the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*). The purpose of the FRA is to fit regulatory action to the scale of businesses subject to such action in order that small businesses will not be unduly or disproportionately burdened. The majority of handlers and producers may be characterized as small entities. Rather than creating a burden, the action to decrease the assessment would result in an advantage to small entities, while at the same time contributing to programs which are anticipated to have long-term benefits for the industry. In addition, inasmuch as producers may request refunds of their assessments under the Egg Research and Consumer Information Act (7 U.S.C. 2701 *et seq.*), the disadvantage to any producer under this program would be minuscule. There also would be no change in the reporting or recordkeeping requirements imposed on producers and handlers as a result of this action to decrease the rate of assessment.

Background and Proposed Change

The Egg Research and Promotion Order in § 1250.347 authorizes the American Egg Board to collect assessments at the rate of 5 cents per 30-dozen case of eggs, or the equivalent thereof. The assessment is refundable upon demand. The 5-cent rate has been unchanged under the Order since the program was first implemented in August 1976. The Order also provides that the Board may set a lower assessment rate with the approval of the Secretary of Agriculture. On July 22, 1987, the 18-producer-member American Egg Board reviewed the 5-cent assessment rate in light of current participation by egg producers in the program, the costs of the various activities conducted by the Board, and the anticipated needs of the industry. It was determined that a broader base of producer support was needed to carry out programs on a national basis which are essential to the industry and which cannot feasibly be carried out by individual producer entities or State or other egg organizations. To achieve this objective, the Board recommended that beginning on September 1, 1987, the assessment be set at 2½ cents per 30-dozen case of eggs (case of commercial eggs) to fund, in addition to normal authorized operating costs, the following ongoing primary American Egg Board activities: (i) Egg nutrition and education—to communicate information concerning the diet/cholesterol issue to health professionals, the media, and consumers; (ii) Foodservice—to encourage greater usage of eggs in commercial and institutional operations; (iii) Consumer education—to continue development of materials of consumer interest and to assist State and regional egg promotion organizations in their promotion efforts; and (iv) New product development—to demonstrate the use of eggs in food processing to major food manufacturing companies.

This action also revises the authority citation that appears in the Code of Federal Regulations for 7 CFR Part 1250.

Pursuant to 5 U.S.C. 553, it is further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice and engage in further public procedure with respect to this action, and that good cause exists for not postponing the effective date of this action until 30 days after publication in the **Federal Register** because this action decreases the rate of assessment charged and should be implemented as soon as possible to permit the Board to develop in a timely programs and a budget for the 1988 fiscal period and to secure a broader base of producer support for Board programs.

List of Subjects in 7 CFR Part 1250

Research and promotion, Eggs.

For the reasons set out in the preamble and under authority contained in the Egg Research and Consumer Information Act (7 U.S.C. 2701 *et seq.*), Title 7, Chapter XI, Part 1250 of the Code of Federal Regulations is proposed to be amended as follows:

PART 1250—EGG RESEARCH AND PROMOTION

1. The authority citation for Part 1250 is revised to read as follows:

Authority: Pub. L. 93–428, 88 Stat. 1171, as amended; 7 U.S.C. 2701–2718.

2. Section 1250.514 is revised to read as follows:

§ 1250.514 Levy of assessments.

An assessment of 2½ cents per case of commercial eggs is levied on each case of commercial eggs handled for the account of each producer, except that the following shall be exempt from the provisions of this section:

(a) Any egg producer whose aggregate number of laying hens at any time during the 3-consecutive-month period immediately prior to the month in which assessments are due and payable has not exceeded 3,000 laying hens, and

(b) Any flock of breeding hens whose production of eggs is primarily utilized for the hatching of baby chicks.

Each case of commercial eggs shall be subject to assessment only once.

Signed at Washington, DC, on August 14, 1987.

J. Patrick Boyle,

Administrator, Agricultural Marketing Service.

[FR Doc. 87–19046 Filed 8–19–87; 8:45 am]

BILLING CODE 3410–02–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 87–NM–19–AD; Amdt. 39–5710]

Airworthiness Directives: Am-Safe, Inc., Restraint System Assemblies

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive, applicable to certain Am-Safe, Inc., restraint systems, which requires inspections and replacement, if necessary, of incorrectly manufactured lap belt connectors. This amendment is prompted by a report that some connectors were installed which were not manufactured to the correct dimensions. This condition, if not corrected, could lead to the inadvertent unbuckling of the restraint system, with the resultant lack of occupant restraint under either flight loads or crash loads.

EFFECTIVE DATE: September 22, 1987.

ADDRESSES: The applicable service information may be obtained from Am-Safe, Inc., 240 North 48th Avenue, Phoenix, Arizona 85043. This information may be examined at the FAA, Northwest Mountain Region, 17900 Pacific Highway South, Seattle, Washington, or at the Western Aircraft

Certification Office, 15000 Aviation Boulevard, Hawthorne, California.

FOR FURTHER INFORMATION CONTACT: Mr. Walter Eierman, Aerospace Engineer, Western Aircraft Certification Office, ANM–173W, FAA, Northwest Mountain Region, 15000 Aviation Boulevard, Hawthorne, California; telephone (213) 297–1388.

SUPPLEMENTARY INFORMATION: A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive which requires inspection and replacement, if necessary, of certain Am-Safe occupant restraint system assembly connectors was published in the **Federal Register** on March 31, 1987 (52 FR 10236).

Interested persons have been afforded an opportunity to participate in the making of this amendment.

No comments were received in response to the proposal.

After careful review of the available data, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

It is estimated that 1250 connectors will be affected by this AD, that it will take approximately one-half manhour per connector to inspect, remove and replace an unsatisfactory connector, and that the average labor cost will be $40 per manhour. Am-Safe, Inc., will supply replacement connectors at no charge. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be $25,000.

For the reasons discussed above, the FAA has determined that this regulation is not considered to be major under Executive Order 12291 or significant under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and it is further certified under the criteria of the Regulatory Flexibility Act that this rule will not have a significant economic effect on a substantial number of small entities, because of the minimal cost of compliance per airplane ($20). A final evaluation has been prepared for this regulation and has been placed in the docket.

List of Subjects in 14 CFR Part 39

Aviation safety, Aircraft.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends § 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) as follows:

1. The authority citation for Part 39 continues to read as follows:

PART 39—[AMENDED]

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g) (Revised Pub. L. 97–449, January 12, 1983); and 14 CFR 11.89.

§ 39.13 [Amended]

2. By adding the following new airworthiness directive:

AM-Safe, Inc.: Applies to Am–Safe, Inc., occupant restraint system assemblies, Part Numbers 501825–403, 501907–401, 501907–403, 501907–405, 502061–401, 502147–401, and 502147–403, which may be installed in large or small aircraft. (Seal belt portion approved under Technical Standard Order C22f.) Compliance required within 90 days after the effective date of this AD, unless previously accomplished.

To eliminate restraint system connectors with the incorrect dimensions, which could allow inadvertent opening of occupant restraint system assemblies, accomplish the following:

A. Inspect the affected restraint system assemblies in accordance with Am-Safe, Inc., Service Bulletin No. AS001, dated November 5, 1986, or later FAA-approved revisions, to determine the Lot Number of the connector. If the connector is not of Lot 04, no further action is required. If the connector is found to be of Lot 04, the connector must be removed and replaced with a connector of a different lot number before further flight.

B. Alternate means of compliance which provide an acceptable level of safety may be used when approved by the Manager, Western Aircraft Certification Office, FAA, Northwest Mountain Region.

C. Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base in order to comply with the requirements of this AD.

All persons affected by this directive who have not already received the appropriate service information from the manufacturer may obtain copies upon request to Am-Safe, Incorporated, 240 North 48th Avenue, Phoenix, Arizona 85043. These documents may be examined at the FAA, Northwest Mountain Region, 17900 Pacific Highway South, Seattle, Washington, or at 15000 Aviation Boulevard, Hawthorne, California.

This amendment becomes effective September 222, 1987.

Issued in Seattle, Washington, on August 10, 1987.

Wayne J. Barlow,

Director, Northwest Mountain Region.

[FR Doc. 87–19017 Filed 8–19–87; 8:45 am]

BILLING CODE 4910–13–M

14 CFR Part 39

[Docket No. 86–NM–199–AD; Amdt. 39–5715]

Airworthiness Directives; General Dynamics Models 340, 440, and C–131 (Military) Series Airplanes, Including Those Modified for Turbo-propeller Power

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to General Dynamics Models 340, 440, and C–131 (Military) series airplanes, including turbo-propeller conversions, which requires repetitive inspections of the main landing gear drag strut pivot bolt and replacement, if necessary. This amendment is prompted by reports of one fractured and several cracked main landing gear drag strut pivot bolts. This condition, if not corrected, could lead to failure of the main landing gear drag strut pivot bolt and collapes of the main landing gear.

EFFECTIVE DATE: September 24, 1987.

ADDRESSES: The applicable service information may be obtained from General Dynamics, Convair Division P.O. Box 85377, San Diego, California 92138. This information may be examined at the FAA, Northwest Mountain Region, 17900 Pacific Highway South, Seattle, Washington, or at the Western Aircraft Certification Office, 15000 Aviation Boulevard, Hawthorne, California.

FOR FURTHER INFORMATION CONTACT: Mr. Don Dirian, Aerospace Engineer, Western Aircraft Certification Office, ANM–172W, FAA, Northwest Mountain Region, 15000 Aviation Boulevard, Hawthorne California; telephone (213) 297–1167.

SUPPLEMENTARY INFORMATION: A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive which requires inspection of main landing gear drag strut pivot bolts and removal from service of cracked bolts, was published in the **Federal Register** on March 31, 1987 (52 FR 10238).

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the single comment received.

The commenter advised that a new, superior P/N 340–5110105–5 bolt assembly is now available that is made with the latest "state-of-the-art" technology. The commenter requested

the AD be revised to indicate that this -5 bolt assembly could be used as an alternative replacement assembly, and that installation of the -5 bolt assembly would eliminate the need for repetitive inspections required by the proposed AD. The FAA concurs and has revised the final rule accordingly.

After careful review of the available data, including the comment noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the changes previously mentioned.

It is estimated that 350 airplanes of U.S. registry will be affected by this AD, that it will take approximately 16 manhours per airplane to accomplish the required actions, and that the average labor cost will be $40 per manhour. Two bolts are required per airplane; each bolt is estimated to cost $600. Based on these figures, the total cost impact of the AD on the U.S. operators is estimated to be $644,000.

For these reasons discussed above, the FAA has determined that this regulation is not considered to be major under Executive Order 12291 or significant under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and it is further certified under the criteria of the Regulatory Flexibility Act that this rule will not have a significant economic effect on a substantial number of small entities because few, if any, General Dynamics Model 340, 440, or C-131 (Military) service airplanes are operated by small entities. A final evaluation has been prepared for this regulation and has been placed in the docket.

List of Subjects in 14 CFR Part 39

Aviation safety, Aircraft.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends § 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) as follows:

PART 39—[AMENDED]

1. The authority citation for Part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); and 14 CFR 11.89.

§ 39.13 [Amended]

2. By adding the following new airworthiness directive:

General Dynamics (Convair): Applies to Models 340, 440, and C-131 (Military) series airplanes, including all such model airplanes converted to turbo-propeller power, equipped with main landing gear drag strut pivot bolt assembly Part Numbers (P/N) 340-5110105, or 340-5110105-1, or 340-5110105-3, certificated in any category. Compliance required as indicated, unless previously accomplished.

To prevent failure of the main landing gear drage strut pivot bolt and possible subsequent main landing gear collapse, accomplish the following:

A. Within 500 hours time-in-service after the effective date of this AD, inspect the main landing gear drag strut pivot bolt assembly P/N 340-5110105 or 340-5110105-1 or 340-5110105-3, using magnetic particle inspection procedures, in accordance with Paragraph 2., "Accomplishment Instructions" of General Dynamics, Convair Division, Service Bulletin 640(340D)32-14, dated October 10, 1986, or later revisions approved by the Manager, Western Aircraft Certification Office, FAA, Northwest Mountain Region.

1. If no cracks are found, reinstall the bolt and repeat the bolt inspection in accordance with paragraph A., above, at intervals not to exceed 500 hours time-in-service since last bolt inspection.

2. If any crack is found, prior to further flight replace main landing gear drag strut pivot bolt assembly with P/N 340-5110105, 340-5110105-1, 340-5110105-3, 340-5110105-5, or equivalent approved by the Manager, Western Aircraft Certification Office, FAA, Northwest Mountain Region.

a. If a new P/N 340-5110105 or 340-5110105-1 main landing gear drag strut pivot bolt assembly is used as a replacement, repeat the bolt inspection in accordance with paragraph A., above, within 3,000 hours time-in-service after bolt installation and thereafter at intervals not to exceed 500 hours time-in-service since last bolt inspection.

b. If a new main landing gear drag strut pivot bolt assembly P/N 340-5110105-3 is used as a replacement part, repeat bolt inspection in accordance with paragraph A., above, within 8,000 hours time-in-service after bolt installation and thereafter at intervals not to exceed 500 hours time-in-service since last bolt inspection.

c. Installation of main landing gear drag strut pivot bolt assembly P/N 340-5110105-5 constitutes terminating action for the repetitive inspections required by this AD.

B. Upon the request of an operator, an FAA Maintenance Inspector, subject to prior approval by the Manager, Western Aircraft Certification Office, FAA, Northwest Mountain Region, may adjust the repetitive inspection intervals specified in this AD to permit compliance at an established inspection period of that operator if the request contains substantiating data to justify the change for that operator.

C. Alternate means of compliance which provide an acceptable level of safety, may be used when approved by the Manager, Western Aircraft Certification Office, FAA, Northwest Mountain Region.

D. Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to a base to comply with the requirements of this AD.

All persons affected by this directive who have not already received the appropriate service documents from the manufacturer may obtain copies upon request to the General Dynamics, Convair Division, P.O. Box 85377, San Diego, California 92138, Attn: Chief, Aircraft Logistical Support, Mail Zone 92-2920. These documents may be examined at the FAA, Northwest Mountain Region, 17900 Pacific Highway South, Seattle, Washington, or at FAA, Western Aircraft Certification Office, 15000 Aviation Boulevard, Hawthorne, California.

This amendment becomes effective September 24, 1987.

Issued in Seattle, Washington, on August 11, 1987.

Wayne J. Barlow,

Director, Northwest Mountain Region.

[FR Doc. 87-19022 Filed 8-19-87; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 86-NM-219-AD; Amdt. 39-5716]

Airworthiness Directives; McDonnell Douglas Model DC-8-62, -62F, -63, and -63F Series Airplanes, Modified by Aeronautic Development Corp. Supplemental Type Certificate (STC) SA2494NM

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain McDonnell Douglas Model DC-8-62, -62F, -63, and -63F series airplanes, which requires repetitive inspections and modification, as necessary, of the engine inlet nose dome extension aft attachment ring flanges. This amendment is prompted by reports of fatigue cracking of these flanges. This condition, if not corrected, could lead to the loss of the engine inlet nose dome assembly, which can cause engine stalls and lead to subsequent engine in-flight shut down (IFSD) or other severe degradation of engine performance during critical flight regimes. The potential exists for multiple IFSD's.

EFFECTIVE DATE: September 24, 1987.

ADDRESSES: The applicable service information may be obtained from Rohr Industries, Inc., Post Office Box 878, Chula Vista, California 92012-0878; Attention: Robert Dickenson. This

information may be examined at the FAA, Northwest Mountain Region, 17900 Pacific Highway South, Seattle, Washington, or at 4344 Donald Douglas Drive, Long Beach, California.

FOR FURTHER INFORMATION CONTACT: Mr. David Y.J. Hsu, Aerospace Engineer, Airframe Branch, ANM–122L, FAA, Northwest Mountain Region, Los Angeles Aircraft Certification Office, 4344 Donald Douglas Drive, Long Beach, California 90808; telephone (213) 514–6319.

SUPPLEMENTARY INFORMATION: A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive which requires repetitive inspection and modification, as necessary, of the engine inlet nose dome extension aft attachment ring flanges on McDonnell Douglas Model DC–8 series airplanes, was published in the **Federal Register** on March 19, 1987 (52 FR 8612). The comment period for the proposal closed on May 11, 1987.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the three comments received.

The first commenter suggested that the modification described in Rohr Industries, Inc., Service Bulletin QDC8–71–10, dated March 2, 1987, be considered as terminating action for the AD. The FAA agrees. Since issuance of the NPRM, Rohr has issued Service Bulletins QDC8–71–10, dated March 2, 1987, and Revision 1, dated April 15, 1987, which describe a modification to replace existing spacers, captive nuts, and retainers on aft nose dome extension ring with support fittings and to add support fittings on forward nose dome extension ring. The FAA has determined that accomplishment of this modification constitutes terminating action for the requirements of this AD, and the final rule has been revised to reflect this.

The second commenter suggested that operators be given the option of performing a "feel" check (by hand) for looseness, in lieu of the rigid repetitive inspection which requires removal of the nose bullet. The commenter also advised that repeated nose bullet removal and installation, as would be necessary in performing the inspections required by the AD, increases the risk of accidental and premature damage. The FAA disagrees. The risk associated with the removal of the nose bullet is outweighed by the need to ensure that fatigue cracks are detected promptly.

The third commenter questioned the need for the proposed rule. The commenter advised that operators have promised to voluntarily comply with Rohr Industries, Inc., Service Bulletin QDC8–71–10. The FAA disagrees and considers AD action to be appropriate to ensure that all affected operators comply in a timely manner with the requirements that are intended to correct a condition in aircraft determined to adversely affect the safety of flight.

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the following rule with the changes previously noted.

It is estimated that 29 airplanes of U.S. registry will be affected by this AD, that it will take approximately 8 manhours per airplane to accomplish the required initial inspection, and that the average labor cost will be $40 per manhour. Based on these figures, the total cost impact of the AD on U.S. operators to accomplish the initial inspection is estimated to be $9,280. The recurring inspection costs to the affected operators are estimated to be 56 manhours per airplane per year, at an average labor cost of $40 per manhour. Based on these figures, the annual recurring cost of this AD for U.S. operators is etimated to be approximately $64,960. The cost of accomplishing the optional terminating action modification to the affected operators is estimated to be 21 manhours per airplane, at an average labor cost of $40 per manhour. Based on these figures, the cost of closing the AD requirements for U.S. operators is estimated to be approximately $24,360.

For the reasons discussed above, the FAA has determined that this regulation is not considered to be major under Executive Order 12291 or significant under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and it is further certified under the criteria of the Regulatory Flexibility Act that this rule will not have a significant economic effect on a substantial number of small entities, because of the minimal cost of compliance per airplane ($320). A final evaluation has been prepared for this regulation and has been placed in the docket.

List of Subjects in 14 CFR Part 39

Aviation safety, Aircraft

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends § 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) as follows:

PART 39—[AMENDED]

1. The authority citation for Part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g) (Revised, Pub. L. 97–449, January 12, 1983); and 14 CFR 11.89.

§ 39.13 [Amended]

2. By adding the following new airworthiness directive:

McDonnell Douglas: Applies to McDonnell Douglas Model DC–8–62, –62F, –63, and –63F series airplanes, modified in accordance with Aeronautic Development Corporation Supplemental Type Certificate (STC) SA2494NM, certificated in any category. Compliance required as indicated, unless previously accomplished.

To prevent the loss of engine inlet extended nose dome assembly due to metal fatigue failure of the aft attachment ring flanges and possible damage to the engine, accomplish the following:

A. Within 250 flight-hours after the effective date of this AD, unless already accomplished within last 250 flight-hours, visually inspect nose dome extension aft attachment ring flanges, Rohr Industries, Inc. Part Numbers 236–0002, in accordance with paragraph 2.A. of Rohr Industries, Inc., Alert Service Bulletin QDC8–A71–10, dated October 21, 1986, or later revisions approved by the Manager, Los Angeles Aircraft Certification Office, FAA, Northwest Mountain Region.

Note.—Removal of the nose dome and extension requires disconnecting the PT^2 probe sense line extension. Care must be taken to ensure proper connection when re-installing to prevent erroneous EPR indication.

B. If no cracks are found, repeat the visual inspections of the flanges in accordance with paragraph A. of this AD, at intervals not to exceed 500 flight-hours, until such time as the modification is accomplished in accordance with paragraph D. of this AD.

C. If cracks are found on flanges with attachments, prior to further flight, accomplish either of the following:

1. Accomplish the modification in accordance with paragraph D. of this AD, or

2. Accomplish repair and repetitive inspections as follows:

a. For extended nose dome with five alternate blank flanges:

(1) Relocate the five attachments in accordance with paragraph 2.A.(3) through (13) of the Rohr Industries, Inc., Alert Service Bulletin QDC8–A71–10, dated October 21, 1986, or later revisions approved by the Manager, Los Angeles Aircraft Certification Office, FAA, Northwest Mountain Region.

(2) Repeat visual inspections of the flanges at the relocated attachments in accordance with paragraph A. of this AD, at intervals not to exceed 500 flight-hours.

b. For extended nose dome without the five alternate blank flanges:

(1) Remove and replace the aft attachment ring of the extended nose dome in accordance with FAA approved data.

(2) Repeat visual inspections of the flanges of the newly installed attachment rings in accordance with paragraph A. of this AD, at intervals not to exceed 500 flight-hours.

D. Accomplish of the modification to replace existing spacers, captive nuts, and retainers on aft nose dome extension ring with support fittings and to add support fittings on forward nose dome extension ring in accordance with paragraph 2.A.(1) thorugh (56) of the Rohr Industries, Inc., Service Bulletin QDC8-71-10, dated March 2, 1987, or later revisions approved by the Manager, Los Angeles Aircraft Certification Office, FAA, Northwest Mountain Region, constitutes terminating action for the requirements of this AD.

E. Alternate means of compliance which provide an acceptable level of safety may be used when approved by the Manager, Los Angeles Aircraft Certification Office, FAA, Northwest Mountain Region.

F. Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base in order to comply with the requirements of this AD.

All persons affected by this directive who have not already received the appropriate service documents from the manufacturer may obtain copies upon request to Rohr Industries, Inc., Post Office Box 878, Chula Vista, California 92012-0878; Attention: Robert Dickenson. These documents may be examined at the FAA, Northwest Mountain Region, 17900 Pacific Highway South, Seattle, Washington, or at 4344 Donald Douglas Drive, Long Beach, California.

This amendment becomes effective September 24, 1987.

Issued in Seattle, Washington, on August 11, 1987.

Wayne J. Barlow,

Director, Northwest Mountain Region.

[FR Doc. 87-19021 Filed 8-19-87; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 39

[Docket No. 87-NM-33-AD; Amdt. 39-5713]

Airworthiness Directives; Short Brothers PLC Model SD3-60 Series, Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Short Brothers PLC Model SD3-60 series airplanes, which requires the installation of a new locking bolt for the nose landing gear shock absorber lower pin. This amendment is prompted by a recent report of a shock absorber lower pin working loose. This condition, if not corrected, could result in the loss of structural integrity of the nose landing gear.

EFFECTIVE DATE: September 22, 1987.

ADDRESSES: The applicable service information may be obtained from Short Brothers PLC, 2011 Crystal Drive, Suite 713, Arlington, Virginia 22202-3702. This information may be examined at the FAA, Northwest Mountain Region, 17900 Pacific Highway South, Seattle, Washington, or the Seattle Aircraft Certification Office, 9010 East Marginal Way South, Seattle, Washington.

FOR FURTHER INFORMATION CONTACT: Ms. Judy M. Golder, Standardization Branch, ANM-113; telephone (206) 431-1967. Mailing address: FAA, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168.

SUPPLEMENTARY INFORMATION: A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive, which requires modification of the nose landing gear on certain Short Brothers Model SD3-60 series airplanes, was published in the **Federal Register** on May 11, 1987 (52 FR 17601).

Interested parties have been afforded an opportunity to participate in the making of this amendment.

No comments were received in response to the proposal.

After careful review of the available data, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

It is estimated that 33 airplanes of U.S. registry will be affected by this AD, that it will take approximately 1 manhour per airplane to accomplish the required actions, and that the average labor cost will be $40 per manhour. Based on these figures, the total cost impact of this AD to U.S. operators is estimated to be $1,320.

For the reasons discussed above, the FAA has determined that this regulation is not considered to be major under Executive Order 12291 or significant under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979) and it is further certified under the criteria of the Regulatory Flexibility Act that this rule will not have a significant economic effect on a substantial number of small entities because of the minimal cost of compliance per airplane ($40). A final evaluation has been prepared for this regulation and has been placed in the docket.

List of Subjects in 14 CFR Part 39

Aviation safety, Aircraft.

Adoption of The Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends § 39.13 of Part 39 of the Federal Aviation Regulations as follows:

PART 39—[AMENDED]

1. The authority citation for Part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983; and 14 CFR 11.89.

§ 39.13 [Amended]

2. By adding the following new airworthiness directive:

Short Brothers PLC: Applies to Short Brothers PLC Model SD3-60 series airplanes, equipped with Dowty Rotol nose under carriage type numbers 200921001 or 200921003, certificated in any category. Compliance required as indicated, unless previously accomplished.

To prevent loss of structural integrity of the nose landing gear, as a result of a loose shock absorber lower pin, accomplish the following:

A. Within 90 days after the effective date of this AD, install a new locking bolt for the nose landing gear shock absorber pin in accordance with the Accomplishment Instructions of Shorts Service Bulletin No. SD360-32-20, dated May 1985.

B. An alternate means of compliance or adjustment of the compliance time, which provides an acceptable level of safety, may be used when approved by the Manager, Standardization Branch, ANM-113, FAA, Northwest Mountain Region.

C. Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base for the accomplishment of the modifications required by this AD.

All persons affected by this directive who have not already received the appropriate service document from the manufacturer may obtain copies upon request to Short Brothers PLC, 2011 Crystal Drive, Suite 713, Arlington, Virginia 22202-3702. This document may be examined at the FAA, Northwest Mountain Region, 17900 Pacific Highway South, Seattle, Washington, or the Seattle Aircraft Certification Office, 9010 East Marginal Way South, Seattle, Washington.

This amendment becomes effective September 22, 1987.

Issued in Seattle, Washington, on August 10, 1987.

Wayne J. Barlow,

Director, Northwest Mountain Region.

[FR Doc. 87-19018 Filed 8-19-87; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 87-NM-28-AD; Amdt. 39-5711]

Airworthiness Directives: Short Brothers Model SD3-60 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Short Brothers Model SD3-60 series airplanes, which requires remarking the green band on the elevator trim control indicator on airplanes equipped with Pratt and Whitney PT6A-65R and PT6A-65AR engines, and rerigging the elevator tab on airplanes equipped with the PT6A-65AR engines. This amendment is prompted by reports of operational experience and further test flying which indicate that excessive control column force is required during takeoff. This condition, if not corrected, could result in unsafe out-of-trim condition.

EFFECTIVE DATE: September 22, 1987.

ADDRESSES: The applicable service information may be obtained from Shorts Aircraft, 2011 Crystal Drive, Suite 713, Arlington, Virginia 22202-3702. This information may be examined at the FAA, Northwest Mountain Region, 17900 Pacific Highway South, Seattle, Washington, or the Seattle Aircraft Certification Office, 9010 East Marginal Way South, Seattle, Washington.

FOR FURTHER INFORMATION CONTACT: Ms. Judy Golder, Standardization Branch, ANM-113; telephone (206) 431-1967. Mailing address: FAA, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168.

SUPPLEMENTARY INFORMATION: A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive, which requires remarking the green band on the elevator trim control indicator on Shorts Model SD3-60 airplanes equipped with Pratt and Whitney PT6A-65R and PT6A-65AR engines, and rerigging the elevator tab on airplanes equipped with the PT6A-65AR engines, was published in the **Federal Register** on May 11, 1987 (52 FR 17599).

Interested parties have been afforded an opportunity to participate in the making of this amendment. No comments were received in response to the proposal.

After careful review of the available data, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

It is estimated that 53 airplanes of U.S. registry will be affected by this AD, that it will take approximately 6 manhours per airplane to accomplish the required actions, and that the average labor cost will be $40 per manhour. Based on these figures, the total cost impact of this AD to U.S. operators is estimated to be $12,720.

For the reasons discussed above, the FAA has determined that this regulation is not considered to be major under Executive Order 12291 or significant under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979) and it is further certified under the criteria of the Regulatory Flexibility Act that this rule will not have a significant economic effect on a substantial number of small entities because of the minimal cost of compliance per airplane ($240). A final evaluation has been prepared for this regulation and has been placed in the docket.

List of Subjects in 14 CFR Part 39

Aviation safety, Aircraft.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends § 39.13 of Part 39 of the Federal Aviation Regulations as follows:

PART 39—[AMENDED]

1. The authority citation for Part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); and 14 CFR 11.89.

§ 39.13 [Amended]

2. By adding the following new airworthiness directive:

Short Brothers PLC: Applies to Model SD3-60 airplanes with Pratt and Whitney PT6A-65R and PT6A-65AR engines installed, certificated in any category. Compliance required as indicated, unless previously accomplished.

To prevent an unsafe out-of-trim condition accomplish the following within 90 days after the effective date of this AD:

A. For airplanes equipped with Pratt and Whitney PT6A-65R engines, remark the green band on the elevator trim control indicator in accordance with the Accomplishment Instructions of Shorts Service Bulletin No. SD360-27-10, Revision 1, dated May 1986.

B. For airplanes equipped with Pratt and Whitney PT6A-65AR engines, remark the green band on the elevator trim control indicator and rerig the elevator tab in accordance with the Accomplishment Instructions of Shorts Service Bulletin No. SD360-27-11, Revision 1, dated March 1986.

C. An alternate means of compliance or adjustment of the compliance time, which provides an acceptable level of safety, may be used when approved by the Manager, Standardization Branch, ANM-113, FAA, Northwest Mountain Region.

D. Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base for the accomplishment of the modifications required by this AD.

All persons affected by this directive who have not already received the appropriate service document from the manufacturer may obtain copies upon request to Shorts Aircraft, 2011 Crystal Drive, Suite 713, Arlington, Virginia 22202-3702. This document may be examined at the FAA, Northwest Mountain Region, 17900 Pacific Highway South, Seattle, Washington, or the Seattle Aircraft Certification Office, 9010 East Marginal Way South, Seattle, Washington.

This amendment becomes effective September 22, 1987.

Issued in Seattle, Washington, on August 10, 1987.

Wayne J. Barlow,

Director, Northwest Mountain Region.

[FR Doc. 87-19024 Filed 8-19-87; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 87-NM-29-AD; Amdt. 39-5712]

Airworthiness Directives: Short Brothers PLC Model SD3-60 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Short Brothers PLC Model SD3-60 series airplanes, which requires sealing the fuselage top skin to prevent fuel leaks, should they occur in certain areas, from entering the main fuselage cabin. This action is prompted by a report of a failure of the fuel purge valve, which resulted in fuel ingress into the main cabin. This condition, if not corrected, could result in a fire.

EFFECTIVE DATE: September 22, 1987.

ADDRESSES: The applicable service information may be obtained from Shorts Aircraft, 2011 Crystal Drive, Suite 713, Arlington, Virginia 22202-3702. Information may be examined at the FAA Northwest Mountain Region, 17900 Pacific Highway South, Seattle, Washington, or the Seattle Aircraft Certification Office, 9010 East Marginal Way South, Seattle, Washington.

FOR FURTHER INFORMATION CONTACT: Ms. Judy M. Golder, Standardization Branch, ANM-113; telephone (206) 431-

1967. Mailing address: FAA, Northwest Mountain Region, 17900 Pacific Highway South, C–68966, Seattle, Washington 98168.

SUPPLEMENTARY INFORMATION: A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive, which requires application of sealant to fuselage top skin on certain Short Brothers PLC Model SD3–60 series airplanes, was published in the **Federal Register** on May 11, 1987 (52 FR 17600).

Interested parties have been afforded an opportunity to participate in the making of this amendment. No comments were received in response to the proposal.

After careful review of the available data, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

It is estimated that 33 airplanes of U.S. registry will be affected by this AD, that it will take approximately 30 manhours per airplane to accomplish the required actions, and that the average labor cost will be $40 per manhour. Based on these figures, the total cost impact of this AD to U.S. operators is estimated to be $39,600.

For the reasons discussed above, the FAA has determined that this regulation is not considered to be major under Executive Order 12291 or significant under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979) and it is further certified under the criteria of the Regulatory Flexibility Act that this rule will not have a significant economic effect on a substantial number of small entities because of the minimal cost of compliance per airplane ($1,200). A final evaluation has been prepared for this regulation and has been placed in the docket.

List of Subjects in 14 CFR Part 39

Aviation safety, Aircraft.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends § 39.13 of Part 39 of the Federal Aviation Regulations as follows:

PART 39—[AMENDED]

1. The authority citation for Part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g) (Revised Pub. L. 97–449, January 12, 1983); and 14 CFR 11.89.

§ 39.13 [Amended]

2. By adding the following new airworthiness directive:

Short Brothers PLC: Applies to Model SD3–60 airplanes, serial numbers SH3601 through SH3678, certificated in any category. Compliance required as indicated, unless previously accomplished.

To ensure that failure of the fuel purge valve cannot result in fuel ingress into the main cabin, accomplish the following:

A. Within 90 days after the effective date of this AD, apply sealant to the fuselage top skin in accordance with the "Accomplishment Instructions," of Short Service Bulletin SD360–53–22, Revision 1, dated April 1986.

B. An alternate means of compliance or adjustment of the compliance time, which provides an acceptable level of safety, may be used when approved by the Manager, Standardization Branch, ANM–113, FAA, Northwest Mountain Region.

C. Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base for the accomplishment of the modifications required by this AD.

All persons affected by this directive who have not already received the appropriate service document from the manufacturer may obtain copies upon request to Shorts Aircraft, 2011 Crystal Drive, Suite 713, Arlington, Virginia 22202–3702. This document may be examined at the FAA, Northwest Mountain Region, 17900 Pacific Highway South, Seattle, Washington, or the Seattle Aircraft Certification Office, 9010 East Marginal Way South, Seattle, Washington.

This amendment becomes effective September 22, 1987.

Issued in Seattle, Washington, on August 10, 1987.

Wayne J. Barlow,

Director, Northwest Mountain Region.

[FR Doc. 87–19023 Filed 8–19–87; 8:45 am]

BILLING CODE 4910–13–M

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14 CFR Part 71

[Airspace Docket No. 87–AWP–15]

Establishment of Glendale, AZ, Control Zone

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes a control zone at Glendale, Arizona. This control zone provides controlled airspace for aircraft on instrument flight rules (IFR) flight plans and allows special visual flight rules (SVFR) operations when visibility is less than 3 statute miles.

EFFECTIVE DATE: 0901 UTC, January 14, 1988.

FOR FURTHER INFORMATION CONTACT: Frank T. Torikai, Airspace and Procedures Specialist, Airspace and Procedures Branch, AWP–530, Air Traffic Division, Western-Pacific Region, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California 90261; telephone (213) 297–1648.

SUPPLEMENTARY INFORMATION:

History

On June 5, 1987, the FAA proposed to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to establish a control zone at Glendale, Arizona (52 FR 21316). Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Except for editorial changes, this amendment is the same as that proposed in the notice. Section 71.171 of Part 71 of the Federal Aviation Regulations was republished in Handbook 7400.6C dated January 2, 1987.

The Rule

This amendment to Part 71 of the Federal Aviation Regulations establishes a control zone at Glendale, Arizona. This control zone provides controlled airspace for aircraft on instrument flight rules (IFR) flight plans and allows special visual flight rules (SVFR) operations when visibility is less than 3 statute miles. The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Excutive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 25, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 77

Aviation safety, Control zones.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, as follows:

PART 71—[AMENDED]

1. The authority citation for Part 71 continues to read as follows:

Authority: 49 U.S.C. 1348(a), 1354(a), 1510; Executive Order 10854; 49 U.S.C. 106(g) (Revised Pub. L. 97–449, January 12, 1983); 14 CFR 11.69.

§ 71.171 [Amended]

2. Section 71.171 is amended as follows:

Glendale, AZ [New]

Within a 3-mile radius of Glendale Municipal Airport (lat. 33°31'38" N., long. 112°17'40" W.) excluding that portion west of a line beginning at lat. 33°34'03" N., long. 112°16'14" W. to lat. 33°33'00" N., long. 112°18'05" W. to lat. 33°29'32" N., long 112°19'25" W. This control zone will be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

Issued in Los Angeles, California, on July 24, 1987.

James A. Holweger,

Assistant Manager, Air Traffic Division, Western-Pacific Region.

[FR Doc. 87–19026 Filed 8–19–87; 8:45 am]

BILLING CODE 4910–13–M

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14 CFR Part 71

[Airspace Docket No. 87–AWP–25]

Revision to Phoenix-Litchfield Control Zone in Arizona

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The Litchfield, Arizona, Airport was renamed Goodyear Municipal Airport. This action revises the Phoenix-Litchfield, Arizona, control zone description to reflect this change.

EFFECTIVE DATE: 0901 UTC, January 14, 1988.

FOR FURTHER INFORMATION CONTACT: Frank T. Torikai, Airspace and Procedures Specialist, Airspace and Procedures Branch, AWP–530, Air Traffic Division, Western-Pacific Region, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California 90261; telephone (213) 297–1648.

The Rule

This amendment to Part 71 of the Federal Aviation Regulations revises the Phoenix-Litchfield, Arizona, control zone description to change the name of Litchfield Airport to Goodyear Municipal Airport. I find that notice and public procedure under 5 U.S.C. 553(b) are unnecessary because this action is a minor amendment in which the public would not be particularly interested. Section 71.171 of Part 71 of the Federal Aviation Regulations was republished in Handbook 7400.6C dated January 2, 1987. The FAA had determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subject in 14 CFR Part 71

Aviation safety, Control zones.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, Part 71 of the Federal Aviation Regulations (14 CFR Part 71), is amended as follows:

PART 71—[AMENDED]

1. The authority citation for Part 71 continues to read as follows:

Authority: 49 U.S.C. 1348(a), 1354(a), 1510; E.O. 10854; 49 U.S.C. 106(g) (Revised Pub. L. 97–449, January 12, 1983); 14 CFR 11.69.

§ 71.171 [Amended]

2. Section 71.171 is amended as follows:

Phoenix-Litchfield, AZ [Revised]

Phoeniz-Goodyear Municipal Airport, AZ

Within a 4-mile radius of Phoenix-Goodyear Municipal Airport (lat. 33°25'22" N., long. 112°22°31'" W.), excluding the portion within the Phoenix-Luke AFB, Arizona, control zone. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

Issued in Los Angeles, California, on August 5, 1987.

James A. Holweger,

Assistant Manager, Air Traffic Division, Western-Pacific Region.

[FR Doc. 87–19031 Filed 8–19–87; 8:45 am]

BILLING CODE 4910–13–M

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14 CFR Part 71

[Airspace Docket No. 87–AWP–26]

Revision to Phoenix-Luke AFB, AZ, Control Zone

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The Glendale, Arizona, control zone, a new control zone, encompasses a portion of the airspace currently designated for the Phoenix-Luke AFB, Arizona, control zone. This action revises the description of the Phoenix-Luke AFB, Arizona, control zone to exclude that portion within the new Glendale control zone. This change will be effective concurrently with the establishment of the Glendale control zone.

EFFECTIVE DATE: 0901 UTC, January 14, 1988.

FOR FURTHER INFORMATION CONTACT: Frank T. Torikai, Airspace and Procedures Specialist, Airspace and Procedures Branch, AWP–530, Air Traffic Division, Western-Pacific Region, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California 90261; telephone (213) 297–1648.

The Rule

This amendment to Part 71 of the Federal Aviation Regulations revises the Phoenix-Luke AFB, Arizona, control zone to exclude that portion within the new Glendale, Arizona, control zone. I find that notice and public procedure under 5 U.S.C. 553(b) are unnecessary because this action is a minor amendment in which the public would not be particularly interested. Section 71.171 of Part 71 of the Federal Aviation Regulations was republished in Handbook 7400.6C dated January 2, 1987.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities

under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Aviation safety, Control zones.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, Part 71 of the Federal Aviation Regulations (14 CFR Part 71), as amended (52 FR 6136), is amended as follows:

PART 71—[AMENDED]

1. The authority citation for Part 71 continues to read as follows:

Authority: 49 U.S.C 1348(a), 1354(a), 1510; Executive Order 10854; 49 U.S.C. 106(g) (Revised Pub. L. 97–449, January 12, 1983); 14 CFR 11.69.

§ 71.171 [Amended]

2. Section 71.171 is amended as follows:

Phoenix-Luke AFB, AZ [Revised]

Within a 5-mile radius of Luke AFB (lat. 32°32'06" N., long. 112°22'56" N.); within 2 miles each side of the Luke TACAN 058° radial, extending from the 5-mile radius zone to 6 miles northeast of the TACAN; and within 2 miles each side of the Luke TACAN 209° radial, extending from the 5-mile radius zone to 6.5 miles southwest of the Luke TACAN; excluding that portion within the Glendale, Arizona, control zone. This control zone is effective from 0600 to 0000 hours local time daily, or during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

Issued in Los Angeles, California, on July 31, 1987.

James A. Holweger,

Assistant Manager, Air Traffic Division, Western-Pacific Region.

[FR Doc. 87–19027 Filed 8–19–87; 8:45 am]

BILLING CODE 4910–13–M

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14 CFR Part 71

[Airspace Docket No. 87–AWP–21]

Amendment to Santa Maria, CA, Control Zone

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment reestablished the Santa Maria, CA., control zone as a part-time control zone. The part-time designation was inadvertently omitted in amendment 50 FR 52767, December 26, 1985. To have a control zone, hourly and special weather observations must be taken at the primary airport during the times and dates the control zone is designated. Since Santa Maria weather observations are available only during certain hours, the control zone hours must match the period that weather observations are taken.

DATES: Effective date—0901 UTC, January 14, 1988.

Comments on the rule must be received on or before October 20, 1987.

ADDRESSES: Send comments on the rule in triplicate to: Federal Aviation Administration, Attn: Manager, Airspace and Procedures Branch, AWP–530, Docket No. 87–AWP–21, Air Traffic Division, P.O. Box 92007, Worldway Postal Center, Los Angeles, California 90009.

The official docket may be examined in the Office of the Regional Counsel, Western-Pacific Region, Federal Aviation Administration, Room 6W14, 15000 Aviation Boulevard, Lawndale, California.

An informal docket may also be examined during normal business hours at the Office of the Manager, Airspace and Procedures Branch, Air Traffic Division at the above address.

FOR FURTHER INFORMATION CONTACT: Frank T. Torikai, Airspace and Procedures Specialist, Airspace and Procedures Branch, AWP–530, Air Traffic Division, Western-Pacific Region, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California 90261; telephone (213) 297–1648.

SUPPLEMENTARY INFORMATION:

Request for Comments on the Rule

Although this action is in the form of a final rule, which involves reestablishing a part-time control zone at Santa Maria, CA and was not preceded by notice and public procedure, comments are invited on the rule. When the comment period ends, the FAA will use the comments submitted, together with other available information, to review the regulation. After the review, if the FAA finds that changes are appropriate, it will initiate rulemaking proceedings to amend the regulation. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in evaluating the effects of the rule and determining whether additional rulemaking is needed. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy aspects of the rule that might suggest the need to modify the rule.

The Rule

The purpose of this amendment to § 71.171 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is to reestablish the Santa Maria, CA, control zone as a part-time control zone. Section 71.171 of Part 71 of the Federal Aviation Regulations was republished in Handbook 7400.6B dated January 2, 1986.

Under the circumstances presented, the FAA concludes that there is an immediate need for a regulation to amend the description of the Santa Maria, CA, control zone. Therefore, I find that notice and public procedure under 5 U.S.C. 553(b) are impracticable and contrary to the public interest.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Aviation safety, Control zones.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, Part 71 of the Federal Aviation Regulations (14 CFR Part 71), as amended as follows:

PART 71—[AMENDED]

1. The authority citation for Part 71 continues to read as follows:

Authority: 49 U.S.C 1348(a), 1354(a), 1510; Executive Order 10854; 49 U.S.C. 106(g) (Revised Pub. L. 97–449, January 12, 1983); 14 CFR 11.69.

§ 71.171 [Amended]

2. Section 71.171 is amended as follows:

Santa Maria, CA [Amended]

Add the following to the end of the Santa Maria, CA, control zone description: "This control zone is effective the specific dates and times established in advance by a Notice to Airmen. The effective date and times will thereafter be continuously published in the Airport/Facility Directory.

Issued in Los Angeles, California, on August 6, 1987.

James A. Holweger,

Assistant Manager, Air Traffic Division, Western-Pacific Region.

[FR Doc. 87-19028 Filed 8-19-87; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 71

[Airspace Docket No. 87-AEA-6]

Alteration of Control Zone, New York LaGuardia Airport, NY

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment alters the published description of the New York LaGuardia Airport control zone. The intended effect of this action is to provide ingress/egress for aircraft operating under visual weather conditions in controlled airspace at Pan Am Metroport.

EFFECTIVE DATE: 0901 UTC, November 19, 1987.

FOR FURTHER INFORMATION CONTACT: Glenn A. Bales, Airspace Planning Branch, AEA-530, Air Traffic Division, Federal Aviation Administration, Fitzgerald Federal Building, J.F.K. International Airport, Jamaica, New York 11430; Telephone: 718-917-1228.

SUPPLEMENTARY INFORMATION:

History

On May 18, 1987, the FAA proposed to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to alter the published description of the New York LaGuardia Airport control zone (52 FR 18576). Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Except for editorial changes, this amendment is the same as that proposed in the notice. Section 71.171 of Part 71 of the Federal Aviation Regulations was republished in Handbook 7400.6C, dated January 2, 1987.

The Rule

This amendment to Part 71 of the Federal Aviation Regulations is to alter the published description of the New York LaGuardia Airport, NY, control zone. This action, when taken, will provide ingress/egress for aircraft operating under visual weather conditions in controlled airspace at Pan Am Metroport.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) Is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria or the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Aviation safety, Control zones.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, as follows:

PART 71—[AMENDED]

1. The authority citation for Part 71 continues to read as follows:

Authority: 49 U.S.C. 1348(a), 1354(a), 1510; Executive Order 10854; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); CFR 11.69.

§ 71.171 [Amended]

2. Section 71.171 is amended as follows:

New York LaGuardia, NY [Amended]

By adding the words "Excluding that portion within 1-mile radius of Pan Am Metroport (Lat. 40°45'36" N., Long. 73°57'26" W.)".

Issued in Jamaica, New York, on August 4, 1987.

John B. Rintoul, Jr.,

Acting Assistant Manager, Air Traffic Division.

[FR Doc. 87-19025 Filed 8-19-87; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 71

[Airspace Docket No. 87-AEA-7]

Amended Description of Control Zone and Transition Area, Harrisburg, PA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment redefines the description of the Harrisburg, PA, Control Zone and Transition Area by deleting reference to the Harrisburg VORTAC and substituting geographical coordinates. No change in size or configuration is intended. This action is taken due to relocation of the Harrisburg, PA, VORTAC.

EFFECTIVE DATE: 0901 UTC, September 24, 1987.

FOR FURTHER INFORMATION CONTACT: Glenn A. Bales, Manager, Airspace Planning Branch, AEA-530, Air Traffic Division, Federal Aviation Administration, Fitzgerald Federal Building, JFK International Airport, Jamaica, New York 11430; Telephone: 718-917-1228.

The Rule

This amendment to Part 71 of the Federal Aviation Regulations redefines the description of the Harrisburg, PA, Control Zone and Transition Area by deleting reference to the Harrisburg VORTAC and substituting geographical coordinates. The amendment does not change the size or configuration of controlled airspace. This action is taken due to the relocation of the Harrisburg, PA, VORTAC.

Therefore, I find that notice and public procedure under 5 U.S.C. 553(b) are unnecessary because this action is a minor amendment in which the public would not be particularly interested.

Sections 71.171 and 71.181 of Part 71 of the Federal Aviation Regulations were republished in Handbook 7400.6C dated January 2, 1987.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Aviation safety, Control zone, Transition area.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, as follows:

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

1. The authority citation for Part 71 continues to read as follows:

Authority: 49 U.S.C. 1348(a), 1354(a), 1510; E.O. 10854; 49 U.S.C. 106(g) (Revised Pub. L. 97–449, January 12, 1983); CFR 11.69.

§ 71.171 [Amended]

2. Section 71.171 is amended as follows:

Harrisburg, PA (Amended)

By removing the words "within 2 miles each side of the Harrisburg, PA, VORTAC 100° radial, extending from the 6.5 mile radius zone to 2.5 miles east of the VORTAC"; and inserting the words "within 2 miles each side of line bearing 100° from a point at latitude 40°14'29" N, longitude 77°01'19" W, extending from the 6.5 mile radius zone to 2.5 miles east of latitude 40°14'20" N, longitude 77°01'19" W;".

And

§ 71.181 [Amended]

3. Section 71.181 is amended as follows:

Harrisburg, PA (Amended)

By removing the words "within 5.5 miles each side of the Harrisburg, PA, VORTAC 274° radial, extending from the VORTAC to 11.5 miles west of the VORTAC;" and inserting the words "within 5.5 miles each side of a line bearing 274° from a point at latitude 40°14'29" N, longitude 77°01'91" W, extending from latitude 40°14'29" N, longitude 77°01'19" W, to 11.5 miles west of this point;".

Issued in Jamaica, New York, on August 7, 1987.

John B. Rintoul, Jr.,

Acting Assistant Manager, Air Traffic Division.

[FR Doc. 87–19030 Filed 8–19–87; 8:45 am]

BILLING CODE 4910–13–M

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14 CFR Part 71

[Airspace Docket No. 81–AEA–42]

Designation of Transition Area, Punxsutawney, PA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The Rule designates a new transition area at Punxsutawney, PA. A VOR/DME–A instrument approach procedure has been developed to the Punxsutawney, PA, Airport. The transition area will provide protected airspace for aircraft departing/arriving under Instrument Flight Rules (IFR).

EFFECTIVE DATE: 0901 UTC, September 24, 1987.

FOR FURTHER INFORMATION CONTACT: Glenn A. Bales, Airspace Planning Branch, AEA–530, Air Traffic Division, Federal Aviation Administration, Fitzgerald Federal Building, J.F.K. International Airport, Jamaica, New York 11430; Telephone: (718) 917–1228.

SUPPLEMENTARY INFORMATION:

History

On January 4, 1982, the FAA proposed to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to designate a new transition area at Punxsutawney, PA (81 FR 37405). Interested parties were invited to participate in this proposed rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Except for editorial changes, this amendment is the same as that proposed in the notice. Section 71.181 of Part 71 of the Federal Aviation Regulations was republished in Handbook 7400.6C, dated January 2, 1987.

The Rule

This amendment to Part 71 of the Federal Aviation Regulations is to designate a new transition area at Punxsutawney, PA. This action, when taken, will provide protected airspace for aircraft departing/arriving under Instrument Flight Rules (IFR).

The FAA has determined that this amendment only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) Is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Aviation safety, Transition areas.

Adoption of The Amendment

Accordingly, pursuant to the authority delegated to me, Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, as follows:

PART 71—[AMENDED]

1. The authority citation for Part 71 continues to read as follows:

Authority: 49 U.S.C. 1348(a), 1354(a), 1510; E.O. 10854; 49 U.S.C. 106(g) (Revised Pub. L. 97–449, January 12, 1983); 14 CFR 11.69.

§ 71.181 [Amended]

2. Section 71.181 is amended as follows:

Punxsutawney, PA (New)

That airspace extending upwards from 700 feet above the surface within a 6-mile radius area of Punxsutawney Municipal Airport (40°58'15" N., 78°55'30" W.).

Issued in Jamaica, New York, on August 4, 1987.

John B. Rintoul, Jr.,

Acting Assistant Manager, Air Traffic Division.

[FR Doc. 87–19032 Filed 8–19–87; 8:45 am]

BILLING CODE 4910–13–M

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14 CFR Part 71

[Airspace Docket No. 81–AEA–50]

Designation of Transition Area, Bedford, PA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This Rule designates a new transition area at Bedford, PA. A new instrument approach procedure has been developed to the Bedford, PA, Airport. The transition area will provide protected airspace for aircraft departing/arriving under Instrument Flight Rules (IFR).

EFFECTIVE DATE: 0901 UTC, September 24, 1987.

FOR FURTHER INFORMATION CONTACT: Glenn A. Bales, Airspace Planning Branch, AEA–530, Air Traffic Division, Federal Aviation Administration, Fitzgerald Federal Building, J.F.K. International Airport, Jamaica, New York 11430; Telephone: (718) 917–1228.

SUPPLEMENTARY INFORMATION:

History

On January 4, 1982, the FAA issued a Notice of Proposed Rulemaking to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to designate a new transition area at Bedford, PA. Interested parties were invited to participate in this proposed rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the

proposal were received. Except for editorial changes, this amendment is the same as that proposed in the notice. Section 71.181 of Part 71 of the Federal Aviation Regulations was republished in Handbook 7400.6C dated January 2, 1987.

The Rule

This amendment to Part 71 of the Federal Aviation Regulations is to designate a new transition area at Bedford, PA. This action, when taken, will provide protected airspace for aircraft departing/arriving under Instrument Flight (IFR).

The FAA has determined that this amendment only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) Is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Aviation safety, Transition areas.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, as follows:

PART 71—[AMENDED]

1. The authority citation for Part 71 continues to read as follows:

Authority: 49 U.S.C. 1348(a), 1354(a), 1510; E.O. 10854; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); 14 CFR 11.69.

§ 71.181 [Amended]

2. Section 71.181 is amended as follows:

Bedford, PA (New)

That airspace extending upward from 700 feet above the surface within a 13.5 mile radius of the center of Bedford Airport, 40°03'45" N, 78°30'35" W, extending clockwise from a 002° bearing to a 073° bearing from the airport; within a 7-mile radius of the center of the airport extending clockwise from a 073° bearing to a 132° bearing from the airport; within a 13.5 mile radius of the center of the airport extending clockwise from a 132° bearing to a 225° bearing from the airport; within an 8.5 mile radius of the center of the airport extending clockwise from a 225° bearing to a 002° bearing from the airport; and within 4.5 miles each side of the St. Thomas, Pennsylvania, VORTAC 287° radial extending from 14 to 25 miles west of the VORTAC.

Issued in Jamaica, New York, on August 4, 1987.

John B. Rintoul, Jr.,

Acting Assistant Manager, Air Traffic Division.

[FR Doc. 87-19016 Filed 8-19-87; 8:45 am]

BILLING CODE 4910-13-M

Federal Highway Administration

23 CFR Part 630

Agreement Provisions Regarding Overruns in Contract Time

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Final rule.

SUMMARY: This final rule revises the existing regulation contained in 23 CFR Part 630 concerning the assessment of liquidated damages on projects where a contractor overruns the contract time. The revised regulation requires each State highway agency (SHA) to keep liquidated damages provisions current so that the amounts recovered through contractor assessments would at a minimum cover the SHA's average daily construction engineering (CE) cost attributable to the contract time overrun. In addition, the FHWA rate table presently in the regulation is removed, and the provisions for the FHWA recovery of costs have been modified. A definition of "incentive/disincentive for early completion" has also been added to this part.

EFFECTIVE DATE: October 5, 1987. The provisions contained in this final rule apply to all Federal-aid contracts advertised for bid on or after October 5, 1987.

FOR FURTHER INFORMATION CONTACT: Mr. William A. Weseman, Chief, Construction and Maintenance Division, Telephone: (202) 366-0392, or Mrs. Ruth R. Anders, Office of Chief Counsel, Telephone: (202) 366-0780. Office hours are from 7:45 a.m. to 4:15 p.m., ET, Monday through Friday.

SUPPLEMENTARY INFORMATION: The term "liquidated damages" means the daily amount set forth in the contract to be deducted from the contract price to cover additional costs incurred by an SHA because of the contractor's failure to complete the contract work within the number of calendar days or workdays specified. The term may also mean the total of all daily amounts deducted under the terms of a particular contract.

Regulation 23 CFR 630.305 prescribes agreement provisions regarding overruns in contract time and provides guidance on the amount of these assessments. This guidance has remained unchanged since December 1975. At that time, the rate table included in the regulation was identical to the table found in the 1972 edition of the American Association of State Highway and Transportation Officials (AASHTO) *Guide Specifications for Highway Construction.*[1] The amounts included in these 1972 tables represented an estimate of the nationwide average CE costs to the SHA. Since that time, CE costs have risen significantly; however, the FHWA rate table has not been updated to take account of the increases. The AASHTO subsequently revised its Guide Specifications in 1979, and increased the rates by an inflationary factor of 1.5. No change was made in the 1984 edition; however, further changes are being consisted for future editions.

During audit reviews in several regions of the county, the Department of Transportation Office of Inspector General (OIG) found that liquidated damages provisions in use by several of the SHAs were not allowing for the full recovery of CE costs due to contractor caused time overruns. Many of the provisions were based on either the FHWA or the AASHTO rates.

The FHWA agrees that the current rate table found in the regulations is outdated and may not allow for full recovery of extra CE costs associated with contract time overruns. While the regulation allows the SHAs to set higher rates based upon CE costs in their States, there has been some reluctance to increase the rates significantly from the FHWA or AASHTO amounts. The FHWA is also aware that nationwide rate table does not provide adequate guidance to the SHAs concerning liquidated damages assessments for their States. For these reasons, and because it is difficult to maintain an ever changing table in a regulatory format, the table is being deleted from the regulation and, instead, each SHA will be required to maintain its own rate schedule(s). The revised regulation also requires the rates to be reviewed periodically and updated, as appropriate.

[1] The *Guide Specifications for Highway Construction*, 1984, is published by and available for purchase from the American Association of State Highway and Transportation Officials, Suite 225, 444 North Capitol Street NW., Washington, DC 20001.

In addition, the revised regulation addresses the use of liquidated damages to cover anticipated delay-related costs above and beyond those attributed to CE. Such costs to the SHA are those that could be reasonably anticipated if a delay were to occur in project completion, such as costs resulting from winter shutdown, retaining detours for an extended time, or additional demurrage. The amounts, however, are to be specified separately when the SHA submits claims for reimbursement. This permits an accounting of net CE costs to the project for Federal participation purposes.

The portion of the regulation dealing with the FHWA recovery of the pro rata share of the assessed liquidated damages has been modified slightly to address cases where assessments include more than CE expense factors. There is also a change concerning how the liquidated damages are credited to the project when the FHWA did not participate in the cost of CE. Whereas the current regulation indicates the amount of liquidated damages is to be credited to the federally participating cost of contract construction before calculating the Federal share, the revised rule allows the recovery of the SHA's CE costs first. This revision corrects this inequity of the existing regulation.

The revised regulation requires the SHA's liquidated damages provisions to be approved by the FHWA. By law, all specifications and special provisions has to be approved by the FHWA before use on a Federal-aid project. The only additional "burden" on the SHA will be the periodic review of its CE cost data to determine that the liquidated damages figures are adequate. The FHWA feels this is an SHA responsibility and should be a routine management task.

A notice of proposed rulemaking (NPRM) was published in the **Federal Register** on March 18, 1986, at 51 FR 9217 in which the FHWA requested comments on the proposed regulation revisions. Comments were to be received by May 2, 1986. Seventeen written comments were received in the docket. Of the 17 comments, 15 were from SHAs, 1 was from a local highway agency, and 1 was from an industry association. Most of the comments favored the regulation revisions and recommended minor procedural or editorial changes. Two commenters opposed the revisions. One believed it would cause an unreasonable administrative burden while the other suggested the rule should not be finalized until AASHTO completed its work on the liquidated damages provisions for its Guide Specifications.

The FHWA is aware that some SHAs may prefer to use liquidated damages rates established in the AASHTO table. The SHAs may choose to adopt the AASHTO table/schedule of liquidated damages provided it meets the requirements of this rule. This does not relieve the SHA of the requirement to periodically submit for FHWA approval, supporting verification that the rate table/schedule closely approximates the average daily CE costs associated with the type and size of projects in the State.

Another commenter suggested that local highway agencies be permitted to establish their own liquidated damages rates so as not to be tied to State rates. The FHWA believes that local highway agencies (subrecipients) may use liquidated damages rates established by the SHAs in accordance with § 630.305(b) of this regulation or establish their own liquidated damages rates. However, if local highway agencies choose to establish their own liquidated damages rates, those rates should be established in accordance with this regulation and submitted through the SHA to the FHWA for approval.

Several commenters suggested using costs other than the average daily CE costs associated with the type of work encountered on the project as the basis for liquidated damages rates. Another commenter objected to the inclusion of CE costs as liquidated damages.

The FHWA believes the average daily CE costs associated with the type of work on a project provides an equitable and reasonable method to estimate liquidated damages regardless of the phase of project construction in which the time overrun occurs. Furthermore, the FHWA believes there is sufficient legal justification to support the inclusion of CE costs as liquidated damages. Therefore, no changes in the provisions were made in the final rule from those proposed in the NPRM regarding this matter.

A few commenters expressed concern regarding the requirement to review and update liquidated damages rates on a 2-year frequency. The FHWA believes that the economic parameters that impact CE and other related costs change at a rate to warrant the review frequency proposed. The 2-year review frequency is retained in this final rule.

One commenter took exception to the requirement that other project delay related costs, which may be included as liquidated damages, be shown separately from CE costs in the contract documents to permit an accounting of net CE cost for Federal participation purposes. This commenter believed such a separate showing would jeopardize the enforceability of the liquidated damages provision.

Although the FHWA does not agree that a separate showing of anticipated CE costs from other liquidated damages amounts would jeopardize the enforceability of liquidated damages provisions, the requirement has been deleted. Thus the SHAs now have the option of showing CE costs and other project delay related costs separately or combined in the contract documents. However, because of Federal participation accounting purposes, it remains necessary that these amounts be specified separately when the SHA submits claims for reimbursement.

In addition to the regulatory changes, a definition of "incentive/disincentive for early completion" (I/D) is added to § 630.302. Procedures regarding the use of such provisions have been added to this part of the regulation.

The inclusion of I/D provisions in this regulation caused concern for one SHA. That SHA traditionally defines liquidated damages as being damages to the public for inconveniences or road user costs. It does not consider anticipated CE costs to be liquidated damages. As noted by that SHA, the only reference to road user cost in the NPRM is contained in the I/D provisions. Therefore, the SHA concluded that in order to continue assessing liquidated damages, in accordance with its definition, an I/D provision would be necessary in every contract.

The FHWA does not believe this final rule conflicts with State law or administrative procedures for assessing liquidated damages. Furthermore, this final rule does not require the inclusion of an I/D provision in any contract for assessing liquidated damages. The I/D provision is intended for use on those critical projects where it is imperative that traffic inconvenience and delays be held to a minimum. The FHWA recognizes liquidated damages to include not only CE costs but other project delay related costs that the State may choose to include with FHWA concurrence. Under § 630.305(c), the SHA may assess costs for public inconveniences without the inclusion of an I/D provision. Although road user costs were not mentioned specifically in the NPRM, the types of costs included under § 630.305(c) were not intended to be all inclusive. To clarify this point the FHWA has revised § 630.305(c) to specifically address such costs. The slight differences in the State and

Federal interpretations of liquidated damages will have no impact on the State's assessment of CE costs and costs for public inconveniences.

Other comments to the docket on the NPRM were editorial in nature and suggested that some provisions be clarified. Those comments have been adopted in this final rule where deemed appropriate.

The FHWA has determined that this document does not contain a major rule under Executive Order 12291 or a significant regulation under the regulatory policies and procedures of the Department of Transportation. The proposed revisions will improve the current undesirable situation that has developed and will provide for increased awareness by the SHA of the project related CE costs. Since there is no substantive change in the FHWA approach or procedures concerning liquidated damages assessments, it is anticipated that this action will not have a significant economic impact. Accordingly, for the foregoing reasons and under the criteria of the Regulatory Flexibility Act, it is certified that this action will not have a significant impact on a substantial number of small entitles and that the preparation of a full regulatory evaluation is not required.

In accordance with the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*, Pub. L. 96–511), the reporting or recordkeeping requirements that are included in this regulation are being submitted for approval to the Office of Management and Budget (OMB).

In consideration of the foregoing, the FHWA is amending Part 630, Subpart C of Chapter I of Title 23, Code of Federal Regulations, as set forth below.

(Catalog of Federal Domestic Assistant Program Number 20.205, Highway Research, Planning, and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

List of Subjects in 23 CFR Part 630

Government contracts, Grant programs—Transportation, Highways and roads, Project agreement provisions.

Issued on: August 14, 1987.

R.A. Barnhart,

Federal Highway Administrator.

The Federal Highway Administration (FHWA) is amending Part 630, Subpart C of Chapter I of Title 23, Code of Federal Regulations, as follows:

PART 630—PRECONSTRUCTION PROCEDURES

Subpart C—Project Agreements—[Amended]

1. The authority citation for Part 630 contines to read as follows:

Authority: 23 U.S.C. 101(a), 104, 109, 110, 113, 115, 120(f), 121(c), 125, 315, and 320; 23 CFR 1.32; 49 CFR 1.48(b), unless otherwise noted.

2. Section 630.302 is amended by redesignating paragraphs (h), (i), and (j) to read as (i), (j), and (k), respectively, and by adding a new definition "incentive/disincentive for early completion" as paragraph (h) as follows:

§ 630.302 Definitions.

* * * * *

(h) The term "incentive/distincentive for early completion," as used in this subpart, describes a contract provision which compensates the contractor a certain amount of money for each day identified critical work is completed ahead of schedule and assesses a deduction for each day the contractor overruns the incentive/disincentive time. Its use is primarily intended for those critical projects where traffic inconvenience and delays are to be held to a minimum. The amounts are based upon estimates of such items as traffic safety, traffic maintenance, and road user delay costs.

* * * * *

3. Section 630.305 is revised to read as follows:

§ 630.305 Agreement provisions regarding overruns in contract time.

(a) Each State highway agency (SHA) shall establish specific liquidated damages rates applicable to projects in that State. The rates may be project-specific or may be in the form of a table or schedule developed for a range of project costs and/or project types. These rates shall, as a minimum, be established to cover the estimated average daily construction engineering (CE) costs associated with the type of work encountered on the project. The amounts shall be assessed by means of deductions, for each calendar day or workday overrun in contract time, from payments otherwise due to the contractor for performance in accordance with the contract terms.

(b) The rates established shall be subject to FHWA approval either on a project-by-project basis, in the case of project-specific rates, or on a periodic basis after initial approval where a rate table or schedule is used. In the latter case, the SHA shall periodically review its cost data to ascertain if the rate table/schedule closely approximates, at a minimum, the actual average daily CE costs associated with the type and size of the projects in the State. Where rate schedules or other means are already included in the SHA specifications or standard special provisions, verification by the SHA that the amounts are adequate shall be submitted to the FHWA for review and approval. After initial approval by the FHWA of the rates, the SHA shall review the rates at least every 2 years and provide updated rates, when necessary, for FHWA approval. If updated rates are not warranted, justification of this fact is to be sent to the FHWA for review and acceptance.

(c) The SHA may, with FHWA concurrence, include additional amounts as liquidated damages in each contract to cover other anticipated costs of project related delays or inconveniences to the SHA or the public. Costs resulting from winter shutdowns, retaining detours for an extended time, additional demurrage, or similar costs as well as road user delay costs may be included.

(d) In addition to the liquidated damages provisions, the SHA may also include incentive/disincentive for early completion provisions in the contract. The incentive/disincentive amounts shall be shown separately from the liquidated damages amounts.

(e) When there has been an overrun in contract time, the following principles shall apply in determining the cost of a project that is eligible for Federal-aid reimbursement:

(1) A proportional share, as used in this section, is the ratio of the final contract construction costs eligible for Federal participation to the final total contract construction costs of the project.

(2) Where CE costs are claimed as a participating item based upon actual expenses incurred or where CE costs are not claimed as a participating item, and where the liquidated damages rates cover only CE expenses, the total CE costs for the project shall be reduced by the assessed liquidated damages amounts prior to figuring any Federal pro rata share payable. If the amount of liquidated damages assessed is more than the actual CE totals for the project, a proportional share of the excess shall be deducted from the federally participating contract construction cost before determining the final Federal share.

(3) Where the SHA is being reimbursed for CE costs on the basis of an approved percentage of the participating construction cost, the total contract construction amount that would

be eligible for Federal participation shall be reduced by a proportional share of the total liquidated damages amounts assessed on the project.

(4) Where liquidated damges include extra anticipated non-CE costs due to contractor caused delays, the amount assessed shall be used to pay for the actual non-CE expenses incurred by the SHA, and, if a Federal participating item(s) is involved, to reduce the Federal share payable for that item(s). If the amount assessed is more than the actual expenses incurred by the SHA, a proportional share of the excess shall be deducted from the federally participating contract construction cost of the project before the Federal share is figured.

(f) When provisions for incentive/disincentive for early completion are used in the contract, a proportion of the increased project costs due to any incentive payments to the contractor shall be added to the federally participating contract construction cost before calculating the Federal share. When the disincentive provision is applicable, a proportion of the amount assessed the contractor shall be deducted from the federally participating contract construction cost before the Federal share calculation. Proportions are to be calculated in the same manner as set forth in paragraph (e)(1) of this section.

[FR Doc. 87-19073 Filed 8-19-87; 8:45 am]
BILLING CODE 4910-22-M

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

25 CFR Part 76

Enrollment of Indians of the San Pasqual Band of Mission Indians in California

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Final rule.

SUMMARY: The Bureau of Indian Affairs (BIA) is revising the regulations contained in Part 76 governing the enrollment of Indians in the San Pasqual Band of Mission Indians in California. The Band was granted a judgment award by the United States Claims Court in Docket 80-A. In accordance with a judgment plan, effective April 27, 1985, which was prepared pursuant to the Indian Judgment Funds Distribution Act, as amended, a portion of the judgment funds is to be distributed on a per capita basis to all tribal members living on April, 27 1985. The revision to the regulations will provide procedures, including a deadline for filing applications, to govern the preparation of a membership roll of the San Pasqual Band as of April 27, 1985, which will serve as the basis for the per capita distribution of judgment funds. This part has been previously redesignated from 25 CFR Part 48 at 47 FR 13327, March 30, 1982.

EFFECTIVE DATE: September, 21 1987.

FOR FURTHER INFORMATION CONTACT: Tom W. Dowell, Superintendent, Southern California Agency, Bureau of Indian Affairs, 3600 Lime Street, Suite 722, Riverside, California 92506, telephone number, (714) 351-6624 (FTS 796-6624).

SUPPLEMENTARY INFORMATION: The authority to issue these ruels and regulations is vested in the Secretary of the Interior by 5 U.S.C. 301 and 25 U.S.C. 2 and 9; and 25 U.S.C. 1401 et seq. This final rule is published in exercise of rulemaking authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs in the Department Manual at 209 DM 8.

A proposed revision to the regulations contained in Part 76 governing the enrollment of Indians of the San Pasqual Band of Mission Indians in California was published for public comment in the **Federal Register** on Wednesday, June 3, 1987 (52 FR 20727). The period for commenting on the proposed revision to the regulations contained in Part 76 closed on July 6, 1987. No comments on suggestions were received from the public with regard to the proposed revision. Except for the insertion of dates, where appropriate, and the correction of some minor errors, no changes are being made to the final rule revising Part 76 from what was published as the proposed revision.

On November 21, 1983, the United State Claims Court granted, in a compromise settlement, an award originally filed with the Indian Claims Commission in Docket 80-A to the San Pasqual Band of Mission Indians. Funds to satisfy the award were appropriated by Congress on January 3, 1984.

A judgment plan for the use and distribution of the funds was prepared pursuant to the Judgment Funds Distribution Act of October 19, 1973, as amended, 25 U.S.C. 1401 et seq., and became effective on April 27, 1985. The plan provides for eighty (80) percent of the award, less attorney fees and litigation expenses and including all interest and investment income accrued, to be distributed in the form of per capita payments by the Secretary of the Interior in sums as equal as possible to all tribal members born on or prior to and living on the effective date of the plan. To distribute the judgment funds, the membership roll of the San Pasqual Band of Mission Indians will have to be brought current to April 27, 1985.

The regulations contained in Part 76 originally provided procedures for the preparation of a membership roll of the San Pasqual Band as of January 1, 1959, and the authority to maintain a current roll thereafter, No revision or amendment has been made to the regulations since they were promulgated in 1960. Subsequent to the preparation and the approval by the Secretary of the January 1, 1959, membership roll, a constitution and bylaws was adopted by the San Pasqual Band of Mission Indians and approved by the Secretary. The constitution provided that membership in the Band would be in accordance with the regulations contained in this Part 76. Although there were procedures for maintaining a current membership roll, no final enrollment actions have occurred since the completion of the 1959 roll. Consequently, the membership roll of the San Pasqual Band will have to be brought current from January 1, 1959.

Revision to Part 76 is necessary to prepare a membership roll of the San Pasqual Band of Mission Indians as of April 27, 1985, both as a result of the fact that the primary purpose of the regulations as originally promulgated was to prepare a roll as of January 1, 1959, and as a result of the time that has elapsed since the rule was promulgated. The revision is to update and make miscellaneous changes of an administrative nature, including the elimination of sex-based and gender specific terminology. With one exeption the revision is not intended to change the enrollment requirements now in effect, i.e., those requirements contained in § 76.14 Current membership roll. The exception is the inclusion of a provision for the enrollment of individuals who would have qualified for inclusion on the January 1, 1959, roll had they applied by the deadline for filing applications.

The stated purpose of the regulations has been changed. The purpose of revised Part 76 is to provide procedures to bring current the membership roll of the San Pasqual Band to serve as the basis for the distribution of judgment funds awarded the Band by the United States Claims Court in Docket 80-A. The procedures are being characterized as making additions to and deletions from the January 1, 1959, membership roll. Persons whose names appear on the January 1, 1959, membership roll do not need to reapply. However, verification forms will be mailed to them at their last

known addresses to ascertain their current names and address, if they are still living and, if deceased, their dates of death.

The qualifications for enrollment are specified in § 76.4 of the revised rule. To establish eligibility for enrollment individuals will have to file or have filed on their behalf applications on the prescribed form with the Superintendent of the California Agency of the BIA by the deadline specified in § 76.4. Application forms filed after that date will be rejected for failure to file on time regardless of whether the applicant otherwise meets the qualifications for membership. Rejected applicants may still, however, be considered for membership for future purposes.

To provide actual notice to as many potentially eligible beneficiaries as possible, the Superintendent shall mail notices of the preparation of the roll to all persons whose names appear on the January 1, 1959, membership roll at the last available address. Notices shall advise individuals of the preparation of the roll and the relevant procedures to be followed including the qualifications for enrollment and the deadline for filing application forms.

The primary author of this document is Kathleen L. Slover, Branch of Tribal Enrollment Services, Division of Tribal Government Services, Bureau of Indian Affairs.

The Office of Management and Budget has informed the Department of the Interior that the information collection requirements contained in this Part 76 need not be reviewed by them under the Paperwork Reduction Act (44 U.S.C. 3501 et seq.).

The Department of the Interior has determined that this is not a major rule under E.O. 12291 because only a limited number of individuals will be affected and those individuals who are determined eligible will be participating in a per capita distribution made by the Secretary of a relatively small amount of funds.

The Department of the Interior has determined that this rule will not have significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601 et seq., because of the limited applicability as stated above.

The Department of the Interior has determined that this rule does not significantly affect the quality of the human environment and, therefore, does not require the preparation of an Environmental Impact Statement under section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. 4334(2)(C).

List of Subjects in 25 CFR Part 76

Indians—claims, Indians—enrollment.

Accordingly, Part 76 of Subchapter F of Chapter I of Title 25 of the Code of Federal Regulation is revised to read as follows:

PART 76—ENROLLMENT OF INDIANS OF THE SAN PASQUAL BAND OF MISSION INDIANS IN CALIFORNIA

Sec.

76.1 Definitions.
76.2 Purpose.
76.3 Information collection.
76.4 Additions to and deletions from the membership roll and the deadline for filing application forms.
76.5 Notices.
76.6 Application forms.
76.7 Filing of application forms.
76.8 Verification forms.
76.9 Burden of proof.
76.10 Enrollment Committee election.
76.11 Review of applications by the Enrollment Committee.
76.12 Action by the Superintendent.
76.13 Appeals.
76.14 Decision of the Assistant Secretary of appeals.
76.15 Preparation, certification and approval of the roll.
76.16 Special instructions.

Authority: 5 U.S.C. 301; 25 U.S.C. 2 and 9; and 25 U.S.C. 1401 et seq., as amended.

§ 76.1 Definitions.

As used in these regulations:

"Adopted person" means a person whose biological parents' parental rights have been given to others to exercise by court order.

"Assistant Secretary" means the Assistant Secretary of the Interior for Indian Affairs or an authorized representative acting under delegated authority.

"Band" means the San Pasqual Band of Mission Indians in California.

"Census Roll" means the June 30, 1910, Census Roll of the San Pasqual Band of Mission Indians.

"Commissioner" means the Commissioner of Indian Affairs or an authorized representative acting under delegated authority.

"Descendant(s)" means those persons who are the issue of the ancestor through whom enrollment rights are claimed; namely, the children, grandchildren, etc. It does not include collateral relatives such as brothers, sisters, nephews, nieces, cousins, etc., or adopted children, grandchildren, etc.

"Director" means the Area Director, Sacramento Area Office, Bureau of Indian Affairs or an authorized representative acting under delegated authority.

"Enrollment Committee" means a committee of three (3) members whose names appear on the membership roll of the San Pasqual Band of Mission Indians prepared as of January 1, 1959, to assist in enrollment.

"General Council" means the governing body of the San Pasqual Band of Mission Indians which consists of all members of the Band 18 years of age or older.

"Living" means born on or before and alive on the date specified.

"Member(s)" means persons who names appear on the membership roll of the San Pasqual Band of Mission Indians prepared as of January 1, 1959.

"Membership Roll" means the membership roll of the San Pasqual Band of Mission Indians prepared as of Janaury 1, 1959, and approved October 5, 1966.

"Plan" means the plan for the use and distribution of judgment funds awarded the San Pasqual Band of Mission Indians by the U.S. Court of Claims in Docket 80–A, prepared pursuant to the Act of October 19, 1973, 25 U.S.C. 1401 et seq., as amended, and effective April 27, 1985.

"Secretary" means the Secretary of the Interior or an authorized representative acting under delegated authority.

"Sponsor" means any person who files an application for enrollment or appeal on behalf of another person.

"Staff Officer" means the Enrollment Officer of other personal authorized to prepare the roll.

"Superintendent" means the Superintendent, Southern California Agency, Bureau of Indian Affairs, or an authorized representative acting under delegated authority.

§ 76.2 Purpose.

The regulations in this Part 76 are to provide procedures to bring current the membership roll of the San Pasqual Band of Mission Indians to serve as the basis for the distribution of judgment funds awarded the Band by the U.S. Court of Claims in Docket 80–A.

§ 76.3 Information collection.

The Office of Management and Budget has informed the Department of the Interior that the information collection requirements contained in this Part need not be reviewed by them under the Paperwork Reduction Act (44 U.S.C. 3501 et seq.).

§ 76.4 Additions to and deletions from the membership roll and the deadline for filing application forms.

(a) The membership roll of the Band shall be brought current to April 27, 1985, by:

(1) Adding the names of persons living on April 27, 1985, who are not enrolled with some other tribe or band; and

(i) Who would have qualified for the inclusion of their names on the January 1, 1959, membership roll of the Band had they filed applications within the time prescribed, or

(ii) Who were born after January 1, 1959, and

(A) Are descendants of Indians whose names appear as members of the Band on the Census Roll, provided such descendants possess one-eighth (⅛) or more degree of Indian blood of the Band, or

(B) Are Indians who can furnish sufficient proof to establish that they are ⅛ or more degree of Indian blood of the Band; and

(iii) Who file or have filed on their behalf application forms with the Superintendent, Southern California Agency, Bureau of Indian Affairs, 3600 Lime Street, Suite 722, Riverside, California 92501, by November 18, 1987. Application forms filed after that date will be rejected for failure to file on time regardless of whether the applicant otherwise meets the qualifications for membership. Except that members whose names appear on the membership roll shall not be required to file applications in accordance with this paragraph.

(2) Deleting the names of members who have relinquished in writing their membership in the Band or who have died since January 1, 1959, but prior to April 27, 1985, for whom certified documentation has been submitted.

(b) Members whose names appear on the membership roll whose enrollment was based on information subsequently determined to be inaccurate may be deleted from the roll subject to the approval of the Assistant Secretary.

§ 76.5 Notices.

(a) The Director shall give notice to all Directors of the Bureau of Indian Affairs and all Superintendents within the jurisdiction of the Director, of the preparation of the roll for public display in Bureau field offices. Reasonable efforts shall be made to place notices for public display in community buildings, tribal buildings, and Indian centers.

(b) The Superintendent shall, on the basis of available residence data, publish and republish when advisable, notices of the preparation of the roll in appropriate locales utilizing media suitable to the circumstances.

(c) The Superintendent shall mail notices of the preparation of the roll to enrollees at the last address available.

(d) Notices shall advise of the preparation of the roll and the relevant procedures to be followed including the qualifications for enrollment and the deadline for filing application forms to be eligible for enrollment. The notices shall also state how and where application forms may be obtained as well as the name, address, and telephone number of a person who may be contacted for further information.

§ 76.6 Application forms.

(a) Application forms to be filed by or for applicants for enrollment will be furnished by the Director, Superintendent, or other designated persons, upon written or oral request. Each person furnishing application forms shall keep a record of the names of individuals to whom forms are given, as well as the control numbers of the forms and the date furnished. Instructions for completing and filing applications shall be furnished with each form. The form shall indicate prominently the deadline for filing application forms.

(b) Among other information, each application form shall contain:

(1) Certification as to whether application form is for a biological child or adopted child of the parent through whom eligibility is claimed.

(2) If the application form is filed by a sponsor, the name and address of sponsor and relationship to applicant.

(3) A control number for the purpose of keeping a record of forms furnished interested individuals.

(4) Certification that the information given on the application form is true to the best of the knowledge and belief of the person filing the application form. Criminal penalties are provided by statute for knowingly filing false information in such applications (18 U.S.C. 1001).

(c) Application forms may be filed by sponsors on behalf of other persons.

(d) Every applicant or sponsor shall furnish the applicant's mailing address on the application form. Thereafter, the applicant or sponsor shall promptly notify the Superintendent of any change in address, giving appropriate identification of the application, otherwise the mailing address as stated on the form shall be acceptable as the address of record for all purposes under the regulations in this Part 76.

§ 76.7 Filing of application forms.

(a) Application forms filed by mail must be postmarked no later than midnight on the deadline specified. Where there is no postmark date showing on the envelope or the postmark date is illegible, application forms mailed from within the United States, including Alaska and Hawaii, received more than 15 days and application forms mailed from outside of the United States received more than 30 days after the deadline specified in the office of the Superintendent, will be denied for failure to file in time.

(b) Application forms filed by personal delivery must be received in the office of the Superintendent no later than close of business on the deadline specified.

(c) If the deadline for filing application forms falls on a Saturday, Sunday, legal holiday, or other nonbusiness day, the deadline will be the next working day thereafter.

§ 76.8 Verification forms.

The Superintendent shall mail a verification form to each member at the last available address to be completed and returned. The verification form will be used to ascertain the member's current name and address and that the member is still living, or if deceased, the member's date of death. Name and/or address changes will only be made if the verification form is signed by an adult member, if living, or the parent or guardian having legal custody of a minor member, or an authorized sponsor. The verification form may be used by any sponsor to notify the Superintendent of the date of death of a member.

§ 76.9 Burden of proof.

The burden of proof rests upon the applicant to establish eligibility for enrollment. Documentary evidence such as birth certificates, death certificates, baptismal records, copies of probate findings, or affidavits, may be used to support claims of eligibility for enrollment. Records of the Bureau of Indian Affairs may be used to establish eligibility. Except that where the Enrollment Committee recommends the deletion of the name of a member from the membership roll, the burden of proof is on the Enrollment Committee.

§ 76.10 Enrollment Committee election.

(a) At a regular or special meeting at which there is a quorum, the General Council shall elect three (3) persons whose names appear on the membership roll to serve as members of the Enrollment Committee and two (2) persons to act as alternates to the Committee. The three (3) persons receiving the highest number of votes shall constitute the Enrollment Committee of the Band and the persons receiving the fourth and fifth highest number of votes shall serve as alternate members of the Enrollment Committee. The person receiving the highest number

of votes shall serve as chairman of the Enrollment Committee.

(b) The Band may elect the Enrollment Committee prior to September 21, 1987. The term of office for the members of the Enrollment Committee shall be two (2) years from September 21, 1987. The Enrollment Committee, so elected, shall replace any Enrollment Committee previously elected under the regulations contained in this Part 76.

§ 76.11 Review of applications by the Enrollment Committee.

(a) The Superintendent shall submit all applications to the Enrollment Committee for review and recommendations; except that, in the cases of adopted persons where the Bureau of Indian Affairs has assured confidentiality to obtain the information necessary to determine the eligibility for enrollment of the individual or has the statutory obligation to maintain the confidentiality of the information, the confidential information may not be released to the Enrollment Committee, but the Superintendent shall certify as to the eligibility for enrollment of the applicant to the Enrollment Committee.

(b) The Enrollment Committee shall review all applications and make its recommendations in writing stating the reasons for acceptance or rejection for enrollment.

(c) The Enrollment Committee shall return the applications to the Superintendent with its recommendations and any additional evidence used in determining eligibility for enrollment within 30 days of receipt of the applications by the Enrollment Committee. The Superintendent may grant the Enrollment Committee additional time, upon request, for its review.

(d) The Enrollment Committee shall also submit the names of members it recommends be deleted from the membership roll to the Superintendent stating in writing the reasons for such deletions.

§ 76.12 Action by the Superintendent.

(a) The Superintendent shall accept the recommendations of the Enrollment Committee unless clearly erroneous.

(1) If the Superintendent does not accept the tribal recommendation, the Enrollment Committee shall be notified in writing, by certified mail, return receipt requested, or by personal delivery, of the action and the reasons therefor.

(2) The Enrollment Committee may appeal the decision of the Superintendent not to accept the tribal recommendation. Such appeal must be in writing and must be filed pursuant to Part 62 of this chapter.

(b) The Superintendent, upon determining an individual's eligibility, shall notify the individual, parent or guardian having legal custody of a minor, or sponsor, as applicable, in writing of the decision. If an individual files applications on behalf of more than one person, one notice of eligibility or adverse action may be addressed to the person who filed the applications. However, the notice must list the name of each person involved. Where an individual is represented by a sponsor, notification of the sponsor of eligibility or adverse action shall be considered to be notification of the individual.

(1) If the Superintendent determines that the individual is eligible, the name of the individual shall be placed on the roll.

(2) If the Superintendent determines that the individual is not eligible, he/she shall notify the individual, parent or guardian having legal custody of a minor, or sponsor, as applicable, in writing by certified mail, to be received by the addressee only, return receipt requested, and shall explain fully the reasons for the adverse action and the right to appeal to the Secretary. If correspondence is sent out of the United States, registered mail will be used. If a certified or registered notice is returned as "Unclaimed," the Superintendent shall remail the notice by regular mail together with an acknowledgment of receipt form to be completed by the addressee and returned to the Superintendent. If the acknowledgment of receipt is not returned, computation of the appeal period shall begin on the date the notice was remailed. Certified or registered notices returned for any reason other than "Unclaimed" need not be remailed.

(c) Except as provided in paragraph (b)(2) of this section, a notice of adverse action is considered to have been made and computation of the appeal period shall begin on the earliest of the following dates:

(1) Of delivery indicated on the return receipt;

(2) Of acknowledgment of receipt;

(3) Of personal delivery; or

(4) Of the return by the post office of an undelivered certified or registered letter.

(d) In all cases where an applicant is represented by an attorney, the attorney shall be recognized as fully controlling the application on behalf of the applicant and service on the attorney of a document relating to the application shall be considered to be service on the applicant. Where an applicant is represented by more than one attorney, service upon one of the attorneys shall be sufficient.

(e) To avoid hardship or gross injustice, the Superintendent may waive technical deficiencies in applications or other submissions. Failure to file by the deadline does not constitute a technical deficiency.

§ 76.13 Appeals.

Appeals from or on behalf of applicants who have been denied enrollment must be in writing and must be filed pursuant to Part 62 of this chapter. When the appeal is on behalf of more than one person, the name of each person must be listed in the appeal. A copy of Part 62 of this chapter shall be furnished with each notice of adverse action.

§ 76.14 Decision of the Assistant Secretary on appeals.

The decision of the Assistant Secretary on an appeal shall be final and conclusive and written notice of the decision shall be given the individual, parent or guardian having legal custody of the minor, or sponsor, as applicable. The name of any person whose appeal has been sustained will be added to the roll.

§ 76.15 Preparation, certification and approval of the roll.

(a) The staff officer shall prepare a minimum of five (5) copies of the roll of those persons determined to be eligible for enrollment. The roll shall contain for each person a roll number, name, address, sex, date of birth, date of death, when applicable, degree of Indian blood and in the remarks column, name and relationship of ancestor on the census roll through whom eligibility was established.

(b) A certificate shall be attached to the roll by the Superintendent certifying that to the best of his/her knowledge and belief the roll contains only the names of those persons who were determined to meet the qualifications for enrollment.

(c) The Director shall approve the roll.

§ 76.16 Special instructions.

To facilitate the work of the Superintendent, the Assistant Secretary may issue special instructions not inconsistent with the regulations in this Part 76.

Hazel E. Elbert,

Acting Assistant Secretary—Indian Affairs.

[FR Doc. 87-19052 Filed 8-19-87; 8:45 am]

BILLING CODE 4310-02-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD 09-87-25]

Special Local Regulations; Annual Labor Day Fire Works Display, Maumee River, Toledo, OH

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: Special local regulations are being adopted for the Annual Labor Day Fireworks Display. This event will be held on the Maumee River on 07 September 1987 with an alternate date of 11 September 1987. The regulations are needed to provide for the safety of life and property on navigable waters during the event.

EFFECTIVE DATES: These regulations become effective on 07 September 1987 and terminate on 11 September 1987.

FOR FURTHER INFORMATION CONTACT: CWO Gerald M. Trackim, Office of Search and Rescue, Ninth Coast Guard District, 1240 E 9th St., Cleveland, OH 44199, (216) 522-3982.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C 553, a notice of proposed rulemaking has not been published for these regulations and good cause exists for making them effective in less than 30 days from the date of publication. Following normal rulemaking procedures would have been impracticable. The application to hold this event was not received by the Commander, Ninth Coast Guard District, until 10 August, 1987, and there was not sufficient time remaining to publish proposed rules in advance of the event or to provide for a delayed effective date.

This has been an annual event for many years and no negative comments concerning it have been received.

Economic Assessment and Certification

These regulations are considered to be non-major under Executive Order 12291 on Federal Regulation and nonsignificant under Department of Transportation regulatory policies and procedures (44 FR 11034; February 26, 1979). Because of the short duration of these regulations, their economic impact has been found to be so minimal that a full regulatory evaluation is unnecessary.

Since the impact of these regulations is expected to be minimal the Coast Guard certifies that they will not have a significant economic impact on a substantial number of small entities.

Drafting Information

The drafters of this regulation are CWO Gerald M. Trackim, project officer, Office of Search and Rescue and LCDR C.V. Mosebach, project attorney, Ninth Coast Guard District Legal Office.

Discussion of Regulations

The Annual Labor Day Fireworks Display will be conducted on the Maumee River on 07 September 1987. The alternate date for the event will be 11 September 1987. This event will have falling debris and ash and an unusually large concentration of spectator boats could pose hazards to navigation in the area. Vessels desiring to transit the regulated area may do so only with prior approval of the Patrol Commander (U.S. Coast Guard Station, Toledo, OH).

List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water).

Regulations

In consideration of the foregoing, Part 100 of Title 33, Code of Federal Regulations, is amended as follows:

1. The authority citation for Part 100 continues to read as follows:

Authority: 33 U.S.C. 1233; 49 CFR 1.46 and 33 CFR 100.35.

2. Part 100 is amended to add a temporary § 100.35-0925 to read as follows:

§ 100.35-0925 Annual Labor Day fire works Display, Maumee River.

(a) *Regulated area.* (1) The following area will be closed to vessel navigation or anchorage for vessels of 65 feet in length or greater from 8:30 P.M. (local time) until 10:00 P.M. on 07 September 1987:

That portion of the Maumee River from the Cherry Street Bridge to the Anthony Wayne Bridge.

(2) The following portion of the Maumee River will be closed to all vessel traffic, from 8:30 P.M. (local time) until 10:00 P.M. on 07 September 1987:

That portion of the Maumee River within a 500 foot radius of the fireworks barges.

(b) *Special local regulations.* (1) Vessels under 65 feet shall begin clearing the shipping channels at 9:45 P.M. local or when the fireworks display ends, whichever comes first.

(2) Two 60 foot fireworks barges will be moored at the City of Toledo Division of Streets, Harbor and Bridges Building Dock. Vessel masters shall pass with caution.

(3) If the weather on 07 September 1987 is inclement, the fireworks display and the river closure will be postponed until 8:30 p.m. to 10:00 p.m. on 11 September 1987. If postponed, notice will be given on 07 September 1987 over the U.S. Coast Guard Radio Net.

(4) Vessels desiring to transit the restricted area may do so only with prior approval of the Patrol Commander and when so directed by that officer. The Patrol Commander may be contacted on channel 16 (156.8 MHZ) by the call sign "Coast Guard Patrol Commander". Vessels will be operated at a "no wake" speed to reduce the wake to a minimum and in a manner which will not endanger participants in the event or any other craft. These rules shall not apply to participants in the event or vessels of the patrol, in the performance of their assigned duties.

(5) A succession of sharp, short signals by whistle or horn from vessels patrolling the areas under the direction of the U.S. Coast Guard Patrol Commander shall serve as a signal to stop. Vessels signaled shall stop and shall comply with the orders of the Patrol Vessel; failure to do so may result in expulsion from the area, citation for failure to comply, or both.

(6) This section is effective from 8:30 PM (EDT) on 07 September 1987 until 10:00 PM on 11 September 1987.

Dated: August 14, 1987.

A.M. Danielsen,

RADM U.S. Coast Guard, Commander, Ninth Coast Guard District.

[FR Doc. 87-19077 Filed 8-19-87; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 165

[COTP PHILA 87-003]

Security Zone Regulations; Delaware River and Bay

AGENCY: Coast Guard, DOT.

ACTION: Emergency rule.

SUMMARY: The Coast Guard is establishing a temporary security zone around the vessel USS THOMAS S. GATES while the vessel transits the Captain of the Port, Philadelphia zone to and from commissioning ceremonies scheduled for August 22, 1987, at Penn's Landing, Philadelphia, Pennsylvania. The zone is needed to safeguard the USS THOMAS S. GATES against destruction from sabotage or other subversive acts, accidents, or other causes of a similar nature. Except for vessels which are moored at marinas, wharves, or piers, or are anchored in established anchorage areas, and which remain moored or anchored while the USS THOMAS S. GATES passes their location, entry into this zone is

prohibited unless authorized by the Coast Guard commissioned, warrant, or petty officer in charge of a Coast Guard vessel enforcing the security zone.

EFFECTIVE DATES: This regulation becomes effective when the USS THOMAS S. GATES passes the Delaware Bay Entrance Channel Lighted Buoy Number 6 while headed for Philadelphia, Pennsylvania, at approximately 0300 (3:00 AM EDT) on August 18, 1987. It terminates when the USS THOMAS S. GATES passes the Delaware Bay Entrance Channel Lighted Buoy Number 6 while headed for sea at approximately 1800 (6:00 PM EDT) on August 25, 1987.

FOR FURTHER INFORMATION CONTACT: Lieutenant Commander Ellis Davison at (609) 456–1370.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 553, a notice of proposed rulemaking was not published for this regulation and good cause exists for making it effective in less than 30 days after **Federal Register** publication. Publishing an NPRM and delaying its effective date would be contrary to the public interest since immediate action is needed to prevent destruction of the USS THOMAS S. GATES.

Drafting Information

The drafters of this regulation are Lieutenant Commander Ellis Davison, project officer for the Captain of the Port, and Commander Robert J. Reining, project attorney, Commander Fifth Coast Guard District Legal Staff.

Discussion of Regulation

The commissioning of the U.S. Navy cruiser USS THOMAS S. GATES is considered to be a cornerstone of the We the People 200 Celebrations planned for Summer of 1987 in Philadelphia. As such it will receive extensive media attention and could be a target for subversive, terrorist, or anti-nuclear demonstrations or activities. The Thomas S. Gates Commissioning Committee, consisting of representatives from the Coast Guard, local government, local and federal law enforcement and intelligence agencies, the Navy, and the We The People 200 organization, has been meeting since December 1986 to plan for the event. The Committee has requested a security zone be established by the Captain of the Port, Philadelphia, around the vessel for the period during which the vessel is transiting the Delaware River and Bay. This regulation is issued pursuant to 50 U.S.C. 191 as set out in the authority citation for all of Part 165.

Economic Assessment and Certification

This rule is considered to be non-major under Executive Order 12291 on Federal Regulation and nonsignificant under Department of Transportation regulatory policies and procedures (44 FR 11034; February 26, 1979). The economic impact of this proposal is expected to be so minimal that a full regulatory evaluation is unnecessary. The extent of the security zone is so small that it will not prevent or impede maritime traffic except during the short maneuvering period while docking and undocking at Penn's Landing. During other periods of time while the regulation is in effect, maritime commerce will be able to transit the river freely and maintain the required distance from the USS THOMAS S. GATES with no, or at most minor, course or speed alterations. Since the impact of this rule is expected to be minimal, the Coast Guard certifies that it will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Security measures, Vessels, Waterways.

Regulations

In consideration of the foregoing, Subpart D of Part 165 of Title 33, Code of Federal Regulations is amended as follows:

PART 165—[AMENDED]

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

Authority: 33 U.S.C. 1225 and 1231; 50 U.S.C. 191; 49 CFR 1.46 and 33 CFR 1.05–1(g), 6.04–1, 6.04–6, and 33 CFR 160.5.

2. A new § 165.T05047 is added to read as follows:

§ 165.T05047 Security Zone: Delaware River and Bay in the vicinity of the USS THOMAS S. GATES.

(a) *Location.* The following area is a temporary security zone while the vessel USS THOMAS S. GATES is on the Delaware River or Bay for commissioning activities:

(1) The waters of the Delaware River and Bay, within 200 yards of the USS THOMAS S. GATES, but excluding the USS THOMAS S. GATES, while this ship transits inbound or outbound, between the Delaware Bay Entrance Channel Lighted Buoy Number 6 (light list number 37910) and Penn's Landing, Philadelphia, Pennsylvania.

(b) *Effective date.* This regulation becomes effective when the USS THOMAS S. GATES passes the Delaware Bay Entrance Channel Lighted Buoy Number 6 while headed for Philadelphia, Pennsylvania, at approximately 0300 (3:00 AM EDT) on August 18, 1987. It terminates when the USS THOMAS S. GATES passes the Delaware Bay Entrance Channel Lighted Buoy Number 6 while headed for sea at approximately 1800 (6:00 PM EDT) on August 25, 1987.

(c) *Regulation.* (1) Except for vessels which are moored at marinas, wharves, or piers, or are anchored in established anchorage areas, and which remain moored or anchored while the USS THOMAS S. GATES passes their location, no vessel or person may enter or remain within this security zone without the permission of the Coast Guard commissioned, warrant, or petty officer in charge of a Coast Guard vessel enforcing the security zone.

Dated: July 21, 1987.

E.K. Roe,

Captain, U.S. Coast Guard, Captain of the Port, Philadelphia.

[FR Doc. 87–19074 Filed 8–19–87; 8:45 am]

BILLING CODE 4910–14–M

PANAMA CANAL COMMISSION

35 CFR Part 9

Implementation of the Freedom of Information Reform Act of 1986 and Revisions to the Fee Schedule of the Freedom of Information Act

AGENCY: Panama Canal Commission.

ACTION: Interim rule with request of comments.

SUMMARY: The Panama Canal Commission amends its regulations to implement the Freedom of Information Reform Act of 1986 and to update its fee schedule for Freedom of Information Act and Privacy Act requests. These changes would identify different types of requesters and bring the fees into conformance with current costs incurred by the agency in processing requests.

DATES: Effective November 18, 1987; comments must be received on or before October 19, 1987.

ADDRESS: Send written comments to Thomas C. Duty, Chief, Administrative Services Division, Agency Records Officer, Panama Canal Commission, APO Miami 34011–5000.

FOR FURTHER INFORMATION CONTACT: Ms. Barbara Fuller, Assistant to the Secretary for Commission Affairs, Panama Canal Commission, 2000 L Street NW., Suite 550, Washington, DC 20036–4996 (Telephone: 202–634–6441).

SUPPLEMENTARY INFORMATION: The Panama Canal Commission is publishing interim regulations to implement the Freedom of Information Reform Act (Pub. L. 99–570) and to update the fees it charges requesters under the Freedom of Information Act and the Privacy Act to recover direct costs incurred by the agency in processing such requests.

This rule is not a major rule under the requirements of Executive Order 12291. As required by the Regulatory Flexibility Act, it is hereby certified that this rule will not have a significant impact on small business entities.

List of Subjects in 35 CFR Part 9

Freedom of information, Organization, Functions and availability of records, Panama Canal Commission, Privacy.

For the reasons set out in the preamble, 35 CFR Part 9 is amended as follows:

PART 9—ORGANIZATION, FUNCTIONS AND AVAILABILITY OF RECORDS—PANAMA CANAL COMMISSION

1. The authority citation for Part 9 is revised to read as follows:

Authority: 5 U.S.C. 552, as amended by Pub. L. 99–570, 100 Stat. 3207; 22 U.S.C. 3611.

2. Section 9.2 is revised to read as follows:

§ 9.2 Organization

The principal office of the Panama Canal Commission is located at Balboa Heights, Republic of Panama. The Office of the Secretary of the Panama Canal Commission is located at 2000 L Street NW., Suite 550, Washington, DC 20036–4996. The Commission also maintains a procurement office at 4400 Dauphine Street, New Orleans, LA 70146–6800.

§§ 9.4, 9.6, and 9.8 [Amended]

3. In § 9.4, §§ 9.6(a)(1) and 9.8(b)(1), all references to zip code "34011" are revised to read "34011–5000".

4. Section 9.5(a) is revised to read as follows:

§ 9.5 The Freedom of Information Act.

(a) The Freedom of Information Act (5 U.S.C. 552) is a law which creates a procedure for any person to request official records from United States Government agencies. The rest of the rules in this subpart explain how you may request official records from the Panama Canal Commission.

5. Section 9.6(b) is revised to read as follows:

§ 9.6 How to make a Freedom of Information Act request.

* * * * *

(b) The Panama Canal Commmission may request that you furnish information as to the purpose of your request. Such information is required to assist agency officials in categorizing your request in order to accurately assess fees.

6. Section 9.11 is revised to read as follows:

§ 9.11 Fees for Freedom of Information Act requests.

(a) The following are fees charged by the Commission for document search and reproduction.

(1) Search for records: $7.10 per hour of search conducted by clerical personnel, and $23.50 per hour of search conducted by supervisory or professional personnel.

(2) Search requiring computers: $185.94 for the first two hours or fraction of the first two hours; $92.97 for each additional hour.

(3) Copying: $0.13 per page for the first copy of a record. The word "page" refers to a paper copy of a standard agency size which is 8½" x 11" or 11" x 14". For additional copies, you will be charged the official Panama Canal Commmission tariff rate for reproduction.

(4) Converting microfilm to paper copy: $0.13 per page for the first copy of a record. For additional copies, you will be charged the official Panama Canal Commission tariff rate for reproduction. Microfilm search charges will be at the clerical rate.

(5) Duplication of tape recordings: (i) *Labor costs:* $10.65 per ½ hour for 40 channel tape recording; $7.30 per ½ hour for basic tape recording; $9.35 per ½ hour for video tape recording. Minimum charge for taping is ½ hour.

(ii) *Material costs:* No cost will be assessed to tapes if provided by requester. If agency furnishes tapes, the requester will be charged direct purchasing costs.

(6) Duplication of photographs: Black and white, up to 8" x 10", $2.55 per print; color, up to 8" x 10", $9.20 per print.

(7) Duplication of canal sounding and engineering charts, graphs, and drawings (reproducible and non-reproducible) at cost recovery rate.

(8) Other services: If there is no specific fee listed in this section for a service necessary for handling your request, you will be charged the official agency tariff for that service. If no tariff exists for that service, the Agency Records Officer is authorized to charge the direct cost to the Commission of that service.

(b) Review fees are chargeable only when a request is for a commercial use, as defined in 9.12(1). Review fees will be charged in accordance with the search fee rates set forth in 9.11(a)(1).

(c) If the Commission estimates that search charges are likely to exceed $25.00, and the requester has not previously agreed to pay fees as high as those anticipated, the agency will notify the requester of the estimated amount of fees, and offer the requester the opportunity to revise the request.

(d) The Panama Canal Commission may require a requester to pay fees in advance only if the estimated charges are likely to exceed $250.00, or the requester has previously failed to pay a fee in a timely fashion (i.e., within 30 days of the date of billing).

(1) If the requester has a history of prompt payment, and the estimated charges are likely to exceed $250.00, the Commission will notify the requester of the estimated cost and obtain satisfactory assurance of full payment.

(2) If the requester has no prior payment history, and the estimated charges are likely to exceed $250.00, the agency may require an advance payment of an amount up to the full amount of estimated charges.

(3) If the requester has a poor payment history, the agency may require advance payment of the full amount of the estimated fees, as well as any amount currently owed, plus interest on the delinquent amount, before the agency begins to process a new or pending request from that requester.

(4) When the agency acts under this subsection, the administrative time limits prescribed in sections 9.7(a) and 9.9(a) will begin only after receipt of the required fee payments.

(e) If you wish to request a waiver or reduction of fees, you must do so in writing. The official granting or denying your request or appeal may waive or reduce the fees if the official decides that providing the records you request would be in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the Government, and disclosure of the information is not primarily in the commercial interest of the requester.

(f) This agency will assess interest charges on an unpaid bill starting on the 31st day following the day on which the bill was sent. Interest will be computed at the rate prescribed in Section 3717 of Title 31, United States Code, and will accrue from the date of the billing.

§§ 9.12 and 9.13 [Redesignated as §§ 9.14 and 9.15]

7. Sections 9.12 and 9.13 are redesignated as §§ 9.14 and 9.15, respectively.

New §§ 9.12 and 9.13 are added to read as follows:

§ 9.12 Definitions.

"Commercial use" refers to a request or a requester seeking information for a use or purpose that furthers the commercial, trade, or profit interests of the requester or the person on whose behalf the request is made.

"Duplication" refers to the process of making a copy of document necessary to respond to a Freedom of Information Act request. Such copies can take the form of paper copy, microfilm, audio-visual materials, or machine readable documentation (e.g., magnetic tape or disk), among others. The copy provided will be in a form that is reasonably usable by the requester.

"Educational institution" refers to a preschool, a public or private elementary or secondary school, an institution of graduate higher education, an institution of undergraduate higher education, an institution of professional education, and an institution of vocational education, which operates programs of scholarly research.

"Non-commercial scientific institution" refers to an institution that is not operated on a commercial basis and which is operated solely for the purpose of conducting scientific research, the results of which are not intended to promote any particular product or industry.

"Representative of the news media" refers to any person actively gathering news for an entity that is organized and operated to publish or broadcast news to the public. As used herein, the word "news" means information that is about current events or that would be of current interest to the public.

"Review" refers to the process of examining documents located in response to a request that is for a commercial use to determine whether any portion of any document located is permitted to be withheld. It also includes the time spent processing any documents for disclosure; i.e., doing all that is necessary to delete unreleasable portions and prepare documents for release. Review does not include time spent resolving general legal or policy issues regarding the application of exemptions.

"Search time" is the time spent by the agency to identify the documents requested and will be charged in accordance with 9.11(a) (1) and (2).

§ 9.13 Classifying requests for fee purposes.

(a) When the Panama Canal Commission receives a request for documents that appears to be for commercial use, fees will be assessed for the total search time, review time, and all duplication of the documents. Requestors must reasonably describe the records sought. When the agency has reasonable cause to doubt the stated use of the documents, or where the use is not clear from the request itself, the agency can seek additional clarification. Requesters should note that the Panama Canal Commission may assess fees for search and review even if no documents are determined to be releasable under the Freedom of Information Act.

(b) Educational institution requesters will be provided the first 100 pages of duplication without charge and will not be charged for search time. To be eligible for this reduction in fees, the requester must show that the request is being made under the auspices of a qualifying institution and that the records are being sought to further scholarly research and not for commercial use. The requester must reasonably describe the records sought.

(c) Non-commercial scientific institution requesters will be provided the first 100 pages without charge and will not be charged for search time. To be eligible for this reduction in fees, the requester must show that the request is being made under the auspices of a qualifying institution and that the records are being sought to further scientific research and not for commercial use. The requester must reasonably describe the records sought.

(d) Representatives of the news media will be provided the first 100 pages without charge and will not be charged for search time. To be eligible for reduction in fees, the requester must meet the criteria prescribed in § 9.12(4) and the request must not be for commercial use. A request for records supporting the news dissemination function of the requester will not be considered to be a request that is for a commercial use. The requester must reasonably describe the records sought.

(e) For all other requesters who do not fit into the above categories, fees will be charged which recover the full reasonable direct cost of searching for and reproducing records that are responsive to the request, except that the first 100 pages of reproduction and the first two hours of search time will be furnished without charge. The requester must reasonably describe the records sought.

(f) Those requesters searching for records about themselves will be treated under the Privacy Act of 1974 and will only be charged for reproduction costs.

(g) A requester may not file multiple requests solely in order to avoid payment of fees. When the agency reasonably believes that a requester is attempting to separate a request into a series of requests for the purpose of evading the assessment of fees, the agency may aggregate any such requests and charge accordingly.

Dated: July 30, 1987.

D.P. McAuliffe,

Administrator, Panama Canal Commission.

[FR Doc. 87-18835 Filed 8-19-87; 8:45 am]

BILLING CODE 3640-04-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 73 and 74

[MM Docket No. 87-13; FCC 87-244]

FM Radio, Television; Amendment to the Commission's Rules Concerning FM Booster Stations and Television Booster Stations

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This Report and Order amends the Commission's rules to permit substantial increases in the output power of FM booster stations and to eliminate the restriction that such stations may only rebroadcast signals received over-the-air. The Report and Order also establishes a new television booster service to authorize licensees of television stations to operate TV boosters within their predicted service areas in a manner similar to that of FM boosters. The Commission believes these rule changes will provide opportunities for more efficient and effective use of on-channel FM and TV booster facilities to provide service to underserved and unserved areas and populations in areas where the signals of full service stations cannot reach due to intervening terrain obstructions.

EFFECTIVE DATE: September 21, 1987.

FOR FURTHER INFORMATION CONTACT: Marcia Glauberman, Mass Media Bureau, (202) 632-6302.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order in MM Docket 87-13, adopted July 16, 1987, and released August 5, 1987. The full text of this Commission decision, including the amendments to our rules, is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street, Northwest, Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, (202) 857-3800, 2100 M Street,

Northwest, Suite 140, Washington, DC 20037.

Summary of the Report and Order

1. The existing restrictions on the permissible output power of FM booster stations limit their usefulness as a secondary, fill-in service which enables licensees to provide FM radio to audiences within their predicted service areas that cannot be reached directly due to intervening terrain obstructions. By this Report and Order, the Commission amends its rules to increase the maximum permissible effective radiated power (ERP) of FM boosters from the existing limit of 10 watts to 20 percent of the maximum ERP for the class of the primary station being rebroadcast. FM boosters will continue to be limited such that the predicted service contour of the booster station may not extend service beyond the predicted service area of the primary station it rebroadcasts. This is consistent with the Commission's policy of licensing boosters only to the licensee of their primary FM station for the purpose of providing a spectrum-efficient means to deliver signals to audiences the primary stations are licensed to serve.

2. In the *Notice of Proposed Rule Making* in this proceeding, the Commission proposed interference protection standards based on desired to undesired signal ratios of co-channel and first, second, and third adjacent channel stations to that of the boosters in order to ensure that higher power FM boosters do not increase interference to other signals. The technical standards adopted in this Report and Order are a modified version of those proposed in the *Notice*. The revised technical standards will balance the Commission's concern that booster stations not cause additional interference to other broadcast services with the desire to facilitate the increased use of booster facilities in the least burdensome manner. To protect against increased interference to co-channel stations, the Commission will rely on the protection afforded by the rule that booster service may not extend the service area of the primary station. This rule is designed to match the predicted contours of stations operating at maximum facilitates for their class with the required separation distances between stations that serve to prevent undesirable co-channel interference. As proposed in the *Notice*, to protect against undue interference to first adjacent channel stations, the Commission will require that that the ratio of the signal of any such station to the booster's signal be at least 6 dB at any location within the predicted contour of the adjacent channel station. In addition, because interference from FM boosters to second and third adjacent channel stations is unlikely, the existing interference protection standards for FM translators will be used to protect second and third adjacent channel stations from increased interference from FM boosters.

3. The operation and placement of FM booster stations also is limited in many areas by the restriction that such stations may only retransmit signals received over-the-air from the primary FM station. Therefore, the Commission will eliminate this restriction and will permit FM licensees full discretion to feed signals to their FM boosters by whatever technical means they deem suitable, including the use of aural broadcast auxiliary channels on a secondary, noninterference basis.

4. The Report and Order also establishes a new "television broadcast booster station" service which will permit the licensees or permittees of full service television stations to operate on-channel boosters to fill in TV service, on a secondary basis, to areas within their predicted contours that are unable to receive service due to intervening terrain obstructions. TV booster facilities will be permitted to be located only within the predicted Grade B contour of the primary station and will not be permitted to be used to extend that predicted service area. TV booster stations will be subject to the existing technical standards, including output power limits, for TV translators and low power TV stations to ensure that they do not cause undue interference to other broadcast services. The ownership of TV boosters will be limited to the licensee of the primary station being rebroadcast and generally will be authorized on a noncompetitive basis.

5. Pursuant to the Regulatory Flexibility Act of 1980, 5 U.S.C. 604, a final regulatory flexibility analysis has been prepared. It is available for public viewing as part of the full text of this decision, which may be obtained from the Commission or its copy contractor.

6. The rules adopted herein have been analyzed with respect to the Paperwork Reduction Act of 1980 and found to impose new or modified requirements or burdens on the public. Implementation of these new/modified requirements and burdens will be subject to approval by the Office of Management and Budget as prescribed by the Act.

7. Accordingly, it is ordered that under the authority contained in sections 4(i) and 303 of the Communications Act of 1934, as amended, Parts 73 and 74 of the Commission's Rules and Regulations are amended as set forth below.

8. It is further order that this proceeding is terminated.

Lists of Subjects in 47 CFR Parts 73 and 74

Radio broadcasting, Television broadcasting.

Rule Changes

Parts 73 and 74 of Title 47 of the Code of Federal Regulations are amended to read as follows:

1. The authority citations for Parts 73 and 74 continue to read as follows:

Authority: 47 U.S.C. 154 and 303.

PART 73—[AMENDED]

2. 47 CFR 73.1001 is amended by revising paragraph (c) to read as follows:

§ 73.1001 Scope.

* * * * *

(c) Certain provisions of this subpart apply to International Broadcast Stations (Subpart F, Part 73), Low Power TV, TV Translator and TV Booster Stations (Subpart G, Part 74) where the rules for those services so provide.

* * * * *

3. 47 CFR 73.1010 is amended by revising paragraph (e)(5) to read as follows:

§ 73.1010 Cross reference to rules in parts.

* * * * *

(e) * * *

(5) Subpart G, Low Power TV, TV Translator and TV Booster Stations;

* * * * *

4. 47 CFR 73.3500 is amended by renaming Form 346; renaming Form 347; and removing Form 349–R and its title, Application for Renewal of FM Booster Station License, to read as follows:

§ 73.3500 Application and report forms.

Form No.	Title
*	* * * *
346	Application for Authority to Construct or Make Changes in a Low Power TV, TV Translator, TV Booster or FM Translator Station.
347	Application for a Lower Power TV, TV Translator, TV Booster, or FM Translator Station License.
*	* * * *

5. 47 CFR 73.3521 is Revised to read as follows:

§ 73.3521 Mutually exclusive applications for low power television, television translators and television booster stations.

When there is a pending application for a new low power television, television translator, or television booster station, or for major changes in an existing station, no other application which would be directly mutually exclusive with the pending application may be filed by the same applicant or by any applicant in which any individual in common with the pending application has any interest, direct or indirect, except that interests or less than 1% will not be considered.

6. 47 CFR 73.3522 is amended by revising paragraph (a) to read as follows:

§ 73.3522 Amendment of applications.

(a) Predesignation amendment. (1) Subject to the provisions of §§ 73.3525, 73.3571, 73.3572, 73.3573, and 73.3580, and except as provided in paragraph (a)(2) of this section, any application, other than an application for a low power TV, TV translator, TV booster or a nonreserved band FM station may be amended as a matter of right prior to the adoption date of an order designating such applications for hearings, merely by filing the appropriate number of copies of the amendments in question duly executed in accordance with § 73.3513. If a petition to deny (or to designate for hearing) has been filed, the amendment shall be served on the petitioner.

(2) Subject to the provisions of §§ 73.3525, 73.3571, 73.3572, 73.3573 and 73.3580, and except for applications for low power TV, TV translator, TV booster or non-reserved band FM stations, mutually exclusive broadcast applications may be amended as a matter of right by the date specified (not less than 30 days after issuance) in the FCC's Public Notice announcing the acceptance for filing of the last-filed mutually exclusive application. Subsequent amendments prior to designation of the proceeding for hearing will be considered only upon a showing of good cause for late filing or pursuant to § 1.65 or § 73.3514. Unauthorized or untimely amendments are subject to return by the FCC's staff without consideration.

(3) Subject to the provisions of §§ 73.3525, 73.3572, and 73.3580, and except as provided in paragraph (a)(4) of this section, any application for a low power TV, TV translator or TV booster station may be amended at any time.

(4) No applicant for a low power TV, TV translator or TV booster station which is mutually exclusive can improve its status with respect to § 1.1622 by amendment of its application subsequent to the release of the initial Public Notice announcing the public lottery that will resolve the applicant's mutual exclusivity pursuant to § 1.1601 *et seq.*, not withstanding the requirements of § 1.65.

(5) Paragraphs (b) and (c) of this section are not applicable to applications for low power TV, TV translator, or TV booster stations.

* * * * *

7. 47 CFR 73.3533 is amended by revising paragraph (a)(6) to read as follows:

§ 73.3533 Application for construction permit or modification of construction permit.

(a) * * *

(6) FCC Form 346, "Application for Authority to Construct or Make Changes in a Low Power, TV, TV Translator, TV Booster or FM Translator Station."

* * * * *

8. 47 CFR 73.3536 is amended by revising paragraph (a)(5) to read as follows:

§ 73.3536 Application for license to cover construction permit.

(a) * * *

(5) FCC Form 347, "Application for a Low Power TV, TV Translator, TV Booster, or FM Translator Station License."

* * * * *

9. 47 CFR 73.3564 is amended by revising paragraphs (a) and (c) to read as follows:

§ 73.3564 Acceptance of applications.

(a) Applications tendered for filing are dated upon receipt and then forwarded to the Mass Media Bureau, where an administrative examination is made to ascertain whether the applications are complete. Except for low power TV, TV translator, TV booster and non-reserved band FM (except for Class D) applications, those found to be complete or substantially complete are accepted for filing and are given file numbers. In the case of minor defects as to completeness, the applicant will be required to supply the missing information. Applications that are not substantially complete will be returned to the applicant. In the case of non-reserved band FM applications, those found to be substantially complete at tender will be accepted for tender and given file numbers. Non-reserved band FM applications that are not substantially complete will be returned to the applicant. In the case of low power TV, TV translator and TV booster applications, those found to be complete and sufficient will be accepted for filing and given file numbers. Low power TV, TV translator, and TV booster applications that are not complete and sufficient will be returned to the applicant.

* * * * *

(c) At regular intervals, the FCC will issue a Public Notice listing all applications and major amendments thereto which have been accepted for filing, except for low power TV, TV translator, TV booster, and non-reserved band FM stations. Pursuant to §§ 73.3571(c), 73.3572(c) and 73.3573(d) such notice shall establish a cut-off date (not less than 30 days from the date of issuance) for the filing of mutually exclusive applications and petitions to deny. However, no application will be accepted for filing unless certification of compliance with the local notice requirements of § 73.3580(h) has been made in the tendered application.

* * * * *

10. 47 CFR 73.3572 is amended by revising the heading, revising paragraphs (a), (c), (d), (e), and adding paragraph (f)(5) to read as follows:

§ 73.3572 Processing of TV broadcast, low power TV, TV translator and TV booster station applications.

(a) Applications for TV stations are divided into two groups:

(1) In the first group are applications for new stations or major changes in the facilities of authorized stations. A major change for TV broadcast stations authorized under this part is any change in frequency or community of license which is in accord with a present allotment contained in the Table of Allotments (§ 73.606). Other requests for change in frequency or community of license for TV broadcast stations must first be submitted in the form of a petition for rulemaking to amend the Table of Allotments. In the case of low power TV, TV translator, and TV booster stations authorized under Part 74 of this chapter, a major change is any change in:

(i) Frequency (output channel) assignment (does not apply to TV boosters);

(ii) Transmitting antenna system including the direction of the radiation, directive antenna pattern or transmission line;

(iii) Antenna height;

(iv) Antenna location exceeding 200 meters; or

(v) Authorized operating power.

(2) However, if the proposed modification of facilities, other than a change in frequency, will not increase the signal range of the low power TV, TV translator or TV booster station in

any horizontal direction, the modification will not be considered a major change. Provided, that in the case of an authorized low power TV, TV translator or TV booster station which is predicted to cause or receive interference to or from an authorized TV broadcast station pursuant to § 74.705 or interferes with broadcast or other services under §§ 74.703 or 74.709, that an application for a change in output channel, together with technical modifications which are necessary to avoid interference (including a change in antenna location of less than 16.1 km), will not be considered as an application for a major change in those facilities. Provided further, that the FCC may, within 15 days after the acceptance of any other application for modification of facilities, advise the applicant that such application is considered to be one for a major change and therefore subject to the provisions of §§ 73.3580 and 1.1111 pertaining to major changes.

* * * * *

(c) Applications for TV stations, other than low power TV, TV translator and TV booster stations, will be processed as nearly as possible in the order in which they are filed. Such applications will be placed in the processing line in numerical sequence, and will be drawn by the staff for study, the lowest file number first. In order that those applications which are entitled to be grouped for processing may be fixed prior to the time processing of the earliest filed application is begun, the FCC will periodically release a Public Notice listing applications which have been accepted for filing and announcing a date (not less than 30 days after issuance) on which the listed applications will be considered available and ready for processing and by which all mutually exclusive applications and petitions to deny the listed applications must be filed.

(d) Except for applications for low power TV, TV translator and TV booster stations, regardless of the number of applications filed for channels in a city or the number of assignments available in that city, those applications which are mutually exclusive, i.e., which request the same channel, will be designated for hearing. All other applications for channels will, if the applicants are duly qualified, receive grants. For example, if channels 6, 13, 47 and 53 have been assigned to City X and there are pending two applications for Channel 6 and one application for each of the remaining channels, the latter three applications will be considered grants without hearing and the two mutually exclusive applications requesting Channel 6 will be designated for hearing. If there are two pending applications for Channel 6 and two applications for Channel 13, separate hearings will be held.

(e) Where applications, other than applications for low power TV, TV translator, and TV booster stations, are mutually exclusive because the distance between the respective proposed transmitter sites is contrary to the station separation requirements set forth in § 73.610, such applications will be processed and designated for hearing at the time the application with the lower file number is reached for processing. In order to be considered mutually exclusive with a lower file number application, the higher file number application must have been accepted for filing at least one day before the lower file number application has been acted upon by the FCC.

(f) * * *

(5) TV booster station applications may be filed at any time and will be subject to the following procedures:

(i) Subsequent to filing, the FCC will release a Public Notice accepting for filing and proposing for grant those applications which are not mutually exclusive with any other TV translator, low power TV, or TV booster application, and providing for the filing of Petitions To Deny pursuant to § 73.3584;

(ii) Any application received during the filing period for TV translator, low power TV, or TV booster applications with which it is mutually exclusive will be included in the relevant public lottery pursuant to § 1.1601 *et seq.*; and

(iii) Applications received after the filing date for applications with which it is mutually exclusive will be dismissed as an untimely filing.

11. 47 CFR 73.3580 is amended by revising paragraphs (c), (d)(1) (d)(3), and (g) introductory text to read as follows:

§ 73.3580 Local public notice of filing of broadcast applications.

* * * * *

(c) An applicant who files an application or amendment thereto which is subject to the provisions of this section, must give a notice of this filing in a newspaper. Exceptions to this requirement are applications for renewal of AM, FM, TV and International broadcasting stations; low power TV stations; TV and FM translator stations, TV booster stations; FM booster stations; and applications subject to paragraph (e) of this section. The local public notice must be completed within 30 days of the tendering of the application. In the event the FCC notifies the applicant that a major change is involved, requiring the applicant to file public notice pursuant to §§ 73.3571, 73.3572, 73.3573 or 73.3578, this filing notice shall be given in a newspaper following this notification.

* * * * *

(d) * * *

(1) An applicant who files for renewal of a broadcast station license, other than a low power TV station license not locally originating programming as defined by § 74.701(h), FM translator station, FM booster station, TV booster station or a TV translator station license, must give notice of this filing by broadcasting announcements on applicant's station. (Sample and schedule of announcements are below.) Newspaper publication is not required. An applicant who files for renewal of a low power TV station license not locally originating programming as defined by § 74.701(h), FM translator station, FM booster station, TV booster station or TV translator station licensee will comply with (g) below.

(2) * * *

(3) An applicant who files for modification, assignment or transfer of a broadcast station license (except for International broadcast, low power TV, TV translator, TV booster, FM translator and FM booster stations) shall give notice of the filing in a newspaper as described in paragraph (c) of this section, and also broadcast the same notice over the station as follows:

* * * * *

(g) An applicant who files for an authorization, major modifications, assignment, transfer or renewal, or a major amendment thereto, for a low power TV, TV translator, TV booster, FM translator, or FM booster station must give notice of this filing in a daily, weekly or biweekly newspaper of general circulation in the community or area to be served.

(An applicant who files for renewal of a low power TV station locally originating programming as defined by § 74.701(h) must give notice pursuant to (d)(1) of this section.) The filing notice will be given immediately following the tendering for filing of the application or amendment, or immediately following notification to the applicant by the FCC that public notice is required pursuant to §§ 73.3572, 73.3573, or 73.3578.

* * * * *

12. 47 CFR 73.3584 is amended by revising paragraphs (a), (b), and (c) introductory text to read as follows:

§ 73.3584 Petitions to deny.

(a) Except in the case of applications for new low power TV, TV translator or

TV booster stations, for major changes in the existing facilities of such stations, or for applications for a change in output channel tendered by displaced low power TV and TV translator stations pursuant to § 73.3572(a)(1), any party in interest may file with the Commission a Petition to Deny any application (whether as originally filed or if amended so as to require a new file number pursuant to §§ 73.3571(j), 73.3572(b), 73.3573(b), 73.3574(b) or 73.3578) for which local notice pursuant to § 73.3580 is required, provided such petitions are filed prior to the day such applications are granted or designated for hearing; but where the FCC issues a public notice pursuant to the provisions of §§ 73.3571(c), 73.3572(c) or § 73.3573(d), establishing a "cut-off" date, such petitions must be filed by the date specified. In the case of applications for transfers and assignments of construction permits or station licenses, Petitions to Deny must be filed not later than 30 days after issuance of a public notice of the acceptance for filing of the applications. In the case of applications for renewal of license, Petitions to Deny may be filed at any time up to the last day for filing mutually exclusive applications under § 73.3516(e). Requests for extension of time to file Petitions to Deny applications for new broadcast stations or major changes in the facilities of existing stations or applications for renewal of license will not be granted unless all parties concerned, including the applicant, consent to such requests, or unless a compelling showing can be made that unusual circumstances make the filing of a timely petition impossible and the granting of an extension warranted.

(b) Except in the case of applications for new low power TV, TV translator, or TV booster stations, for major changes in the existing facilities of such stations, or for applications for a change in output channel tendered by displaced low power TV or TV translator stations pursuant to § 73.3572(a)(1), the applicant may file an opposition to any Petition to Deny, and the petitioner a reply to such opposition in which allegations of fact or denials thereof shall be supported by affidavit of a person or persons with personal knowledge thereof. The times for filing such oppositions and replies shall be those provided in § 1.45 except that as to a Petition to Deny an application for renewal of license, an opposition thereto may be filed within 30 days after the Petition to Deny is filed, and the party that filed the Petition to Deny may reply to the opposition within 20 days after opposition is filed, whichever is longer. The failure to file an opposition or reply will not necessarily be construed as an admission of any fact or argument contained in a pleading.

(c) In the case of applications for new low power TV, TV translator, or TV booster stations, for major changes in the existing facilities of such stations, or for applications for a change in output channel tendered by displaced low power TV and TV translator stations pursuant to § 73.3572(a)(1), any party in interest may file with the FCC a Petition to Deny any applcation (whether as originally filed or if amended so as to require a new file number pursuant to § 73.3572(b)) for which local notice pursuant to § 73.3580 is required, provided such petitions are filed within 30 days of the FCC Public Notice proposing the application for grant (applicants may file oppositions within 15 days after the Petition to Deny is filed); but where the FCC selects a tentative permittee pursuant to Section 1.1601 *et seq.*, Petitions to Deny shall be accepted only if directed against the tentative selectee and filed after issuance of and within 15 days of FCC Public Notice announcing the tentative selectee. The applicant may file an opposition within 15 days after the Petition to Deny is filed. In cases in which the minimum diversity preference provided for in § 1.1623(f)(1) has been applied, an "objection to diversity claim" and opposition thereto, may be filed against any applicant receiving a diversity preference, within the same time period provided herein for Petitions and Oppositions. In all pleadings, allegations of fact or denials thereof shall be supported by appropriate certification. However, the FCC may announce, by the Public Notice announcing the acceptance of the last-filed mutually exclusive application, that a notice of Petition to Deny will be required to be filed no later than 30 days after issuance of the Public Notice.

* * * * *

13. 47 CFR 73.3598 is amended by revising paragraph (b) to read as follows:

§ 73.3598 Period of construction.

* * * * *

(b) Other broadcast, auxiliary and Instructional TV Fixed Stations. Each original permit for the construction of a new AM, FM or International Broadcast; low power TV; TV translator; TV booster; FM translator; FM booster; broadcast auxiliary; or Instructional TV Fixed station, or to make changes in such existing stations, shall specify a period of no more than 18 months from the date of issuance of the original construction permit within which construction shall be completed and application for licensed be filed.

14. 47 CFR 74.1 is amended by revising paragraph (b) to read as follows:

§ 74.1 Scope.

* * * * *

(b) Rules in Part 74 which apply exclusively to a particular service are contained in that service subpart, as follows: Experimental Broadcast Stations, Subpart A; Remote Pickup Broadcast Stations, Subpart D; Aural Broadcast STL and Intercity Relay Stations, Subpart E; TV Auxiliary Broadcast Stations, Subpart F; Low Power TV, TV Translator and TV Booster Stations, Subpart G; Low Power Auxiliary Stations, Subpart H; Instructional TV Fixed Service, Subpart I; FM Broadcast Translator Stations and FM Broadcast Booster Stations, Subpart L.

15. 47 CFR 74.15 is amended by revising paragraph (c) to read as follows:

§ 74.15 Station license period.

* * * * *

(c) The license of an FM broadcast booster station or a TV broadcast booster station will be issued for a period running concurrently with the license of the FM radio broadcast station or TV broadcast station (primary station) with which it is used.

* * * * *

16. 47 CFR 74.501 is amended by revising paragraphs (a) and (b) to read as follows:

§ 74.501 Classes of aural broadcast auxiliary stations.

(a) *Aural broadcast STL station.* A fixed station utilizing telephony for the transmission of aural program material between a studio and the transmitter of a broadcasting station other than an international broadcasting station, for simultaneous or delayed broadcast, or other purposes as authorized in § 74.531.

(b) *Aural broadcast intercity relay stations.* A fixed station for the transmission of aural program material between radio broadcast stations, other than international broadcast stations, and between FM radio broadcast stations and their co-owned FM booster stations, or other purposes as authorized in § 74.531.

* * * * *

17. 47 CFR 74.531 is amended by redesignating paragraphs (c) through (f) as (d) through (g) and adding new paragraph (c) to read as follows:

§ 74.531 Permissible service.

* * * * *

(c) An aural broadcast STL or intercity relay may be used to transmit material between an FM broadcast radio station and an FM booster station owned, operated, and controlled by the licensee of the originating FM radio station. This use shall not interfere with or otherwise preclude use of these broadcast auxiliary facilities by broadcast auxiliary stations transmitting aural programming between the studio and transmitter location of a broadcast station or between broadcast stations as provided in paragraphs (a) and (b) above.

* * * * *

18. 47 CFR 74.532 is amended by revising paragraph (a) to read as follows:

§ 74.532 Licensing requirements.

(a) An aural broadcast STL or intercity relay station will be licensed only to the licensee or licensees of broadcast stations other than international broadcast stations, and for use by broadcast stations or FM booster stations owned entirely by or under common control of the licensee or licensees.

* * * * *

PART 74—[AMENDED]

19. In 47 CFR Part 74, the heading for Subpart G is revised to read as follows:

Subpart G—Low Power TV, TV Translator, and TV Booster Stations

20. 47 CFR 74.701 is amended by adding paragraph (i) to read as follows:

§ 74.701 Definitions.

* * * * *

(i) *Television broadcast booster station.* A station in the broadcast service operated by the licensee or permittee of a full service television broadcast station for the purpose of retransmitting the programs and signals of such primary station without significantly altering any characteristic of the original signal other than its amplitude. A television broadcast booster station may only be located such that its entire service area is located within the protected contour of the primary station it retransmits. For purposes of this paragraph, the service area of the booster and the protected contour of the primary station will be determined by the methods prescribed in § 74.705(c).

21. 47 CFR 74.702 is amended by adding paragraph (c) to read as follows:

§ 74.702 Channel assignments.

* * * * *

(c) A television broadcast booster station will be authorized on the channel assigned to its primary station.

22. 47 CFR 74.703 is amended by revising paragraphs (a), (b), and (c) to read as follows:

§ 74.703 Interference.

(a) An application for a new low power TV, TV translator, or TV booster station or for a change in the facilities of such an authorized station will not be granted when it is apparent that interference will be caused. The licensee of a new low power TV, TV translator, or TV booster shall protect existing low power TV and TV translator stations from interference within the protected contour defined in § 74.707.

(b) It shall be the responsibility of the licensee of a low power TV, TV translator, or TV booster station to correct at its expense any condition of interference to the direct reception of the signal of any other TV broadcast station operating on the same channel as that used by the low power TV, TV translator, or TV booster station or an adjacent channel which occurs as a result of the operation of the low power TV, TV translator, or TV booster station. Interference will be considered to occur whenever reception of a regularly used signal is impaired by the signals radiated by the low power TV, TV translator, or TV booster station, regardless of the quality of the reception or the strength of the signal so used. If the interference cannot be promptly eliminated by the application of suitable techniques, operation of the offending low power TV, TV translator, or TV booster station shall be suspended and shall not be resumed until the interference has been eliminated. If the complainant refuses to permit the low power TV, TV translator, or TV booster station to apply remedial techniques that demonstrably will eliminate the interference without impairment of the original reception, the licensee of the low power TV, TV translator, or TV booster station is absolved of further responsibility.

(c) It shall be the responsibility of the licensee of a low power TV, TV translator, or TV booster station to correct any condition of interference which results from the radiation of radio frequency energy outside its assigned channel. Upon notice by the FCC to the station licensee or operator that such interference is caused by spurious omissions of the station, operation of the station shall be immediately suspended and not resumed until the interference has been eliminated. However, short test transmissions may be made during the period of suspended operation to check the efficacy of remedial measures.

* * * * *

23. 47 CFR 74.705 is amended by revising paragraphs (c), (d) introductory text, and (d)(1)(ii) to read as follows:

§ 74.705 TV broadcast station protection.

* * * * *

(c) The low power TV, TV translator, or TV booster station field strength is calculated from the proposed effective radiated power (ERP) and the antenna height above average terrain (HAAT) in pertinent directions.

(1) For co-channel protection, the field strength is calculated using Figure 9a, 10a, or 10c of § 73.699 (F(50,10) charts) of Part 73 of this chapter.

(2) For low power TV, TV translator, and TV boosters that do not specify the same channel as the TV broadcast station to be protected, the field strength is calculated using Figure 9, 10, or 10b of § 73.699 (F(50,50) charts) of Part 73 of this chapter.

(d) A low power TV, TV translator, or TV booster station application will not be accepted if the ratio in dB of its field strength to that of the TV broadcast station at the protected contour fails to meet the following:

(1) * * *

(ii) A description of the means by which the low power TV, TV translator, or TV booster station will be maintained within the tolerances specified in § 74.761 for offset operation.

* * * * *

24. 47 CFR 74.707 is amended by revising paragraphs (a)(1) introductory text, (b)(1), (b)(3), (c) introductory text, (c)(2) (d) introductory text and (d)(1)(ii) to read as follows:

§ 74.707 Low power TV and TV translator station protection.

(a)(1) A low power TV or TV translator will be protected from interference from other low power TV or TV translator stations, or TV booster stations within the following predicted contours:

* * * * *

(b)(1) An application to construct a new low power TV, TV translator, or TV booster station or change the facilities of an existing station will not be accepted if it specifies a site which is within the protected contour of a co-channel or first adjacent channel low power TV, TV translator, or TV booster station, except that a TV booster station may be located within the protected contour of its co-channel primary station.

(2) * * *

(3) A UHF low power TV, TV translator, or TV booster construction permit application will not be accepted if it specifies a site within the UHF low power TV, TV translator, or TV booster station's protected contour and proposes operation on a channel either 7 channels below or 14 or 15 channels above the channel in use by the low power TV, TV translator, or TV booster station.

(c) The low power TV, TV translator, or TV booster construction permit application field strength is calculated from the proposed effective radiated power (ERP) and the antenna above average terrain (HAAT) in pertinent directions.

(1) * * *

(2) For low power TV, TV translator, or TV booster applications that do not specify the same channel as the low power TV, TV translator, or TV booster station to be protected, the field strength is calculated using Figure 9, 10, or 10b of § 73.699 (F(50,50) charts) of Part 73 of this chapter.

(d) A low power TV, TV translator, or TV booster station application will not be accepted if the ratio in dB of its field strength to that of the authorized low power TV, TV translator, or TV booster station at its protected contour fails to meet the following:

(1) * * *

(ii) A description of the means by which the low power TV, TV translator, or TV booster station's frequencies will be maintained within the tolerances specified in § 74.761 for offset operation.

* * * * *

25. 47 CFR 74.731 is amended by revising paragraphs (a) and (b) introductory text and adding paragraphs (j) and (k) to read as follows:

§ 74.731 Purpose and permissible service.

(a) Television broadcast translator stations and television broadcast booster stations provide a means whereby the signals of television broadcast stations may be retransmitted to areas in which direct reception of such television broadcast stations is unsatisfactory due to distance or intervening terrain barriers.

(b) Except as provided in paragraph (f) of this section, a television broadcast translator station or television broadcast booster station may be used only to receive the signals of a television broadcast station, another television broadcast translator station, a television translator relay station, a television intercity relay station, a television STL station, or other suitable source such as a CARS or common carrier microwave station, for the simultaneous retransmission of the programs and signals of a television broadcast station. Such retransmissions may be accomplished by either:

* * * * *

(j) Television broadcast booster stations provide a means whereby the licensee of a television broadcast station may provide service to areas of low signal strength in any region within the primary station's Grade B contour. The booster station may not be located outside the predicted Grade B of its primary station nor may the predicted Grade B signal of the television booster station extend beyond the predicted Grade B contour of the primary station. A television broadcast booster station is authorized to retransmit only the signals of its primary station; it shall not retransmit the signals of any other stations nor make independent transmissions. However, locally generated signals may be used to excite the booster apparatus for the purpose of conducting tests and measurements essential to the proper installation and maintenance of the apparatus.

(k) The transmissions of a television broadcast booster station shall be intended for direct reception by the general public. Such stations will not be permitted to establish a point-to-point television relay system.

26. 47 CFR 74.732 is amended by adding paragraphs (g) and (h) to read as follows:

§ 74.732 Eligibility and licensing requirements.

* * * * *

(g) A television broadcast booster station will be authorized only to the licensee or permittee of the television station whose signals the booster will rebroadcast, to areas within the Grade B contour of the primary station.

(h) No numerical limit is placed on the number of booster stations that may be licensed to a single licensee. A separate license is required for each television broadcast booster station.

27. 47 CFR 74.735 is amended by revising paragraphs (a) and (d) to read as follows:

§ 74.735 Power limitations.

(a) The power output of the final radio frequency amplifier of a VHF low power TV, TV translator, or TV booster station, except as provided for in paragraphs (d) and (f) of this section, shall not exceed 0.01 kW visual power. A UHF station shall be limited to a maximum of 1 kW peak visual power except as provided for in paragraph (f) of this section. In no event shall the transmitting apparatus be operated with a power output in excess of the manufacturer's rating.

* * * * *

(d) VHF low power TV, TV translator, and TV booster stations authorized on channels listed in the TV table of allocations (see § 73.606(b) of Part 73 of this chapter) will be authorized a maximum output power of the radio frequency amplifier of 0.1 kW peak visual power.

* * * * *

28. 47 CFR 74.736 is amended by revising paragraph (a) to read as follows:

§ 74.736 Emissions and bandwidth.

(a) The license of a low power TV, TV translator, or TV booster station authorizes the transmission of the visual signal by amplitude modulation (A5) and the accompanying aural signal by frequency modulation (F3).

* * * * *

29. 47 CFR 74.737 is amended by revising paragraph (a) to read as follows:

§ 74.737 Antenna location.

(a) An applicant for a new low power TV, TV translator, or TV booster station or for a change in the facilities of an authorized station shall endeavor to select a site that will provide a line-of-sight transmission path to the entire area intended to be served and at which there is available a suitable signal from the primary station, if any, that will be retransmitted.

* * * * *

30. 47 CFR 74.750 is amended by revising paragraphs (a), (d) introductory text, (e)(1), (e)(2), and (g) to read as follows:

§ 74.750 Transmission system facilities.

(a) Applications for new low power TV, TV translator, and TV booster stations and for increased transmitter power for previously authorized facilities will not be accepted unless the transmitter is listed in the FCC's list of equipment type accepted for licensing under the provisions of this subpart.

* * * * *

(d) Low power TV, TV translator and transmitting equipment using a modulation process for either program origination or rebroadcasting TV booster transmitting equipment using a modulation process must meet the following requirements:

* * * * *

(e) * * *

(1) Any manufacturer of apparatus intended for use at low power TV, TV translator, or TV booster stations may request type acceptance by following the procedures set forth in Part 2, Subpart J, of this chapter. Equipment

found to be acceptable by the FCC will be listed in the "Radio Equipment List" published by the FCC. These lists are available for inspection at the FCC headquarters in Washington, DC or at any of its field offices.

(2) Low power TV, TV translator, and TV booster transmitting apparatus that has been type accepted by the FCC will normally be authorized without additional measurements from the applicant or licensee.

* * * * *

(g) Low power TV, TV translator, or TV booster stations installing new type accepted transmitting apparatus incorporating modulating equipment need not make equipment performance measurements and shall so indicate on the station license application. Stations adding new or replacing modulating equipment to existing low power, TV translator, or TV booster station transmitting apparatus must have a qualified operator (§ 74.18) examine the transmitting system after installation. This operator must certify in the application for the station license that the transmitting equipment meets the requirement of paragraph (d)(1) of this section. A report of the methods, measurements, and results must be kept in the station records. However, stations installing modulating equipment solely for the limited local origination of signals permitted by § 74.731 need not comply with the requirements of this paragraph.

31. 47 CFR 74.751 is amended by revising paragraph (b)(1) to read as follows:

§ 74.751 Modification of transmission systems.

* * * * *

(b) * * *

(1) Replacement of the transmitter as a whole, except replacement with a transmitter of identical power rating which has been type accepted by the FCC for use by low power TV, TV translator, and TV booster stations, or any change which could result in a change in the electrical characteristics or performance of the station.

* * * * *

32. 47 CFR 74.761 is amended by revising the introductory text and paragraph (d) to read as follows:

§ 74.761 Frequency tolerance.

The licensee of a low power TV, TV translator, or TV booster station shall maintain the transmitter output frequencies as set forth below. The frequency tolerance of stations using direct frequency conversion of a received signal and not engaging in offset carrier operation as set forth in paragraph (d) of this section will be referenced to the authorized plus or minus 10 kHz offset, if any, of the primary station.

* * * * *

(d) The visual carrier shall be maintained to within 1 kHz of the assigned channel carrier frequency if the low power TV, TV translator, or TV booster station is authorized with a specified offset designation in order to provide protection under the provisions of § 74.705 or § 74.707.

33. 47 CFR 74.762 is amended by revising paragraphs (a) and (b) to read as follows:

§ 74.762 Frequency measurements.

(a) The licensee of a low power TV station, a TV translator, or a TV booster station must measure the carrier frequencies of its output channel as often as necessary to ensure operation within the specified tolerances, and at least once each calendar year at intervals not exceeding 14 months.

(b) In the event that a low power TV, TV translator, or TV booster station is found to be operating beyond the frequency tolerance prescribed in § 74.761, the licensee promptly shall suspend operation of the transmitter and shall not resume operation until transmitter has been restored to its assigned frequencies. Adjustment of the frequency determining circuits of the transmitter shall be made only by a qualified person in accordance with § 74.750(g).

34. 47 CFR 74.763 is amended by revising paragraphs (a) and (c) to read as follows:

§ 74.763 Time of operation.

(a) A low power TV, TV translator, or TV booster station is not required to adhere to any regular schedule of operation. However, the licensee of a TV translator or TV booster station is expected to provide service to the extent that such is within its control and to avoid unwarranted interruptions in the service provided.

* * * * *

(c) Failure of a low power TV, TV translator, or TV booster station to operate for a period of 30 days or more, except for causes beyond the control of the licensee, shall be deemed evidence of discontinuation of operation and the license of the station may be cancelled at the discretion of the FCC.

* * * * *

35. 47 CFR 74.780 is amended by revising the heading and the introductory text to read as follows:

§ 74.780 Broadcast regulations applicable to translators, low power, and booster stations.

The following rules are applicable to TV translator, low power TV, and TV booster stations:

* * * * *

36. 47 CFR 74.781 is amended by revising paragraph (a) to read as follows:

§ 74.781 Station records.

(a) The licensee of a low power TV, TV translator, or TV booster station shall maintain adequate station records, including the current instrument of authorization, official correspondence with the FCC, contracts, permission for rebroadcasts, and other pertinent documents.

* * * * *

37. 47 CFR 74.783 is amended by adding paragraph (e) to read as follows:

§ 74.783 Station identification.

* * * * *

(e) TV broadcast booster station shall be identified by their primary stations by broadcasting of the primary station's call letters and location in accordance with the provisions of § 73.1201 of this chapter.

38. 47 CFR 74.784 is amended by redesignating paragraph (d) as paragraph (e) and adding a new paragraph (d) to read as follows:

§ 74.784 Rebroadcasts.

* * * * *

(d) A TV booster station may rebroadcast only programs and signals that are simultaneously transmitted by the primary station to which it is authorized.

* * * * *

39. 47 CFR 74.1201 is amended by revising paragraph (f) to read as follows:

§ 74.1201 Definitions.

* * * * *

(f) *FM broadcast booster station.* A station in the broadcasting service operated for the sole purpose of retransmitting the signals of an FM radio broadcast station, by amplifying and reradiating such signals, without significantly altering any characteristic of the incoming signal other than its amplitude.

40. 47 CFR 74.1203 is revised to read as follows:

§ 74.1203 Interference.

(a) FM translators and FM boosters will be authorized and permitted to continue to operate only where they cause no interference to the direct reception by the public of the off-the-air

signals of any authorized broadcast station including Class D (secondary) noncommercial educational FM stations. FM translators and FM boosters shall not cause harmful interference to the transmissions of any other authorized radio station nor shall an FM translator or FM booster cause interference to reception by a television broadcast translator station of its input signals. FM translator stations or FM booster stations which may cause any such interference will not be authorized. FM booster stations will be exempt from the provisions of this paragraph to the extent that they may cause limited interference to their primary stations' signals subject to the conditions of paragraph (e) of this section.

(b) Interference will be considered to occur whenever reception to a regularly used off-the-air signal by viewers or listeners is impaired by the signals radiated by the translator or booster, regardless of the quality of such reception, the strength of the signals so used, or the channel on which the protected signal is transmitted.

(c) If interference cannot be promptly eliminated by the application of suitable techniques, operation of the offending translators or booster shall be immediately suspended and shall not be resumed until the interference has been eliminated. Short test transmissions may be made during the period of suspended operation to check the efficacy of remedial measures. If a complainant refuses to permit the translator or booster licensee to apply remedial techniques which demonstrably will eliminate the interference without impairment to the original reception, the licensee of the translator or booster is absolved of further responsibility.

(d) It shall be the responsibility of the licensee of an FM translator station or FM booster station to correct any condition of interference which results from the radiation of radio frequency energy by its equipment on any frequency outside the assigned channel. Upon notice by the Commission to the station licensee or operator that such interference is being caused, the operation of the translator station or booster station shall be immediately suspended and shall not be resumed until the interference has been eliminated or it can be demonstrated that the interference is not due to spurious emissions by the FM translator station or FM booster station: *Provided, however,* That short test transmissions may be made during the period of suspended operation to check the efficacy of remedial measures.

(e) An FM booster station may not disrupt the existing service of its primary stations nor may it cause interference to the signal provided by the primary station within the boundaries of the principal community to be served.

41. 47 CFR 74.1231 is amended by revising paragraph (h) to read as follows:

§ 74.1231 Purpose and permissible service.

* * * * *

(h) FM broadcast booster stations provide a means whereby the licensee of an FM broadcast station may provide service to areas of low signal strength in any region within the primary station's predicted service contour. An FM broadcast booster station is authorized to retransmit only the signals of its primary station; it shall not retransmit the signals of any other station nor make independent transmissions: *Provided, however,* That locally generated signals may be used to excite the booster apparatus for the purpose of conducting tests and measurements essential to the proper installation and maintenance of the apparatus.

* * * * *

42. 47 CFR 74.1232 is amended by revising paragraph (e), removing paragraph (g) and redesignating paragraph (h) as (g).

§ 74.1232 Eligibility and licensing requirements.

* * * * *

(e) An FM broadcast booster station will be authorized only to the licensee or permittee of the FM radio broadcast station whose signals the booster station will retransmit, to serve areas within the predicted service contour of the primary station, subject to Note, § 74.1231(h).

* * * * *

43. 47 CFR 74.1235 is amended by revising paragraph (a) introductory text and by adding paragraph (c) to read as follows:

§ 74.1235 Power limitations.

(a) The power output of the final radio frequency amplifier of an FM translator shall not exceed 10 watts, except that FM broadcast translator stations serving areas east of the Mississippi River or in Zone I–A shall be limited to 1 watt. This power may be fed into a single transmitting antenna or may be divided between two or more transmitting antennas or arrays of antennas or any manner found useful or desirable by the licensee. In individual cases, the Commission may authorize the use of more than one final radio frequency amplifier at a single station under the following conditions:

* * * * *

(c) The output power of FM booster stations shall be limited such that the predicted service contour of such stations computed in accordance with § 73.313 (a)–(d), may not extend beyond the area covered by the predicted service contour of the primary station that they rebroadcast and that such output power may not exceed 20 percent of the maximum allowable effective radiated power for the primary station's class. Further, FM booster stations shall be subject to the requirement that the signal of any first adjacent channel station must exceed the signal of the booster station by 6 dB at all points within the protected contour of any first adjacent channel station.

44. 47 CFR 74.1236 is amended by revising paragraph (a) to read as follows:

§ 74.1236 Emissions and bandwidth.

(a) The license of a station authorized under this subpart authorizes the transmission of each F3 or other types of frequency modulation upon a showing of need as long as the emission complies with the following:

(1) For transmitter output powers no greater than 10 watts, paragraphs (b), (c), and (d) of this section apply.

(2) For transmitter output powers greater than 10 watts, § 73.317 (a), (b), (c), and (d) apply.

* * * * *

45. 47 CFR 74.1250 is amended by revising paragraph (c), redesignating paragraphs (d) through (f) as paragraphs (e) through (g) and adding new paragraph (d) to read as follows:

§ 74.1250 Transmitters and associated equipment.

* * * * *

(c) The following requirements must be met before translator or booster equipment of 10 watts or less output power will be type accepted by the Commission:

* * * * *

(d) Booster station transmitters having power outputs in excess of 10 watts must meet the requirements of § 73.1660 of this chapter.

* * * * *

46. 47 CFR 74.1261 is revised to read as follows:

§ 74.1261 Frequency tolerance.

The licensee of an FM translator station shall maintain the center frequency at the output of the translator within 0.01 percent of its assigned frequency. The output frequency of an FM booster station shall comply with the requirements of § 73.1545(b).

Federal Communications Commission.
William J. Tricarico,
Secretary.
[FR Doc. 87-19040 Filed 8-19-87; 8:45 am]
BILLING CODE 6712-01-M

NATIONAL RAILROAD PASSENGER CORPORATION

49 CFR Part 701

Freedom of Information Act; Schedule of Fees and Other Administrative Changes

AGENCY: National Railroad Passenger Corporation (Amtrak or the Corporation).

ACTION: Technical Amendments.

SUMMARY: The National Railroad Passenger Corporation (NRPC), also known as Amtrak, promulgated amendments to its rules concerning the Freedom of Information Act (FOIA) to incorporate recent changes to the Act regarding the establishment of fees charged for the search, review, and duplication of records in response to FOIA requests (52 FR 15321–15323, April 28, 1987). The rules followed the guidelines established by the Office of Management and Budget and the Department of Justice. In addition, Amtrak amended its regulations to reflect certain administrative changes within the Corporation. Section 701.7(e) of the rules as promulgated specified the charge per hour for personnel searching for records but did not specify the charge for review of any records found. This technical correction specifies that the same charge per hour will be made for review as for search. In view of the technical nature of the action being taken, no public comments are being requested, and the change shall be effective immediately upon publication in the Federal Register.

EFFECTIVE DATE: August 20, 1987.

FOR FURTHER INFORMATION CONTACT: Medaris Oliveri, FOIA Officer, (202) 383–3991.

SUPPLEMENTARY INFORMATION:

List of Subjects in 49 CFR Part 701

Freedom of Information Act.

PART 701—[AMENDED]

49 CFR Part 701 is amended as follows:

§ 701.7 [Amended]

1. The authority citation for Part 701 continues to read as follows:

Authority: 5 U.S.C. 552 as amended by sections 1801–1804 of the Omnibus Anti-Drug Abuse Act of 1986 (Pub. L. 99–570) which contains the Freedom of Information Reform Act of 1986 and sec. 306(g) of the Rail Passenger Service Act, 45 U.S.C. 546(g).

2. Section 701.7, paragraph (e)(1) is amended by adding the words "and review" immediately before the period at the end of the first sentence thereof.

Stephen C. Rogers,
Acting Vice President—Law.
[FR Doc. 87-19079 Filed 8-19-87; 8:45 am]
BILLING CODE 0000-00-M

Proposed Rules

Federal Register
Vol. 52, No. 161
Thursday, August 20, 1987

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 1004

Milk in the Middle Atlantic Marketing Area; Proposed Suspension of Certain Provisions of the Order

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed suspension of rule.

SUMMARY: This action invites written comments on a proposal to suspend certain provisions relating to how much milk not needed for fluid (bottling) used may be moved directly from farms to manufacturing plants and still be priced under the Middle Atlantic milk order. The proposed suspension would apply during the months of September 1987 through February 1988. The action was requested by a cooperative association to insure the efficient disposition of milk not needed for fluid use and still maintain producer status under the order for dairy farmers regularly associated with the market. A substantial change in the method of disposing much of the market's reserve milk supplies prompted the request by the cooperative association.

DATE: August 27, 1987.

ADDRESS: Comments (two copies) should be filed with USDA/AMS, Dairy Division, South Office Building, Room 2968, P.O. Box 96456, Washington, DC 20090–6456.

FOR FURTHER INFORMATION CONTACT: Maurice M. Martin, Marketing Specialist, Dairy Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, DC 20090–6456, (202) 447–7311.

SUPPLEMENTARY INFORMATION: The Administrator of the Agricultural Marketing Service has certified that this proposed action would not have a significant economic impact on a substantial number of small entities. Such action would lessen the regulatory impact of the order on certain milk handlers. Also, it would tend to ensure that dairy farmers regularly associated with the market would continue to have their milk pooled and priced under the order and thereby receive the benefits that accrue from such pricing.

This proposed action has been reviewed under Executive Order 12291 and Departmental Regulation 1512–1 and has been determined to be a "non-major" rule under the criteria contained therein.

Notice is hereby given that, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 through 674), the suspension of the following provisions of the order regulating the handling of milk in the Middle Atlantic marketing area is being considered for the months of September 1987 through February 1988:

In § 1004.12, all of paragraph (d) except the introductory text.

All persons who want to send written data, views or arguments about the proposed suspension should send two copies of them to USDA/AMS, Dairy Division, South Office Building, P.O. Box 96456, Washington, DC 20090–6456, by the 7th day after publication of this notice in the **Federal Register.** The period for filing comments is limited to 7 days because a longer period would not provide the time needed to complete the required procedures and include September 1987 in the suspension period.

All comments that are received will be made available for public inspection in the Dairy Division during normal business hours (7 CFR 1.27(b)).

Statement of Consideration

The proposed suspension would make inoperative for September 1987 through February 1988 the provisions of the Middle Atlantic Federal milk order that limit the amount of milk may be diverted from farms to nonpool plants and still retain producer milk status. The order now provides that during any month of September through February a handler may divert not more than 18 days' production of each producer or in the alternative all diversions of a proprietary handler and a cooperative association handler may not exceed 40 and 50 percent, respectively, of the volume of such handler's total producer receipts.

The suspension was requested by Atlantic Dairy Cooperative (ADC), which handles a substantial part of the market's reserve milk supplies. The basis for the request is that current production and marketing conditions have caused the cooperative to change the manner in which much of its reserve milk supplies are handled. Normally, a substantial portion of ADC's reserve milk supplies are delivered to reserve pool plants, including the proponent cooperative's reserve pool processing plant at Mt. Holly Springs. However, because of tighter supply-demand conditions this year over last year, ADC expects that the proportion of deliveries to non-pool plants will significantly increase while deliveries to reserve pool processing plants will markedly decline. Consequently, beginning in September 1987, ADC projects that deliveries to nonpool plants, which are received on a diverted basis, are expected to exceed the quantity of milk that could be diverted to nonpool plants under the present diversion limits and still maintain producer status for all such milk. Proponent cooperative stated that it would be forced to make uneconomic shipments of a substantial part of such deliveries of its member milk to nonpool plants that has been regularly associated with the market to qualify it for pooling beginning in September.

Accordingly, it may be appropriate to remove the limits on milk diversions to nonpool plants for the period September 1987 through February 1988 to avoid uneconomic movements of reserve milk supplies solely to maintain pool status for milk supplies historically associated with the Middle Atlantic market.

List of Subjects in 7 CFR Part 1004

Milk marketing orders, Milk, Dairy products.

The authority action for 7 CFR Part 1004 continues to read as follows:

Authority: (Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674).

Signed at Washington, DC, on: August 17, 1987.

J. Patrick Boyle,

Administrator, Agricultural Marketing Service.

[FR Doc. 87–19102 Filed 8–19–87; 8:45 am]
BILLING CODE 3410–02–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 87-NM-98-AD]

Airworthiness Directives; Airbus Industrie A300 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Proposed Rulemaking (NPRM).

SUMMARY: This notice proposes an airworthiness directive (AD), applicable to certain Airbus Industrie Model A300 series airplanes, that would require modification of fuselage section 13 and 14 lap splices from stringer 31 and below. This action is prompted by reports of corrosion of these longitudinal bonded joints. This condition, if not corrected, could lead to decompression of the fuselage.

DATES: Comments must be received no later than September 21, 1987.

ADDRESSES: Send comments on the proposal in duplicate to the Federal Aviation Administration, Northwest Mountain Region, Office of the Regional Counsel (Attention: ANM-103), Attention: Airworthiness Rules Docket No. 87-NM-98-AD, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168. The applicable service information may be obtained from Airbus Industrie, Airbus Support Division, Avenue Didier Daurat, 31700 Blagnac, France. This information may be examined at the FAA, Northwest Mountain Region, 17900 Pacific Highway South, Seattle, Washington, or the Seattle Aircraft Certification Office, 9010 East Marginal Way South, Seattle, Washington.

FOR FURTHER INFORMATION CONTACT: Ms. Judy Golder, Standardization Branch, ANM-113; telephone (206) 431-1967. Mailing address: FAA, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket number and be submitted in duplicate to the address specified above. All communications received on or before the closing date for comments specified above will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this Notice may be changed in light of the comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Availability of NPRM

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the FAA, Northwest Mountain Region, Office of the Regional Counsel (Attention: ANM-103), Attention: Airworthiness Rules Docket No. 87-NM-98-AD, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168.

Discussion

The French Direction Générale de L'Aviation Civile (DGAC) has, in accordance with existing provisions of a bilateral airworthiness agreement, notified the FAA of several instances of corrosion in the fuselage lap splices of section 13 and 14 from stringer 31 and below on certain Airbus Industrie Model A300 series airplanes. This condition, if not corrected, could lead to decompression of the airplane.

Airbus Industrie has issued Airbus Service Bulletin A300-53-206, dated December 1, 1986, which describes modification of certain longitudinal lap splices to eliminate corrosion and bond delamination. The DGAC has classified the service bulletin as mandatory and has issued French AD 87-019-077(B), dated April 20, 1987, which requires modification of the Model A300, Serial Numbers 1 through 107, in accordance with the Airbus service bulletin.

This airplane model is manufactured in France and type certificated in the United States under the provisions of section 21.29 of the Federal Aviation Regulations and the applicable bilateral airworthiness agreement.

Since these conditions are likely to exist or develop on airplanes of this model registered in the United States, an AD is proposed that would require modification of the longitudinal lap splice prior to the accumulation of 24,000 landings or 12 years since date of manufacture, whichever occurs first, in accordance with the Airbus service bulletin previously mentioned.

On March 27, 1985, the FAA issued AD 85-07-09, Amendment 39-5033 (50 FR 13548; April 5, 1985) which requires inspection for bonding delamination, corrosion, and cracking of certain longitudinal lap and circumferential splices, which are addressed in this proposal. Accomplishment of the modification required by this proposed AD would constitute terminating action for the inspections required by AD 85-07-09, for the lap splices modified.

It is estimated that 14 airplanes of U.S. registry would be affected by this AD, that it would take approximately 3,726 manhours per airplance to accomplish the required actions, and that the average labor cost would be $40 per manhour. Based on these figures, the total cost impact of this AD to U.S. operators is estimated to be $2,087,000.

For the reasons discussed above, the FAA has determined that this document (1) involves a proposed regulation which is not major under Executive Order 12291 and (2) is not a significant rule pursuant to the Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and it is further certified under the criteria of the Regulatory Flexibility Act that this proposed rule, if promulgated, will not have a significant economic impact on a substantial number of small entities because few, if any, Airbus Model A300 airplanes are operated by small entities. A copy of a draft regulatory evaluation prepared for this action is contained in the regulatory docket.

List of Subjects in 14 CFR Part 39

Aviation safety, Aircraft.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend § 39.13 of Part 39 of the Federal Aviation Regulations as follows:

PART 39—[AMENDED]

1. The authority citation for Part 39 continues to read as follows:

Authority. 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); and 14 CFR 11.89

2. By adding the following new airworthiness directive:

Airbus Industrie. Applicable to Model A300 series airplanes, Serial Number 1 through Serial Number 107, certificated in any category. Compliance required as indicated, unless previously accomplished.

To prevent decompression of the airpline, accomplish the following:

A. Prior to the accumulation of 24,000 landings or 12 years since date of manufacture, whichever occurs first, modify the fuselage lap splices in accordance with

Airbus Service Bulletin A300–53–206, dated December 1, 1986.

B. For airplanes with more than 9 years since date of manufacture on the effective date of this AD: The modification required by paragraph A., above, may be deferred not to exceed 26,000 landings or 15 years since date of manufacture, whichever occurs first, provided the conditions specified in paragraph 1.B. of Airbus Service Bulletin A300–53–206, dated December 1, 1986, are met.

C. For airplanes which have had lap splices repaired, as noted below, accomplish the following, as applicable:

1. For airplanes repaired with an external doubler in accordance with Chapter 53–10–20, Revision 46 of the Structural Repair Manual: Within 3,000 landings after the effective date of this AD, inspect the repaired area for corrosion. If there is any sign of corrosion, remove the repair and replace prior to further flight, in accordance with Airbus Service Bulletin A300–53–206, dated December 1, 1986.

2. For airplanes repaired in accordance with Chapter 53–10–20 of the Structural Repair Manual, figure 701, sheet 2, Revision dated July 1, 1986, or previous issues; or repaired in accordance with Service Manual 53–10–20, figure 701, sheet 3, Revision dated January 30, 1985, or previous issues, and where repair exceeds half a frame bay: Prior to the accumulation of 16,000 landings since the repairs were installed, modify the repaired lap slices in accordance with FAA-approved methods.

3. For airplanes repaired in accordance with Airbus Service Bulletin 53–215 or 53–216: No further action is necessary in the repaired areas.

D. Modification of the longitudinal lap joints in Sections 13 and 14 in accordance with Airbus Service Bulletin A300–53–206, dated December 1, 1986, constitutes terminating action for the inspections required by AD 85–07–09 for the splices which have been modified.

E. An alternate means of compliance or adjustment of the compliance time, which provides an acceptable level of safety, may be used when approved by the Manager, Standardization Branch, ANM–113, FAA, Northwest Mountain Region.

F. Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base for the accomplishment of inspections and/or modifications required by this AD.

All persons affected by this proposal who have not already received the appropriate service documents from the manufacturer may obtain copies upon request to Airbus Industrie, Airbus Support Division, Avenue Didier Daurat, 31700 Blagnac, France. These documents may be examined at the FAA, Northwest Mountain Region, 17900 Pacific Highway South, Seattle, Washington, or at the Seattle Aircraft Certificate Office, 9010 East Marginal Way South, Seattle, Washington.

Issued in Seattle, Washington, on August 10, 1987.

Wayne J. Barlow,

Director, Northwest Mountain Region.

[FR Doc. 87–19020 Filed 8–19–87; 8:45 am]

BILLING CODE 4910–13–M

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14 CFR Part 39

[Docket No. 87–NM–95–AD]

Airworthiness Directives; British Aerospace Model H.S. 748 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Proposed Rulemaking (NPRM).

SUMMARY: This notice proposes an airworthiness diretive (AD), applicable to all Model H.S. 748 series airplanes, that would require a visual inspection of bearings held in place by certain bearing retaining rings, and repair, if necessary. This action is prompted by a report that bearings in these installations may be improperly retained. This condition, if not corrected, could lead to excessive wear and/or loss of function of the affected control systems.

DATE: Comments must be received no later than September 21, 1987.

ADDRESSES: Send comments on the proposal in duplicate to the Federal Aviation Administration, Northwest Mountain Region, Office of the Regional; Counsel (Attention: ANM–103), Attention: Airworthiness Rules Docket No. 87–NM–95–AD, 17900 Pacific Highway South, C–68966, Seattle, Washington 98168. The applicable service information may be obtained from British Aerospace, Librarian for Service Bulletins, P.O. Box 17414, Dulles International Airport, Washington, DC 20041. This information may be examined at the FAA, Northwest Mountain Region, 17900 Pacific Highway South, Seattle, Washington, or the Seattle Aircraft Certification Office, 9010 East Marginal Way South, Seattle, Washington.

FOR FURTHER INFORMATION CONTACT: Ms. Judy Golder, Standardization Branch, Seattle Aircraft Certification Office, ANM–113; telephone (206) 431–1967. Mailing address: FAA, Northwest Mountain Region, 17900 Pacific Highway South, C–68966, Seattle, Washington 98168.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket number and be submitted in duplicate to the address specified above. All communications received on or before the closing date for comments specified above will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this Notice may be changed in light of the comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Availability of NPRM

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the FAA, Northwest Mountain Region, Office of the Regional Counsel (Attention: ANM–103), Attention: Airworthiness Rules Docket No. 87–NM–95–AD, 17900 Pacific Highway South, C–68966, Seattle, Washington 98168.

Discussion

The United Kingdom Civil Aviation Authority (CAA) has, in accordance with existing provisions of bilateral airworthiness agreement, notified the FAA of an unsafe condition that may exist on all British Aerospace Model H.S. 748 series airplanes. It has been reported that certain bearing retention rings have been improperly installed. This condition, if not corrected, could lead to excessive wear, binding, and/or restriction of motion of affected control systems.

British Aerospace (BAe) issued Service Bulletin 27/110, dated November 1986, which describes inspection of bearing retention, and repair, if necessary, of the rudder spring tab, the flap center torque shaft assemblies, flap torque shaft at Station 296.366, and the flap interference roller at Station 91.91. The CAA has classified the service bulletin as mandatory.

This airplane model is manufactured in the United Kingdom and type certificated in the United States under the provisions of section 21.29 of the Federal Aviation Regulations and the applicable bilateral airworthiness agreement.

Since these conditions are likely to exist or develop on airplanes of this model registered in the United States, an AD is proposed that would require

visual inspection, and repair, if necessary, of the subject bearing installations in accordance with the service bulletin previously mentioned.

It is estimated that 2 airplanes of U.S. registry would be affected by this AD, that it would take approximately 2 manhours per airplane to accomplish the required actions, and that the average labor cost would be $40 per manhour. Based on these figures, the total cost impact of this AD to U.S. operators is estimated to be $160.

For the reasons discussed above, the FAA has determined that this document (1) involves a proposed regulation which is not major under Executive Order 12291 and (2) is not a significant rule pursuant to the Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and it is further certified under the criteria of the Regulatory Flexibility Act that this proposed rule, if promulgated, will not have a significant economic impact on a substantial number of small entities because of the minimal cost of compliance per airplane ($80). A copy of a draft regulatory evaluation prepared for this action is contained in the regulatory docket.

List of Subjects in 14 CFR Part 39

Aviation safety, Aircraft.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration prooses to amend § 39.13 of Part 39 of the Federal Aviation Regulations as follows:

PART 39—[AMENDED]

1. The authority citation for Part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); and 14 CFR 11.89.

2. By adding the following new airworthiness directive:

British Aerospace: Applies to all Model H.S. 748 series airplanes, as listed in the BAe Service Bulletin 27/110, dated November 1986, certificated in any category. Compliance is required within 60 days after the effective date of this AD unless previously accomplished.

To prevent interference caused by loose bearings, accomplish the following:

A. Inspect the bearing installations of the rudder spring tab, flap torque shaft assemblies, and flap interference roller in accordance with BAe Service Bulletin 27/110, dated November 1986. Any bearing installation found to be loose must be repaired prior to further flight, in accordance with the BAe service bulletin.

B. An alternate means of compliance or adjustment of the compliance time, which provides an acceptable level of safety, may be used when approved by the Manager, Standardization Branch, ANM-113, FAA, Northwest Mountain Region.

C. Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base for the accomplishment of inspections and/or modifications required by this AD.

All persons affected by this proposal who have not already received the appropriate service documents from the manufacturer may obtain copies upon request to British Aerospace, Librarian for Service Bulletins, P.O. Box 17414, Dulles International Airport, Washington, DC 20041. These documents may be examined at the FAA, Northwest Mountain Region, 17900 Pacific Highway South, Seattle, Washington, or at the Seattle Aircraft Certification Office, 9010 East Marginal Way South, Seattle, Washington.

Issued in Seattle, Washington, on August 7, 1987.

Frederick M. Isaac,

Acting Director Northwest Mountain Region.

[FR Doc. 87-19019 Filed 8-19-87; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 71

[Airspace Docket No. 87-ACE-07]

Proposed Alteration of Transition Area, Millard, NE

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Proposed Rulemaking (NPRM).

SUMMARY: This Notice proposes to alter the 700-foot transition area at Millard, Nebraska, to provide additional controlled airspace for aircraft executing a new instrument approach procedure to the Millard Municipal Airport, Millard, Nebraska, utilizing the Omaha VORTAC as a navigational aid.

DATE: Comments must be received on or before September 21, 1987.

ADDRESSES: Send comments on the proposal to: Federal Aviation Administration, Manager, Traffic Management and Airspace Branch, Air Traffic Division, ACE-540, 601 East 12th Street, Kansas City, Missouri 64106, Telephone (816) 374-3408.

The official docket may be examined at the Office of the Regional Counsel, Central Region, Federal Aviation Administration, Room 1558, 601 East 12th Street, Kansas City, Missouri.

An informal docket may be examined at the Office of the Manager, Traffic Management and Airspace Branch, Air Traffic Division.

FOR FURTHER INFORMATION CONTACT: Dale L. Carnine, Airspace Specialist, Traffic Management and Airspace Branch, Air Traffic Division, ACE-540, FAA, Central Region, 601 East 12th Street, Kansas City, Missouri 64106, Telephone (816) 374-3408.

SUPLEMENTARY INFORMATION:

Comments Invited

Interested persons may participate in the proposed rulemaking by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number, and be submitted in duplicate to the Traffic Management and Airspace Branch, Air Traffic Division, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106. All communications received on or before the closing date for comments will be considered before action is taken on the proposed amendment. The proposal contained in this Notice may be changed in light of the comments received. All comments received will be available both before and after the closing date for comments in the Rules Docket for Examination by interested persons.

Availability of NPRM

Any person may obtain a copy of this NPRM by submitting a request to the Federal Aviation Administration, Traffic Management and Airspace Branch, 601 East 12th Street, Kansas City, Missouri 64106, or by calling (816) 374-3408.

Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for further NPRMS should also request a copy of Advisory Circular No. 11-2A which describes the application procedure.

Discussion

The FAA is considering an amendment to Subpart G, § 71.181, of the Federal Aviation Regulations [14 CFR 71.181] by altering the 700-foot transition area at Millard, Nebraska. To enhance airport usage, additional instrument approach capability was requested by the airport manager. Therefore, a new instrument approach procedure to the Millard, Nebraska Municipal Airport is being established utilizing the Omaha VORTAC as a navigational aid. The establishment of this new instrument approach procedure based on this navigational aid entails alteration of the transition area at Millard, Nebraska, at and above 700 feet above ground level within which aircraft are provided air traffic control service. The intended effect of this action is to ensure segregation of aircraft using the

approach procedure under Instrument Flight Rules (IFR) and other aircraft operating under Visual Flight Rules (VFR). Section 71.181 of Part 71 of the Federal Aviation Regulations was republished in Handbook 7400.6C, January 2, 1987.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Aviation safety, Transition areas.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration (FAA) proposes to amend Part 71 of the FAR (14 CFR Part 71) as follows:

PART 71—[AMENDED]

1. The authority citation for Part 71 continues to read as follows:

Authority: 49 U.S.C. 1348(a), 1354(a), 1510; E.O. 10854; 49 U.S.C. 106(g) (Revised Pub. L. 97–449, January 12, 1983); 14 CFR 11.69.

§ 71.181 [Amended]

2. By amending § 71.181 as follows:

Millard, NE [Revised]

That airspace extending upward from 700 feet above the surface within a 6½ mile radius of the Millard Municipal Airport (Lat. 41°11'46" N., Long. 96°06'43" W.); and within 4.75 miles each side of the 310° bearing from the Millard Municipal Airport extending from the 6½ mile radius area to 9½ miles northwest of the airport.

Issued in Kansas City, Missouri, on August 6, 1987.

Clarence E. Newbern,

Acting Manager, Air Traffic Division.

[FR Doc. 87–19029 Filed 8–19–87; 8:45 am]

BILLING CODE 4910–13–M

FEDERAL TRADE COMMISSION

16 CFR Part 13

[File No. 871–0066]

Supermarket Development Corp.; Proposed Consent Agreement With Analysis to Aid Public Comment

AGENCY: Federal Trade Commission.

ACTION: Proposed Consent Agreement.

SUMMARY: In settlement of alleged violations of federal law prohibiting unfair acts and practices and unfair method of competition, this consent agreement, accepted subject to final Commission approval, would allow, among other things, Furr's, a subsidiary of Supermarket Development Corp. of Dallas, Texas, to acquire Safeway's El Paso division. The companies would be required to divest grocery stores in 12 towns throughout Texas and New Mexico. The respondent would be required to divert within nine months after the order becomes final, to a Commission-approved acquirer, to hold the Safeway assets separate and treat them as an independent business until all of the required divestitures are made, and would require the respondent to seek prior FTC approval before acquiring any grocery store in 19 cities in west Texas and New Mexico.

DATE: Comments must be received on or before October 19, 1987.

ADDRESS: Comments should be addressed to: FTC/Office of the Secretary, Room 136, 6th St. and Pa. Ave. NW., Washington, DC 20580.

FOR FURTHER INFORMATION CONTACT: FTC/S–3302, Joan Greenbaum, Washington, DC 20580. (202) 326–2629.

SUPPLEMENTARY INFORMATION: Pursuant to section 6(f) of the Federal Trade Commission Act, 38 Stat. 721, 15 U.S.C. 46 and § 2.34 of the Commission's Rules of Practice (16 CFR 2.34), notice is hereby given that the following consent agreement containing a consent order to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of sixty (60) days. Public comment is invited. Such comments or views will be considered by the Commission and will be available for inspection and copying at its principal office in accordance with § 4.9(b)(14) of the Commission's Rules of Practice (16 CFR 4.9(b)(14)).

List of Subjects in 16 CFR Part 13

Grocery stores, Trade practices.

In the matter of Supermarket Development Corporation, a corporation, and SSI Associates, L.P., a limited partnership.

Agreement Containing Consent Order

The Federal Trade Commission ("the Commission"), having initiated an investigation of the proposed acquisition of certain assets of SSI Associates, L.P.'s ("SSI") subsidiary Safeway Stores, Incorporated (hereinafter collectively "Safeway") by Furr's, Inc., a wholly-owned subsidiary of Supermarket Development Corporation (hereinafter collectively "Furr's"), and it now appearing that Safeway and Furr's are willing to enter into an Agreement Containing a Consent Order ("Agreement") to divest certain assets:

It is hereby agreed by and between Furr's and Safeway by their duly authorized officers and their attorneys and counsel for the Commission that:

1. SDC, which owns 100 percent voting securities and controls Furr's, Inc., is a corporation organized and existing under the laws of the State of Texas with its executive offices located at 1500 Diamond Shamrock Tower, Dallas, Texas 75201;

Furr's Inc. is a corporation organized and existing under the laws of the State of Texas with its executive offices located at 1708 Avenue G, Lubbock, Texas 79409 (hereinafter, SDC and Furr's will be referred to as "Furr's");

SSI Associates, L.P., which owns 96.4 percent of the voting securities of Safeway and controls Safeway, is a limited partnership organized and existing under the laws of the State of Delaware with its executive offices located c/o Kohlberg Kravis Roberts & Company, 101 California Street, San Francisco, California 94111;

Safeway is a corporation organized and existing under the laws of the State of Delaware, with its executive offices located at 201 Fourth Street, Oakland, California 94660 (hereinafter, SSI and Safeway will be referred to as "Safeway").

2. Furr's and Safeway have been furnished a draft complaint, here attached, that the Bureau of Competition will present to the Commission for its consideration, which Furr's and Safeway understand may then be issued by the Commission.

3. Furr's and Safeway admit all jurisdictional facts set forth in the attached draft of the complaint.

4. Furr's and Safeway waive:

a. any further procedural steps;

b. The requirement that the Commission's decision contain a statement of findings of fact and conclusions of law;

c. All rights to seek judicial review or otherwise challenge or contest the

validity of the order entered pursuant to this agreement; and

d. All rights under the Equal Access to Justice Act.

5. This agreement shall not become a part of the public record unless and until it is accepted by the Commission. If this agreement is accepted by the Commission, it, together with the draft of complaint contemplated thereby, will be placed on the public record for a period of sixty days and information in respect thereto publicly released. The Commission thereafter may either withdraw its acceptance of this agreement and so notify Furr's and Safeway, in which event it will take such action as it may consider appropriate, or issue and serve its complaint (in such form as the circumstances may require) and decision, in disposition of the proceeding.

6. This agreement is for settlement purposes only and does not constitute an admission by Furr's or Safeway that the law has been violated as alleged in the draft of the complaint here attached.

7. This agreement contemplates that, if it is accepted by the Commission, and if such acceptance is not subsequently withdrawn by the Commission pursuant to the provisions of § 2.34 of the Commission's Rules, the Commission may, without further notice to Furr's or Safeway, (1) issue its complaint corresponding in form and substance with the draft of the complaint attached hereto and its decision containing the following Order to divest and to cease and desist in disposition of the proceeding, and (2) make information public with respect thereto. When so entered, the Order to divest and to cease and desist shall have the same force and effect and may be altered, modified or set aside in the same manner and within the same time provided by statute for other orders. The Order shall become final upon service. Delivery by the U.S. Postal Service of the complaint and decision containing the agreed-to Order to Supermarket Development Corporation and SSI Associates, L.P.'s addresses as stated in this agreement shall constitute service. Furr's and Safeway waive any right they may have to any other manner of service. The complaint may be used in constructing the terms of the Order, and no agreement, understanting, representation or interpretation not contained in the Order or the agreement may be used to vary or contradict the terms of the Order.

8. Furr's and Safeway have read the draft of complaint and Order contemplated hereby. They understand that once the Order has been issued, they will be required to file one or more compliance reports showing that they have fully complied with the Order. Furr's and Safeway further understand that they may be liable for civil penalties in the amount provided by law for each violation of the Order after it becomes final.

Order

I.

As used in this Order, the following definitions shall apply:

(a) "Furr's means Furr's, Inc., its predecessors, subsidiaries, divisions, groups and affiliates controlled by Furr's and their respective directors, officers, employees, agents and representatives and their respective successors and assigns, and Supermarket Development Corporation, its predecessors, subsidiaries, divisions, groups and affiliates controlled by Supermarket Development Corporation and their respective directors, officers, employees, agents and respresentatives and their respective successors and assigns.

(b) "Safeway" means Safeway, its predecessors, subsidiaries, divisions, groups and affiliates controlled by Safety and their respective directors, officers, employees, agents and representatives and their respective successors and assigns and SSI Associates, L.P., its predecessors, subsidiairies, divisions, groups and affiliates controlled by SSI Associates, L.P. and their respective directors, officers, employees, agents and representatives and their respective successors and assigns.

(c) "Acquisition" means Furr's acquisition of the assets of Safeway's El Paso Division.

(d) "El Paso Division" means the sixty grocery stores of Safeway in its El Paso Division, inventory, an administrative building, a distribution center and all related real property and facilities, excluding the dairy and ice cream plants.

(e) "Assets to be divested" means the assests described in Paragraph II (A), also known as "II (A) properties."

(f) "To be acquired store" means a retail grocery store in the El Paso Division.

II.

It is ordered that:

(A) Furr's shall divest, absolutely and in good faith, within nine months from the date this Order becomes final, either a to be acquired store or a grocery store presently operated by Furr's in each of the following locations:

(a) Alamagordo, New Mexico;
(b) Artesia, New Mexico;
(c) Clovis, New Mexico;
(d) Espanola, New Mexico;
(e) Fort Stockton Texas;
(f) Hobbs, New Mexico;
(g) Las Vegas, New Mexico;
(h) Lovington, New Mexico;
(i) Pecos, Texas;
(j) Portales, New Mexico;
(k) Roswell, New Mexico; and
(l) Silver City, New Mexico.

(B) Furr's and Safeway shall maintain the viability and marketability of the assets required to be divested and shall not cause or permit the destruction, removal or impairment of any assets or business to be divested except in the ordinary course of business and except for ordinary wear and tear.

(C) The divestitures required by Paragraph II(A) shall be divested to an acquirer or acquirers, and only in a manner, that receives the prior approval of the Commission. The purpose of the divestiture and Agreements is to ensure the continuation of the assets as ongoing, viable enterprises engaged in the retail sale of groceries and to remedy the lessening of competition resulting from the Acquisition as alleged in the Commission's complaint.

(D) If Furr's has not secured approval from the Commission of a divestiture of all the properties within the nine-month period specified in Paragraph II(A), Furr's consents to the appointment by the Commission of a trustee to divest the properties. In the event that the Commission brings an action pursuant to section 5(*1*) of the Federal Trade Commission Act, 15 U.S.C. 45(*1*), or any other statute enforced by the Commission, Furr's consents to the appointment of a trustee in such action. The appointment of a trustee shall not preclude the Commission from seeking civil penalties and other relief available to it for any failure by Furr's to comply with this Order.

(E) If a trustee is appointed by the Commission or a court pursuant to Paragraph II(D) of this Order, Furr's consents to the following terms and conditions regarding the trustee's duties and responsibilities:

1. The Commission shall select the trustee, subject to Furr's consent, which shall not be unreasonably withheld. The trustee shall be a person with experience and expertise on acquisitions and divestitures.

2. The trustee shall have the power and authority to divest any properties listed in Paragraph II(A) in any location listed therein in which a store has not been divested or for which a contract of sale has not been approved by the Commission within the time period for divestiture in paragraph II(A). The

trustee shall have six months from the date of appointment to accomplish the divestiture, which shall be subject to the prior approval of the Commission and, if the trustee is appointed by a court, subject also to the prior approval of the court.

3. If, at the end of the six-month period, the trustee has not secured approval of divestiture as required by Paragraph II(A), the trustee may, if the Commission requires in order to accomplish the divestiture, add such other assets acquired pursuant to the Acquisition as are required to effectuate the divestiture of the II(A) properties.

4. The trustee shall have full and complete access to the personnel, books, records and facilities of any store that the trustee has the duty to divest, and Furr's shall develop such financial or other information relevant to the assets to be divested as such trustee may reasonably request. Furr's shall cooperate with the trustee, and shall take no action to interfere with or impede the trustee's accomplishment of the divestiture.

5. The power and authority of the trustee to divest shall be at the most favorable price and terms available consistent with the Order's absolute and unconditional obligation to divest and the purposes of the divestiture as stated in paragraph II(C).

6. The trustee shall serve at the cost and expense of Furr's on such reasonable and customary terms and conditions as the Commission or a court may set. The trustee shall account for all moneys derived from the sale and all expenses incurred. After approval by the Commission or the court of the account of the trustee, including fees for his or her services, all remaining moneys shall be paid to Furr's and the trustee's power shall be terminated. The trustee's compensation shall be based at least in significant part on a commission arrangement contingent on the trustee divesting the trust property.

7. Within 30 days of the appointment of the trustee, Furr's shall, subject to the Commission's prior approval, and consistent with provisions of this order, transfer to the trustee all rights and powers necessary to permit the trustee to cause divestiture and sign agreements for the divestiture of the trust properties.

8. If the trustee ceases to act or fails to act diligently, a substitute trustee shall be appointed.

9. The trustee shall report in writing to the Commission and Furr's every sixty days concerning the trustee's efforts to accomplish divestiture.

(F) The Agreement to Hold Separate is attached hereto as Appendix I and made a part hereof. It shall continue in effect until such time as a store in each of the locations listed in Paragraph II (A) has been divested either by Furr's or a trustee.

III.

It is further ordered that, within sixty days after the date of service of this Order, and every sixty days thereafter until Furr's and Safeway have fully complied with the provisions of paragraph II of this Order, Furr's and Safeway shall submit to the Commission a verified written report setting forth in detail the manner and form in which they intend to comply, are complying with, or have complied with that provision. Furr's and Safeway shall include in compliance reports, among other things that are required from time to time, a full description of contacts or negotiations for the divestiture of the II (A) properties, including the identity of all parties contacted. Furr's and Safeway also shall include in compliance reports copies of all written communications to and from such parties, and all internal memoranda, reports and recommendations concerning divestiture.

IV.

It is further ordered that for a period commencing on the date of service of this Order and continuing for ten years from and after the date of service of this Order, Furr's shall cease and desist from acquiring, without the prior approval of the Federal Trade Commission, directly or indirectly, through subsidiaries or otherwise, any retail grocery store, including any facility that has been operated as a retail grocery store within six months of the date of the offer to purchase the facility, or any interest in a retail grocery store or any interest in any individual, firm, partnership, corporation or other legal or business entity that directly or indirectly owns or operates a retail grocery store in the following cities or towns:

Albuquerque, New Mexico;
Alamagordo, New Mexico;
Artesia, New Mexico;
Carlsbad, New Mexico;
Clovis, New Mexico;
El Pase, Texas;
Espanola, New Mexico;
Fort Stockton, Texas;
Hobbs, New Mexico;
Las Cruces, New Mexico;
Las Vegas, New Mexico;
Lovington, New Mexico;
Midland, Texas;
Odessa, Texas;
Pecos, Texas;
Portales, New Mexico;
Roswell, New Mexico;
Santa Fe, New Mexico; and
Silver City, New Mexico, Provided, however, that these prohibitions shall not relate to the construction of new facilities by Furr's or the leasing of a facility by Furr's not presently a grocery store in those locations.

One year from the date of service of this Order and annually thereafter, Furr's shall file with the Commission a verified written report of its compliance with this paragraph.

V.

For the purposes of determining or securing compliance with this Order, and subject to any legally recognized privilege, upon written request and on reasonable notice to Furr's or Safeway made to their principal offices, Furr's and Safeway shall permit any duly authorized representatives of the Commission:

1. Access, during office hours and in the presence of counsel, to inspect and copy all books, ledgers, accounts, correspondence, memoranda and other records and documents in the possession or under the control of Furr's or Safeway relating to any matters contained in this Order; and

2. Upon five days' notice to Furr's or Safeway and without restraint or interference from them, to interview officers or employees of Furr's or Safeway, who may have counsel present, regarding such matters.

VI.

It is Further Ordered that Furr's shall notify the Commission at least thirty days prior to any change in its corporate structure that may affect compliance obligations arising out of this Order including but not limited to dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change.

In the Matter of Supermarket Development Corporation, a corporation, and SSI Associates, L.P., a limited partnership.

Agreement to Hold Separate

Agreement dated as of August 13, 1987 (the "Agreement"), by and between Supermarket Development Corporation, a corporation organized and existing under the laws of the State of Texas, with executive offices located at 1500 Diamond Shamrock Tower, Dallas, Texas 75210, and Furr's, Inc., a corporation organized and existing under the laws of the State of Texas, with executive offices located at 1708 Avenue G, Lubbock, Texas 79408, (collectively "Furr's"), SSI Associates, L.P., a limited partnership organized and existing under the laws of the State of Delaware with executive officers located c/o Kohlberg Kravis Roberts &

Company, 101 California Street, San Francisco, California 94111, and Safeway Stores, Incorporated, a corporation organized and existing under the laws of the State of Delaware, with executive offices located at 201 Fourth Street, Oakland, California 94660 (collectively "Safeway") and the Federal Trade Commission ("the Commission"), an independent agency of the United States Government, established under the Federal Trade Commission Act of 1914, 15 U.S.C. 41, et seq. (collectively, the "Parties").

Premises

Whereas, Furr's, pursuant to an agreement dated April 9, 1987, agreed to purchase substantially all of the assets of Safeway's El Paso Division ("the Acquisition"); and

Whereas, the Commission having reason to believe that the Acquisition would violate the statutes enforced by the Commission; and

Whereas, if the Commission accepts the attached Agreement Containing Consent Order ("Consent Order") the Commission must place it on the public record for a period of at least sixty days and may subsequently withdraw such acceptance pursuant to the provisions of § 2.34 of the Commission's Rules; and

Whereas, the Commission is concerned that if an understanding is not reached preserving the status qou ante of Safeway's El Paso Division during the period prior to the divestiture of the properties to be divested pursuant to paragraph II (A) of the Consent Order ("II (A) properties") or the Acquisition is not preliminarily enjoined, divestiture resulting from any proceeding challenging the legality of the Acquisition might not be possible or might be a less than effective remedy; and

Whereas, the Commission is concerned that if the acquisition is consummated, it may be necessary to preserve the Commission's ability to require the divestiture of the II (A) properties and the Commission's ability to seek to restore the El Paso Division as a viable competitor; and

Whereas, the purpose of this Agreement and the Consent Order is to preserve Safeway's El Paso Division as a viable operation pending the divestiture of the II (A) properties as viable, ongoing enterprises, in order to remedy any anticompetitive effects of the Acquisition and to preserve Safeway's El Paso Division as a viable operation in the event that divestiture of the II (A) properties is not achieved; and

Whereas, Furr's and Safeway's entering into this Agreement shall in no way be construed as an admission by Furr's or Safeway that the Acquisition is illegal; and

Whereas, Furr's and Safeway understand that no act or transaction contemplated by this Agreement shall be deemed immune or exempt from the provisions of the antitrust laws or the Federal Trade Commission Act by reason of anything contained in this Agreement.

Now, therefore, upon the understanding that the Commission has determined that the Acquisition would be challenged, and in consideration of the Commission's agreement that, unless the Commission determines to reject the Consent Order, it will not seek further relief from the parties with respect to the Acquisition, except that the Commission may exercise any and all rights to enforce this Agreement and the Consent Order to which it is annexed and made a part thereof, the Parties agree as follows:

1. Furr's and Safeway agree to execute and be bound by the attached Consent Order.

2. Furr's and Safeway agree that from the date the Commission accepts this Agreement:

(a) Until three business days after the Commission withdraws its acceptance of the Consent Order pursuant to the provisions of Section 2.34 of the Commission's rules; or

(b) Until such time as all of the II(A) properties have been divested or until the expiration of the time period during which a trustee may attempt to divest the II(A) properties as provided in Paragraph II(D) and II(E) of the Consent Order,

Furr's shall hold separate and apart Safeway's El Paso Division assets and business, which consists of the sixty grocery stores, inventory, an administrative building, a distribution center and all related real preperty and facilities of the Division (the assets and businesses to be held separately are collectively referred to hereinafter as "El Paso Division"), subject to the following terms and conditions:

(i) Furr's shall not exercise direction or control over, or influence directly or indirectly, the El Paso Division, except as is necessary to insure compliance with this Agreement and except as hereinafter provided;

(ii) Furr's shall not cause or permit the wasting or deterioration of the EL Paso Division assets in any manner that impairs the marketability of any such assets and operations or impairs in any manner the viability of the assets and operations as a going concern engaged in the retail grocery business until such time as the divestiture as required by the Consent Order has been accomplished;

(iii) Furr's shall assure that the El Paso Division shall maintain separate financial and operating books and records, shall prepare separate financial statements for the El Paso Division assets and shall, within 10 days after they become available to Furr's, provide the Commission's Bureau of Competition with quarterly and annual financial statements for the El Paso Division assets, which annual financial statements shall be audited and certified by independent certified public accountants;

(iv) Furr's will not replace any executive of the El Paso Division or Safeway's Store Manager, Produce Manager or Meat Manager in any El Paso Division store (except to fill a vacancy) but may replace any other employee of the El Paso Division;

(v) Consistent with the El Paso Division's use of its distribution center and assets in such a way as to assure the maintenance of the El Paso Division as a viable competitor, the El Paso Division distribution center may supply stores operated by Furr's during the pendency of this Agreement, provided that Furr's will pay a fee to the El Paso Division for distribution, space and services in accordance with the El Paso Division's current established rates;

(vi) Furr's will not sell or otherwise dispose of the distribution center or any retail grocery stores of the El Paso Division (except the stores required to be sold pursuant to Paragraph II(A) of the Consent Order) during the pendency of the hold separate agreement. Furr's shall not mortgage, pledge or incur lines against the El Paso Division assests or a portion thereof as security for any indebtedness of Furr's or pursuant to any loan transaction unless the proceeds are utilized entirely for operation of the El Paso Division assets;

(vii) Purchasing for the Furr's and the El Paso Division shall be done by each entity for its retail grocery operations; and

(viii) Except for payables incurred for inventory, supplies and services in connection with the El Paso Division's normal operations, Furr's prior consent may be required for the following actions of the El Paso Division:

(a) Entering into any contractual agreement which involves commitments in excess of $25,000 and which may not be terminated without penalty on notice of 30 days or less;

(b) Committing for any capital expenditure in excess of $25,000 except for normal maintenance of facilities and equipment;

(c) Incurring any indebtedness in excess of $25,000; and

(d) Entering into any union agreements or modifying any existing union agreements.

3. If the Commission seeks in any proceeding with respect to the Acquisition to compel Furr's to divert itself of the El Paso Division assets it may acquire, or to compel Furr's to divest itself of any assets it may hold, or to seek any other injunctive or equitable relief, neither Furr's nor Safeway shall raise an objection based upon the expiration of the applicable Hart-Scott-Rodino Antitrust Improvements Act waiting periods or the fact that the Commission has permitted the El Paso Division assets to be acquired and a formal merger concluded pursuant to the terms of this Agreement. Furr's and Safeway also waive all rights to contest the validity of this Agreement.

4. For the purpose of determining or securing compliance with this Agreement, subject to any legally recognized privilege, and upon written request with reasonable notice to Furr's or Safeway made to their principal offices, Furr's and Safeway shall permit any duly authorized representative or representatives of the Commission:

a. Access during the office hours of Furr's or Safeway, in the presence of counsel, to inspect and copy all books, ledgers, accounts, correspondence, memoranda and other records and documents in the possession or under the control of Furr's or Safeway relating to compliance with this Agreement;

b. Upon five days notice to Furr's or Safeway and without restraint or interference from them, to interview officers or employees of Furr's or Safeway, who may have counsel present, regarding any such matters.

c. Any information or documents furnished to or obtained by the Commission from Furr's or Safeway shall be accorded such confidential treatment as is available pursuant to sections 6(f) and 21 of the Federal Trade Commission Act, as amended.

4. This Agreement shall not be binding until approved by the Commission.

Analysis to Aid Public Comment on Provisionally Accepted Consent Order

The Federal Trade Commission has accepted for public comment from Supermarket Development Corporation and SSI Associates, L.P., an agreement containing consent order. This agreement has been placed on the public record for sixty days for reception of comments from interested persons.

Comments received during this period will become part of the public record. After sixty days, the Commission will again review the agreement and comments received, and will decide whether it should withdraw from the agreement or make final the agreement's order.

The Commission's investigation of this matter concerns the proposed acquisition by Supermarket Development Corporation ("SDC"), through its wholly-owned subsidiary, Furr's, Incorporated ("Furr's"), of the assets of the El Paso Division of Safeway Stores. Incorporated ("Safeway"). SDC and Safeway operate supermarkets throughout west Texas and New Mexico. Both SDC and Safeway also operate various warehouses and manufacturing facilities in support of their retail operations.

The agreement containing consent order would, if issued by the Commission, settle the complaint that alleges an anticompetitive effect in the retail sale of groceries by supermarkets in twelve cities and towns in west Texas and New Mexico, including: Fort Stockton and Pecos in Texas; and Alamagordo, Artesia, Clovis, Espanola, Hobbs, Las Vegas, Lovington, Portales, Roswell and Silver City in New Mexico.

The Commission has reason to believe that the acquisition would have an anticompetitive effect in the retail sale of groceries by supermarkets in the cities and towns described above, and would violate Section 7 of the Clayton Act and Section 5 of the Federal Trade Commission Act, unless an effective remedy eliminates the anticompetitive effect.

The Order accepted for public comment contains provisions requiring the divestiture, in each of the twelve cities and towns described above, of either: (1) A store acquired by SDC from Safeway; or (2) a store currently operated by SDC.

Under the terms of the Order, SDC must complete the required divestitures within nine months of the date of the Order becomes final. If SDC fails to complete the required divestitures within the nine-month period, SDC shall consent to the appointment of a trustee, who would have six additional months to divest the Safeway assets. After the initial six-month period, if the trustee is not able to find purchasers for the assets, the trustee would have discretion, if the Commission finds it necessary, to sell any other assets of the El Paso Divisions, up to and including all of the assets of the Division, in order to effectuate a sale of the stores in the twelve towns described above. Any proposed divestiture pursuant to the Order must be approved by the Federal Trade Commission after the divestiture proposal has been placed on the public record for reception of comments from interested persons.

For a period of ten years from its effective date, the Order would also prohibit SDC from acquiring, without prior Commission approval, assets or any interest in any retail grocery store, or in any retail grocery store closed within 6 months preceding the offer to purchase, or in any company operating retail grocery stores, in nineteen cities and towns in west Texas and New Mexico, including: El Paso, Fort Stockton, Midland, Odessa, and Pecos, in Texas; and Albuquerque, Alamagordo, Artesia, Carlsbad, Clovis, Espanola, Hobbs, Las Cruces, Las Vegas, Lovington, Portales, Roswell, Santa Fe, and Silver City, in New Mexico. In these nineteen cities and towns, both SDC and Safeway currently operate retail grocery stores.

It is anticipated that the provisions of the Order would resolve the competitive problems alleged in the complaint. The purpose of this analysis is to invite public comment concerning the consent Order, in order to aid the Commission in its determination of whether it should make final the order contained in the agreement.

This analysis is not intended to constitute an official interpretation of the agreement and order to modify its terms in any way.

Benjamin I. Berman,

Acting Secretary.

[FR Doc. 87-19043 Filed 8-19-87; 8:45 am]

BILLING CODE 6750-01-M

VETERANS ADMINISTRATION

38 CFR Part 21

Election of Benefits

AGENCY: Veterans Administration.

ACTION: Proposed amendments.

SUMMARY: The Veterans Administration (VA) is proposing to amend the rules affecting election of benefits under the vocational rehabilitation program. The Veterans' Compensation and Program Improvement Amendments of 1984 allowed concurrent receipt of benefits under the vocational rehabilitation program and another program of education administered by the VA under certain limited conditions. The Omnibus Veterans' Benefits Improvement and Health Care Authorization Act of 1986 bars concurrent receipt of benefits under the vocational rehabilitation program and another program of education administered by the VA under any conditions. The proposed regulatory

amendments would bring existing rules into conformity with these statutory changes.

DATES: Comments must be received on or before September 21, 1987. Comments will be available for public inspection until October 2, 1987. These amendments are proposed to be effective October 28, 1986, except for § 21.21(a)(2), which is proposed to be effective March 2, 1984.

ADDRESSES: Interested persons are invited to submit written comments, suggestions, or objections regarding these changes to the Administrator of Veterans Affairs (271A), Veterans Administration, 810 Vermont Avenue NW., Washington, DC 20420. All written comments received will be available for public inspection at the above address only between the hours of 8:00 a.m. and 4:30 p.m. Monday through Friday (except holidays) until October 2, 1987.

FOR FURTHER INFORMATION CONTACT: Morris Triestman, Rehabilitation Consultant, Policy and Program Development, Vocational Rehabilitation and Education Service, Department of Veterans Benefits, (202) 233–2886.

SUPPLEMENTARY INFORMATION: Prior to the enactment of Pub. L. 98–223, Veterans' Compensation and Program Improvement Amendments of 1984, a veteran who was eligible for benefits under the vocational rehabilitation program and another program of education had to elect the program under which he or she wished to receive benefits. Pub. L. 98–223 continued the prior policy barring benefits for pursuit of the same training under the vocational rehabilitation program and another education program administered by the VA. However, the law allowed an otherwise eligible veteran to receive benefits under the vocational rehabilitation program and another program if he or she were pursuing different types of training under each of these programs of education. Pub. L. 99–576, Omnibus Veterans' Benefits Improvement and Health Care Authorization Act of 1986, bars concurrent payment of benefits under the vocational rehabilitation program and another program of education administered by the VA under any conditions. The change made by Pub. L. 99–576, therefore, restores the policy which was in effect prior to the enactment of Pub. L. 98–223. Section 21.21 is amended to conform with both statutory changes.

The VA proposes to make these regulations retroactively effective. The amendment allowing receipt of benefits under the vocational rehabilitation program and another program of education administered by the VA under certain conditions is retroactively effective March 2, 1984. The rule barring concurrent receipt of benefits under any conditions is retroactively effective October 28, 1986. In each case, the effective date is the date the statutory provision becomes effective. These are interpretive rules which implement statutory changes. Moreover, the VA finds that good cause exists for making these rules, like the sections of law which they implement, retroactively effective to the respective dates of enactment. A delayed effective date would be contrary to statutory design; would complicate implementation of these provisions of law; and might result in denial of a benefit to a veteran who is entitled by law to that benefit.

These proposed amendments do not meet the criteria for major rules as contained in Executive Order 12291, Federal Regulation. The proposal will not have a $100 million annual effect on the economy, will not cause a major increase in costs or prices, and will not have any other significant adverse effects on the economy.

The regulations contained herein will better acquaint eligible veterans, vocational training and rehabilitation facilities, and the public at large with the way these provisions will be implemented.

The Administrator certifies that these proposed amendments will not, if promulgated, have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act (RFA), 5 U.S.C. 601–612. Pursuant to 5 U.S.C. 605(b), these proposed rules are therefore exempt from the initial and final regulatory flexibility analyses requirements of sections 603 and 604. The reasons for this certification are that the proposed regulatory amendments implement and interpret statutory provisions. These changes only concern the eligibility and participation of individual veterans under ths program.

(The Catalog of Federal Domestic Assistance Number is 64.116)

List of Subjects in 38 CFR Part 21

Civil rights, Claims, Education, Grant programs, Loan programs, Reporting requirements, Schools, Veterans, Vocational education, Vocational rehabilitation.

Approved: July 23, 1987.

Thomas K. Turnage,

Administrator.

PART 21—[AMENDED]

38 CFR Part 21, Vocational Rehabilitation and Education, is proposed to be amended by revising § 21.21 to read as follows:

§ 21.21 Election of benefits under education programs administered by the Veterans Administration.

(a) *Election of benefits.* A veteran must make an election of benefits in all cases. The veteran may reelect at any time. The veteran's election of benefits is subject to the following conditions:

(1) A veteran who has basic entitlement to rehabilitation under chapter 31 and is also eligible for assistance under one of the other programs listed in § 21.4020 may not receive benefits concurrently under more than one program except as indicated in paragraph (a)(2) of this section;

(2) An eligible veteran may receive benefits concurrently for pursuit of different programs of education or training under chapter 31 and another program of education listed in § 21.4020 during the period from March 2, 1984 to October 27, 1986.

(38 U.S.C. 1781(b); sec. 317, Pub. L. 99–576)

(b) *Use of prior training in formulating a rehabilitation program.* If a veteran has pursued an educational or training program under an education program listed in § 21.4020, the earlier program of education or special restorative training shall be utilized to the extent practicable. (38 U.S.C. 1795)

[FR Doc. 87–19068 Filed 8–19–87; 8:45 am]

BILLING CODE 8320–01–M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

[Docket No. FEMA–6914]

Proposed Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations and proposed base flood elevation modifications listed below for selected locations in the nation. These base (100-year) flood elevations are the basis for the floodplain management measures that the community is required to either adopt or show evidence of being already

in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in each community.

ADDRESSES: See table below.

FOR FURTHER INFORMATION CONTACT: John L. Matticks, Chief, Risk Studies Division, Federal Insurance Administration, Federal Emergency Management Agency, Washington, DC 20472, (202) 646-2767.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency gives notice of the proposed determinations of base (100-year) flood elevations and modified base flood elevations for selected locations in the nation, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001 through 4128, and 44 CFR 67.4(a).

These elevations, together with the flood plain management measures required by § 60.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

Pursuant to the provisions of 5 U.S.C. 605(b), the Administrator, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that the proposed flood elevation determinations, if promulgated, will not have a significant economic impact on a substantial number of small entities. A flood elevation determination under section 1363 forms the basis for new local ordinances, which, if adopted by a local community, will govern future construction within the flood plain area. The elevation determinations, however, impose no restriction unless and until the local community voluntarily adopts floodplain ordinances in accord with these elevations. Even if ordinances are adopted in compliance with Federal standards, the elevations prescribe how high to build in the floodplain and do not proscribe development. Thus, this action only forms the basis for future local actions. It imposes no new requirement; of itself it has no economic impact.

List of Subjects in 44 CFR Part 67

Flood insurance, Flood plains.

PART 67—[AMENDED]

The authority citation for Part 67 continues to read as follows:

Authority: 42 U.S.C. 4001 et seq., Reorganization Plan No. 3 of 1978, E.O. 12127.

The proposed base (100-year) flood elevations for selected locations are:

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS

Source of flooding and location	#Depth in feet above ground. Elevation in feet (NGVD)
ALABAMA	
Cottonwood (town), Houston County	
Boggy Creek:	
Just upstream of State Highway 53	*141
Just downstream of Ashford Road	*167
Boggy Creek Tributary:	
At confluence with Boggy Creek	*148
Just downstream of Pine Tree Street	*157
Buck Creek:	
About 2,000 feet downstream of confluence of Buck Creek Tributary	*133
About 3,050 feet upstream of State Line Road	*155
Buck Creek Tributary:	
At confluence with Buck Creek	*138
Just downstream of Metcalf Road	*162
Maps available for inspection at the City Hall, Cottonwood, Alabama.	
Send comments to The Honorable Bobby Monk, Mayor, Town of Cottonwood, City Hall, P.O. Box 447, Cottonwood, Alabama 36320.	
ARKANSAS	
Cherry Valley (city), Cross County	
Cooper Creek:	
At downstream corporate limits	*270
Upstream side of Missouri Pacific Railroad	*278
Approximately 1,200 feet upstream of confluence of Halk Creek	*286
Halk Creek:	
At confluence with Cooper Creek	*283
Approximately 1,100 feet upstream of State Route 42	*286
Maps available for inspection at the City Hall, Cherry Valley, Arkansas.	
Send comments to The Honorable Lawrence Sanders, Mayor of the City of Cherry Valley, Cross County, P.O. Box 233, Cherry Valley, Arkansas 72324.	
CONNECTICUT	
Lebanon (town), New London County	
Susquetonscut Brook:	
At downstream corporate limits	*241
Upstream side of Chappell Road	*274
Approximately 0.6 mile upstream of confluence of Hayward Road	*340

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

Source of flooding and location	#Depth in feet above ground. Elevation in feet (NGVD)
Approximately 0.5 mile downstream of Bender Road	*380
At Bender Road	*453
Tenmile River:	
At downstream corporate limits	*251
At Cook Hill Road	*298
At confluence of Gifford Brook	*346
At confluence of Palmer Pond	*377
Yantic River:	
Approximately 150 feet downstream of Gilman Dam	*218
At Sisson Road	*294
Maps available for inspection at the Town Office, Lebanon, Connecticut.	
Send comments to The Honorable Edward Clark, Chairman of the Board of Selectmen of the Town of Lebanon, New London County, Town Office, Lebanon, Connecticut 06249.	
Voluntown (town), New London County	
Denison Brook:	
At State Route 138	*269
Approximately 0.9 mile upstream of State Route 138	*274
Approximately 2.2 miles upstream of State Route 138	*318
Great Meadow Brook:	
At confluence with Pachaug River	*271
Upstream side of Campbell Road	*291
Approximately 0.9 mile upstream of Wylie Road	*322
Pachaug River:	
At downstream corporate limits	*225
Downstream side of Sawmill Pond Dam	*249
Downstream side of Shetucket Turnpike	*271
At upstream corporate limits	*297
Maps available for inspection at the Town Office, Voluntown, Connecticut.	
Send comments to The Honorable Willis Maynard, First Selectman of the Town of Voluntown, New London County, Town Office, P.O. Box 96, Voluntown, Connecticut 06384.	
FLORIDA	
Arcadia (city), DeSoto County	
Peace River:	
At intersection of Lincoln Avenue and Bonaparte Street	*25
Upstream side of Old Bradenton Road	*27
Maps available for inspection at the City Hall, Arcadia, Florida.	
Send comments to The Honorable Edward J. Strube, Administrator of the City of Arcadia, DeSoto County, P.O. Box 351, Arcadia, Florida 33821-0351.	
Bowling Green (city), Hardee County	
Little Payne Creek:	
Approximately 1,600 feet upstream of confluence with Payne Creek	*73
Approximately 2,080 feet upstream of confluence with Payne Creek	*73
Maps available for inspection at the City Hall, 107 West Main Street, Bowling Green, Florida.	
Send comments to Mr. Mack D. Bryan, City Manager of Bowling Green, Hardee County, P.O. Box 608, Bowling Green, Florida 33834.	
DeSoto County (unincorporated areas)	
Peace River:	
At downstream County boundary	*8
Approximately 1,000 feet downstream of confluence of Horse Creek	*15
Approximately 0.8 mile upstream of Old Bradenton Road	*27
At upstream County boundary	*39
Horse Creek:	
At confluence with Peace River	*15

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

Source of flooding and location	#Depth in feet above ground. Elevation in feet (NGVD)
Approximately 400 feet downstream of State Route 761	*20
Downstream side of State Route 72	*29
Joshua Creek:	
At confluence with Peace River	*22
Approximately 1,000 feet upstream of Hillsborough Avenue	*30
Approximately 400 feet upstream of State Route 31	*40
Downstream side of State Route 70	*64
Durrance Branch:	
At confluence with Joshua Creek	*39
Approximately 750 feet downstream of Durrance Street	*40
Downstream side of Durrance Street	*48
Approximately .41 mile upstream of Durrance Street	*51
Whidden Branch:	
At confluence with Joshua Creek	*44
Approximately 200 feet downstream of Brown Street	*51
Approximately 500 feet upstream of State Route 70	*59
McBride Branch:	
At confluence with Peace River	*30
Downstream side of Masters Road	*51
Approximately 150 feet downstream of State Route 660	*60
Prairie Creek:	
Approximately 5.5 miles downstream of State Route 31	*32
Approximately 1,000 feet upstream of State Route 31	*40
Maps available for inspection at the County Engineer's Office, Arcadia, Florida.	
Send comments to The Honorable Frederick C. Nutt, Administrator of the County of DeSoto, P.O. Drawer 2076, Arcadia, Florida 33821.	
Hardee County (unincorporated areas)	
Peace River:	
Approximately .45 mile downstream of downstream County boundary	*38
Approximately 400 feet downstream of State Route 64	*51
Approximately .23 mile upstream of State Route 652	*60
At upstream County boundary	*72
Troublesome Creek:	
At confluence with Peace River	*44
At Vandolah Road	*91
Thompson Branch:	
At confluence with Peace River	*57
Approximately 50 feet upstream of State Route 35B	*123
Hog Branch:	
At confluence with Peace River	*67
Approximately .82 mile upstream of Altman Road	*118
Payne Creek:	
At confluence with Peace River	*70
Approximately .35 mile upstream of confluence of Hickey Branch	*91
Little Payne Creek:	
At confluence with Payne Creek	*72
Approximately 425 feet upstream of County boundary	*86
Maps available for inspection at the Courthouse Annex, Wauchula, Florida.	
Send comments to The Honorable Sam Rawls, Chairman of the Hardee County Commission, Courthouse Annex, Room A204, 412 West Orange Street, Wauchula, Florida 33873.	
Lake Wales (city), Polk County	
Lake Wales: Along shoreline	*116
Lake Weader: Along shoreline	*120
North Lake Wales: Along shoreline	*120
Lake Altamaha: Along shoreline	*121
Crystal Lake: Along shoreline	*121
Lake Cooper: Along shoreline	*124
Twin Lakes: Along shoreline	*128

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

Source of flooding and location	#Depth in feet above ground. Elevation in feet (NGVD)
Grassy Lake: Along shoreline	*129
Maps available for inspection at the City Hall, 152 East Central Avenue, Lake Wales, Florida.	
Send comments to The Honorable Ronnie R. Russell, City Manager, City of Lake Wales, P.O. Box 1320, Lake Wales, Florida 33859-1320.	
Zolfo Springs (town), Hardee County	
Peace River:	
Approximately .52 mile downstream of State Route 64	*50
Approximately 1,550 feet downstream of State Route 64	*51
Approximately 650 feet upstream of State Route 64	*52
Approximately 800 feet upstream of CSX Transport (Seaboard Coast Line Railroad	*56
Maps available for inspection at the Town Hall, Highway 17, Zolfo Springs, Florida.	
Send comments to The Honorable Robert Ballard, Mayor of the Town of Zolfo Springs, Hardee County, P.O. Box 162, Zolfo Springs, Florida 33890.	
GEORGIA	
Aragon (city), Polk County	
Euharlee Creek:	
About 2,300 feet downstream of confluence of Mill Creek	*720
About 3,000 feet upstream of Hixville Road	*730
Mill Creek:	
At mouth	*722
Just upstream of State Route 101	*728
Maps available for inspection at the City Clerk's Office, City Hall, Aragon, Georgia.	
Send comments to The Honorable Henry Shepherd, Mayor, City of Aragon, City Hall, P.O. Drawer B, Aragon, Georgia 30104.	
Young Harris (city), Towns County	
Corn Creek:	
About 2,550 feet downstream of Sunset Drive	*1,834
Just downstream of Cupid Falls Dam	*1,883
Just upstream of Cupid Falls Dam	*1,905
About 1,400 feet upstream of Bryson Road	*1,918
Brasstown Creek Tributary:	
About 3,300 feet downstream of Reed Street	*1,824
Just upstream of Reed Street	*1,873
Maps available for inspection at the City Hall, Young Harris, Georgia.	
Send comments to The Honorable Thomas W. Nolan, Mayor, City of Young Harris, P.O. Box 122, Young Harris, Georgia 30528.	
IDAHO	
Nezperce (city), Lewis County	
Long Hollow Creek:	
At downstream corporate limits	*3,199
740 feet from downstream corporate limits along Third Avenue	*3,201
At Fifth Avenue	*3,203
At upstream of Eighth Avenue	*3,206
At upstream corporate limits	*3,208
Maps are available for review at City Hall, 502 Fifth Street, Nezperce, Idaho.	
Send comments to Mayor Jerry Elvan, City Hall, 502 Fifth Street, Nezperce, Idaho 83543.	
Stites (city), Idaho County	
South Fork Clearwater River:	
At northern corporate limits	*1,308
At upstream side of Bridge Street	*1,316
100 feet downstream of southern corporate limits	*1,320
Maps are available for review at City Hall, 113 Main Street, Stites, Idaho.	

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

Source of flooding and location	#Depth in feet above ground. Elevation in feet (NGVD)
Send Comments to Mayor Tom Johnson, P.O. Box 127, Stites, Idaho 83552.	
ILLINOIS	
Amboy (city), Lee County	
Green River:	
About 0.85 mile downstream of South Washington Street	*731
Just upstream of U.S. Route 52	*738
West Tributary:	
At mouth	*738
About 400 feet upstream of Sterling Road	*748
Maps available for inspection at the Zoning Office, City Hall, 227 East Main Street, Amboy, Illinois.	
Send comments to The Honorable Otto Gehant, Mayor, City of Amboy, City Hall, 227 East Main Street, Amboy, Illinois 61310.	
Dixon (city), Lee County	
Rock River:	
About 2,850 feet downstream of confluence of Plum Creek	*649
About 1.2 miles downstream of confluence of Sevenmile Branch	*658
Plum Creek:	
At mouth	*650
Just upstream of Palmyra Avenue	*653
Fargo Creek:	
At mouth	*650
About 340 feet upstream of Eastern Avenue	*715
West Branch Fargo Creek:	
At mouth	*659
Just downstream of Madison Avenue	*666
Just upstream of Monroe Avenue	*675
About 1,300 feet upstream of Monroe Avenue	*690
Maps available for inspection at the Building and Zoning Department, City Hall, 121 West 2nd Street, Dixon, Illinois.	
Send comments to The Honorable James Dixon, Mayor, City of Dixon, City Hall, 121 West 2nd Street, Dixon, Illinois 61021.	
Evansville (village), Randolph County	
Mississippi River: Within community	*395
Maps available for inspection at the Village Hall, Evansville, Illinois.	
Send comments to The Honorable Erwin C. Becker, Village President, Village of Evansville, Village Hall, Box 257, Evansville, Illinois 62242.	
Lee County (unincorporated areas)	
Rock River:	
At western county boundary	*641
At northern county boundary	*664
Green River:	
About 3,700 feet downstream of Rockyford Road	*721
About 1,500 feet upstream of Burlington Northern railroad	*743
Steward Creek:	
Just downstream of Perry Bridge	*799
About 3,600 feet upstream of Steward Bridge	*820
Maps available for inspection at the Lee County Zoning Office, County Courthouse, Dixon, Illinois.	
Send comments to The Honorable Graham Hoffman, Chairman, County Board, Lee County, County Courthouse, Dixon, Illinois 61021.	
Nelson (village), Lee County	
Nelson Creek:	
About 1,500 feet downstream of Chicago and North Western railroad	*644
Just downstream of Chicago and North Western railroad	*647

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

Source of flooding and location	#Depth in feet above ground. Elevation in feet (NGVD)
Just upstream of Chicago and North Western railroad	*652
About 1,500 feet upstream of Nelson Road	*652
Maps available for inspection at the Village Hall, Nelson, Illinois.	
Send comments to The Honorable Henry Jansen, Village President, Village of Nelson, Village Hall, Nelson, Illinois 61058.	
Ogle County (unincorporated areas)	
Rock River:	
About 1.9 miles downstream of confluence of Pine Creek	*659
At eastern County Boundary	*692
Kyte River:	
Just upstream of Flagg Road	*764
At City of Rochelle corporate limits (north of Flagg Road)	*792
Stillman Creek:	
At mouth	*686
Just downstream of County Route 4	*696
Kyte River Tributary: Within Community	*772
Mill Creek:	
At mouth	*684
About 700 feet upstream of Mill Road	*691
Ryley Ditch: Within Community	*789
Maps available for inspection at Office of the Zoning Administrator, County Courthouse Annex, 106 South 5th Street, Oregon, Illinois.	
Send comments to The Honorable Robert Ginerich, Chairman, County Board, Ogle County, County Courthouse, Oregon, Illinois 61061.	
KENTUCKY	
Johnson County	
Levisa Fork:	
At downstream county boundary	*598
At downstream city of Paintsville corporate limits	*613
At upstream city of Paintsville corporate limits	*614
At upstream county boundary	*624
Miller Creek:	
At confluence with Levisa Fork	*618
At upstream side of Miller Creek Road	*636
Approximately 513 feet upstream of Butcher Hollow Road	*715
Paint Creek:	
Approximately 300 feet downstream of Second Street	*614
At upstream side of U.S. Highway 460	*614
At downstream side of Subdivision Road	*615
Approximately 1,100 feet upstream of State Highway 40	*620
Mudlick Creek:	
At confluence with Paint Creek	*617
Approximately 200 feet downstream of Rocky Knob Branch Road	*628
At downstream side of Sturgeon Branch Road	*687
Approximately 1.04 miles upstream of State Highway 689	*759
Little Mudlick Creek:	
At confluence with Mudlick Creek	*620
Approximately 1.24 miles upstream of confluence with Mudlick Creek	*747
Joes Creek:	
At confluence with Mudlick Creek	*724
Approximately .9 mile upstream of confluence with Mudlick Creek	*774
Jennys Creek:	
At confluence with Paint Creek	*614
At Hilton Hollow Road	*633
Upstream side of Swamp Branch Road	*669
At Narrows Fork Road	*705
Lick Fork:	
At confluence with Jennys Creek	*621
Approximately 1,320 feet upstream of Middle Fork Road	*626
Approximately 1.3 miles upstream of Middle Fork Road	*639
Maps available for inspection at the Johnson County Courthouse, Paintsville, Kentucky.	
Send comments to The Honorable Wayne Blevins, Judge Executive of Johnson County, County Courthouse, Paintsville, Kentucky 41240.	
LOUISIANA	
Bogalusa (city), Washington Parish	
Coburn Creek:	
At downstream corporate limits	*78
At upstream side of State Route 21	*83
At upstream side of Jefferson Street	*95
At upstream side of Van Buren Street	*97
At upstream corporate limits	*102
Bogue Lusa Creek:	
At downstream corporate limits	*78
At upstream side of State Route 21	*82
At upstream side of Illinois Central Gulf Railroad	*88
At downstream side of Verret Avenue	*94
At upstream corporate limits	*102
Yellow Branch:	
At downstream side of Illinois Central Gulf Railroad	*95
Approximately 100 feet downstream of Avenue I	*102
Coburn Creek Tributary:	
At confluence of Coburn Creek	*98
Approximately 100 feet upstream of Hudson Street	*101
Approximately .7 mile upstream of Hudson Street	*117
Ice Water Branch: Approximately 200 feet downstream of Rio Grande Street	*93
Maps available for inspection at the City Hall, Arkansas Avenue, Bogalusa, Louisiana.	
Send comments to The Honorable Toye Taylor, Mayor of the City of Bogalusa, Washington Parish, P.O. Box 1179, Bogalusa, Louisiana 70427.	
Broussard (town), Lafayette Parish	
Grenovillieres Swamp	*31
Maps available for inspection at 416 East Main, Broussard, Louisiana.	
Send comments to The Honorable Leroy Miquez, Mayor of the Town of Broussard, Lafayette Parish, 416 East Main, Broussard, Louisiana 70518.	
Catahoula Parish	
Ouachita River:	
At confluence with Tensas River	*63
Streambank at State Route 559 (extended)	*66
Tensas River:	
At confluence with Black River	*63
Streambank at State Route 921 (extended)	*64
Black River:	
At confluence with the Red River	*60
At confluence of Ouachita River and Tensas River	*63
Red River: At confluence of Black River	*60
Boeuf River:	
At confluence with Ouachita River	*65
At upstream corporate limits	*66
Little River:	
Approximately 3.4 miles upstream of U.S. Route 84	*62
At confluence with Black River	*63
Maps available for inspection at the Courthouse, Sicilia Street, Harrisonburg, Louisiana.	
Send comments to The Honorable Emmitt Taylor, President of the Catahoula Parish Police Jury, P.O. Box 258, Sicily Street, Harrisonburg, Louisiana 71340.	
Harrisonburg (village), Catahoula Parish	
Ouachita River: Entire shoreline (or length) affecting community	*64
Maps available for inspection at the Town Hall, Harrisonburg, Louisiana.	
Send comments to The Honorable James Alpin, Mayor of the Village of Harrisonburg, Catahoula Parish, P.O. Box 320, Harrisonburg, Louisiana 71340.	
Pearl River (town), St. Tammany Parish	
West Pearl River:	
At upstream side of U.S. Route 11 and Interstate Route 59 (1st crossing)	*18
At confluence with Pump Slough	*19
At confluence with Brockham Bayou	*19
At confluence with Old Channel	*21
Old Channel:	
At upstream side of U.S. Route 11 and Interstate Route 59	*21
At Shingle Mill Road (extended)	*23
Gum Creek:	
At Shingle Mill Road (extended)	*23
Approximately 0.38 mile downstream of State Route 41	*25
At State Route 41	*27
Little Gum Creek:	
At confluence with Gum Creek	*24
At State Route 41	*28
South Tributary of Little Gum Creek:	
At confluence with Little Gum Creek	*24
Upstream side of Oak Street (extended)	*28
At State Route 41	*32
Maps available for inspection at the Town Hall, Willis Lane, Pearl River, Louisiana.	
Send comments to The Honorable Janice McQueen, Mayor of the Town of Pearl River, St. Tammany Parish, P.O. Box 1270, Pearl River, Louisiana 70452.	
Washington Parish (unincorporated areas)	
Bogue Chitto River:	
Downstream side of Isabel Highway	*86
Downstream side of State Route 437	*109
Approximately 7 miles upstream of State Route 437	*128
Upstream side of State Routes 10, 16 and 25	*147
Pushepatapa Creek:	
Downstream side of Mt. Olive Cemetery Road	*105
Upstream side of Illinois Central Gulf Railroad	*120
Downstream side of Seal Cemetery Road	*135
Approximately 2 miles upstream of Seal Cemetery Road	*144
Upstream side of Munroe Creek Church Road	*168
Approximately 300 feet upstream of State Route 438	*195
Mile Branch:	
Downstream side of State Route 25	*149
Downstream side of State Route 430	*159
Downstream side of Sixteenth Avenue	*168
Approximately .8 mile upstream of Seventeenth Avenue	*168
Maps available for inspection at the Courthouse, Washington Street, Franklinton, Louisiana.	
Send comments to The Honorable Billy Wayne Rester, Parish President, Washington Parish, Washington Courthouse Building, Franklinton, Louisiana 70438.	
MAINE	
Georgetown (town), Sagadahoc County	
Atlantic Ocean:	
At Ocean Avenue (extended)	*10
At Indian Point	*14
At Todds Point	*15
At southern tip of Long Island	*18
At Kennebec Point	*19
At Outer Head	*29
At Bay Point	*29
Kennebec River:	
Approximately 1,600 feet west of intersection of Bay Point Road and Sagahadoc Bay Road	*10
At West Georgetown Hill	*10

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

Source of flooding and location	#Depth in feet above ground. Elevation in feet (NGVD)
Sasanoa River:	
At Soldier Point	*10
At northern tip of Bareneck Island	*11
Sheepscot River:	
At Gotts Cove	*10
Approximately 0.50 mile south of Northeast Point	*14
At southern tip of Mink Island	*18
Sheet Flow (caused by Atlantic Ocean):	
Approximately 900 feet north of Indian Point	#1
Approximately 0.40 mile northeast of lower parking lot for Reid State Park	#1
Approximately 1,100 feet south of intersection of Indian Point Road and Loop Road	#1

Maps available for inspection at the Georgetown Office, Bay Point Road, Georgetown, Maine.

Send comments to The Honorable Charles Collins, Chairman of the Board of Supervisors of the Town of Georgetown, Sagadahoc County, Town Office, Georgetown Central School, Georgetown, Maine 04548.

Masardis (town), Aroostook County

Aroostook River:	
At downstream corporate limits	*546
At Garfield Road bridge	*548
Approximately 0.7 mile upstream of confluence of St. Croix Stream	*553
St. Croix Stream:	
At confluence of Aroostook River	*552
Approximately 1.5 miles upstream of confluence of Aroostook River	*557

Maps available for inspection at the Town Clerk's Office, Masardis, Maine.

Send comments to The Honorable John Weeks, Chairman of the Board of Selectmen of the Town of Masardis, Aroostook County, Town Clerk's Office, Masardis, Maine 04759.

Southport (town), Lincoln County

Atlantic Ocean:	
At State Route 27 crossing of Towsend Gut	*10
At Cape Newagen	*15
Approximately 800 feet north of Cape Newagen	*23
Approximately 1.9 miles north of Cape Newagen	*26
Shallow Flood (caused by Atlantic Ocean): Approximately 600 feet northeast of intersection of State Routes 27 and 238	#1
Sheepscot River:	
At Dry Ledge	*10
On west side of Pratts Island	*20
At Mollys Head	*21
Shallow Flooding (Sheepscot River): At eastern side of Cedarbush Island	#1

Maps available for inspection at the Town Clerk's Office, West Southport, Maine.

Send comments to The Honorable Eugene Huskins, Chairman of the Board of Selectmen for the Town of Southport, Lincoln County, Municipal Building, West Southport, Maine 04576.

MICHIGAN

Cheboygan (city), Cheboygan County

Cheboygan River:	
At mouth	*583
Just downstream of Cheboygan Dam	*583
Just upstream of Cheboygan Dam	*594
About 0.7 miles upstream of Lincoln Avenue	*594
Lake Huron: Along shoreline	*583

Maps available for inspection at the City Hall, 202 Backson Street, Cheboygan, Michigan.

Send comments to The Honorable Ellis N. Olson, Mayor, City of Cheboygan, City Hall, 202 Backson Street, Cheboygan, Michigan 49721-0039.

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

Source of flooding and location	#Depth in feet above ground. Elevation in feet (NGVD)
Memphis (city), St. Clair & Macomb Counties	
Belle River:	
About 1,950 feet downstream of Bordman Road	*696
About 2,200 feet upstream of the Memphis Ridge Road	*723
Sage Creek:	
At mouth	*717
About 2,200 feet upstream of the Belle River Road	*722

Maps available for inspection at the City Hall, 35095 Potter Street, Memphis, Michigan.

Send comments to The Honorable William A. Tatton, Mayor, City of Memphis, City Hall, 35095 Potter Street, Memphis, Michigan 48041.

Sault Sainte Marie (city), Chippewa County

Mission Creek:	
At mouth	*584
Just upstream of Tenth Avenue	*596
Mission Creek Tributary:	
At mouth	*591
About 500 feet upstream of Shunk Road	*599
Ashmun Creek:	
At mouth	*605
About 0.6 mile upstream of Easterday Avenue	*637
Edison Sault Power Canal: Within community	*605
St. Mary's River:	
About 3.8 miles downstream of Interstate 75	*584
Just downstream of Soo Locks Tailgate	*585
Just upstream Soo Locks Tailgate	*605
About 5.8 miles upstream of Interstate 75	*605

Maps available for inspection at City Hall, 325 Court Street, Sault Ste. Marie, Michigan.

Send comments to The Honorable James A. Alford, Mayor, City of Sault Ste. Marie, City Hall, 325 Court Street, Sault Ste. Marie, Michigan 49783-2183.

Vernon (village), Shiawassee County

Shiawassee River:	
Just downstream of State Highway 71	*761
Just upstream of confluence of Holly Drain	*763
Holly Drain:	
At mouth	*762
About 500 feet upstream of Leaver Street	*765

Maps available for inspection at the Village Hall, 120 East Main Street, Vernon, Michigan.

Send comments to The Honorable John C. Rosser, Village President, Village of Vernon, Village Hall, 120 East Main Street, Vernon, Michigan 48476.

MISSISSIPPI

Monroe County (unincorporated areas)

Tombigbee River:	
At county boundary	*186
About 3.7 miles upstream of confluence of Boguegaba Creek	*241
Tennessee-Tombigbee Canal:	
At confluence with Tombigbee River	*208
Just downstream of Lock A	*209
Just upstream of Lock A	*222
Just downstream of Lock B	*223
Just upstream of Lock B	*248
At county boundary	*249
Old Tombigbee River: Within community	*194
Mattubby Creek:	
At confluence with Old Tombigbee River	*194
About 3.5 miles upstream of Meridian Street	*202
Weaver Creek:	
At mouth	*207
Just downstream of County Highway 617	*272
James Creek Tributary No. 1:	
Just upstream Thayer Road	*210
Just downstream of State Highway 25	*211
Just upstream of State Highway 25	*217
Just upstream of Central Drive	*234

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

Source of flooding and location	#Depth in feet above ground. Elevation in feet (NGVD)
James Creek Tributary No. 2:	
Just upstream of Illinois Central Gulf Railroad	*200
About 850 feet upstream of Hamilton Street	*217
Roundhouse Branch:	
About 1,500 feet downstream of 109th Street	*222
At divergence from Burketts Creek Tributary No. 1	*244
Town Creek:	
At mouth	*213
About 1.0 mile upstream of U.S. Highway 45	*236
Burketts Creek:	
About 600 feet downstream of State Highway 25	*219
Just upstream of Boulevard Drive	*238
Burketts Creek Tributary No. 1:	
At confluence with Burketts Creek	*238
Just upstream of Tschudi Street	*254
Burketts Creek Diversion Channel:	
Just upstream of drop structure	*239
About 0.57 mile upstream of State Highway 25	*242
Upper Burketts Creek:	
About 1,800 feet downstream of Phillips School Road	*242
Just upstream of Mississippian Railway	*245
City Ditch:	
At mouth	*193
About .75 mile downstream of Illinois Central Gulf Railroad	*193

Maps available for inspection at the County Courthouse, Aberdeen, Mississippi.

Send comments to The Honorable Jimmy Kirkpatrick, President, County Board of Supervisors, Monroe County, County Courthouse, P.O. Box 578, Aberdeen, Mississippi 39730.

Smithville (town), Monroe County

Tennessee-Tombigbee Canal: Within community	*249

Maps available for inspection at the City Hall, Smithville, Mississippi.

Send comments to The Honorable M. E. Medley, Mayor, Town of Smithville, City Hall, P.O. Box 125, Smithville, Mississippi 38870.

MISSOURI

Scott City (city), Scott County

Ramsey Creek Diversion Channel: Within community	*353
Ramsey Creek:	
About 1,300 feet downstream of Old Highway 61	*353
At confluence of Illmo Branch	*355
Illmo Branch:	
At confluence with Ramsey Creek	*355
Just downstream of East First Street	*371
Illmo Tributary:	
At mouth	*361
Just downstream of State Street	*372

Maps available for inspection at the City Hall, 712 Main Street, Scott City, Missouri.

Send comments to The Honorable Alvie Modglin, Mayor, City of Scott City, City Hall, 712 Main Street, Scott City, Missouri 63780.

NEW MEXICO

Socorro (city), Socorro County

Rio Grande River:	
At downstream corporate limits (extended)	*4,585
Approximately 1,350 feet upstream of most upstream corporate limits	*4,599

Maps available for inspection at the City Hall, 200 Church Street, Socorro, New Mexico.

Send comments to The Honorable Angelo A. Melero, Mayor of the City of Socorro, Socorro County, P.O. Box K, Socorro, New Mexico 87801.

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

Source of flooding and location	#Depth in feet above ground. Elevation in feet (NGVD)
NEW YORK	
Annsville (town), Oneida County	
East Branch Fish Creek:	
At confluence with Fish Creek	*406
Approximately 1.2 miles upstream of State Route 69	*450
Approximately 180 feet upstream of Old State Route 69 (Main Street)	*510
Approximately 1.09 miles upstream of State Route 69	*560
Approximately 0.5 mile upstream of Palmer Road	*628
Furnace Creek:	
At confluence with East Branch Fish Creek	*504
Approximately 80 feet upstream crossing of Old State Route 69 (Main Street)	*555
Approximately 0.5 mile upstream crossing of Glenmore Road	*607
Fish Creek:	
At downstream corporate limits	*402
At confluence with West Branch Fish Creek	*406
West Branch Fish Creek:	
At downstream corporate limits	*406
Approximately 1.6 miles upstream of McConnellsville Road	*463
Maps available for inspection at the Town Vault, Maine Street, Taberg, New York.	
Send comments to The Honorable Michael Nobis, Supervisor of the Town of Annsville, Oneida County, Glenmore Road, R.D. #1, Taberg, New York 13471.	
Vernon (village), Oneida County	
Sconondoa Creek:	
Downstream corporate limits	*591
Upstream corporate limits	*648
Maps available for inspection at the Village Hall, Vernon, New York.	
Send comments to The Honorable Violet Trost, Mayor of the Village of Vernon, Oneida County, 217 West Seneca Street, Vernon, New York 13476.	
OREGON	
Dallas (city), Polk County	
Rickreall Creek:	
Approximately 1,100 feet downstream of Fir Villa Road	*258
200 feet downstream of Levens Street	*312
Approximately 7,800 feet downstream of Ellendale Road	*349
North Fork Ash Creek:	
Approximately 1,800 feet downstream of Godsey Road	*273
20 feet upstream of Holman Street	*300
Approximately 2,100 feet upstream of Main Street	*321
North Fork Tributary:	
Approximately 1,050 feet downstream of Godsey Road	*279
400 feet upstream of Monmouth Cutoff Highway	*297
Maps are available for review at City Hall, Main Street, Dallas, Oregon.	
Send comments to Mayor Gwen Vandenbosch, P.O. Box 67, Dallas, Oregon 97338.	
Independence (city), Polk County	
Willamette River:	
Approximately 3,400 feet downstream of the confluence of Ash Creek	*157
200 feet downstream of South River Road	*159
Ash Creek:	
100 feet upstream of Main Street (State Highway 51)	*159
Approximately 2,400 feet upstream of Gun Club Road	*168
South Fork Ash Creek:	
At confluence with Ash Creek	*160
20 feet upstream of F Street	*165
Maps are available for review at City Hall, Independence, Oregon.	
Send comments to Mayor Marion Rossi, City Hall, P.O. Box 7, Independence, Oregon 97351.	
Monmouth (city), Polk County	
Ash Creek:	
850 feet downstream of Sewage Lagoon Road	*170
At confluence of North Fork Ash Creek and Middle Fork Ash Creek	*174
North Fork Ash Creek:	
At confluence with Ash Creek and Middle Fork Ash Creek	*174
Middle Fork Ash Creek:	
At confluence with Ash Creek and North Fork Ash Creek	*174
Approximately 2,000 feet upstream of U.S. Highway 99 West (Pacific Highway)	*183
Middle Fork Tributary:	
At confluence with Middle Fork Ash Creek	*177
100 feet upstream of U.S. Highway 99 West (Pacific Highway)	*181
Maps are available for review at City Hall, 151 West Main Street, Monmouth, Oregon.	
Send comments to Mayor Wesley N. Hedlund, City Hall, 151 West Main Street, Monmouth, Oregon 97361.	
PENNSYLVANIA	
Cranberry (township), Venango County	
Sage Run:	
At downstream corporate limits	*1,020
Downstream side of U.S. Route 62 second upstream crossing	*1,070
Upstream side of U.S. Route 62 fifth upstream crossing	*1,150
Upstream side of U.S. Route 62 seventh upstream crossing	*1,237
Upstream side of U.S. Route 62 ninth upstream crossing	*1,261
Allegheny River:	
At downstream corporate limits	*961
Upstream side of U.S. Route 322 Bridge	*976
Upstream side of CONRAIL bridge	*997
Approximately 4.3 miles upstream of CONRAIL bridge	*1,006
Lower Twomile Run:	
At confluence with Allegheny River	*971
Upstream side of Deep Hollow Road first crossing	*991
Approximately 75 feet upstream of Deep Hollow Road second crossing	*1,041
Maps available for inspection at the Township Building, Route 257, Senela, Pennsylvania.	
Send comments to The Honorable Richard C. Carothers, Chairman of the Township of Cranberry Board of Supervisors, Venango County, P.O. Box 378, Senela, Pennsylvania 16346.	
East Franklin (township), Armstrong County	
Allegheny River:	
Approximately 0.5 mile downstream of U.S. Route 422 and State Route 28 Bridge	*793
Downstream side of Lock and Dam No. 7	*795
Upstream of Lock and Dam No. 7	*798
At confluence of Limestone Run	*802
At CSX Transport	*804
Approximately 1.7 miles upstream of CSX Transport	*806
Maps available for inspection at the Municipal Building, R.D. #3, Kittanning, Pennsylvania.	
Send comments to The Honorable David M. Gallagher, Chairman of the Board of Supervisors for the Township of East Franklin, Armstrong County, R.D. #3, Kittanning, Pennsylvania 16201.	
Freedom (township), Adams County	
Middle Creek:	
At downstream corporate limits	*430
Upstream side of U.S. Route 15	*460
Approximately 1,000 feet upstream of L.R. 01052	*488
Marsh Creek:	
Approximately 0.65 mile upstream of U.S. Route 15	*433
Approximately 40 feet upstream of U.S. Business Route 15	*446
Approximately 0.4 mile upstream of T-327	*460
At upstream corporate limits	*476
Maps available for inspection with the Township Engineer, Gettysburg Engineer Company, 40 East High Street, Gettysburg, Pennsylvania 17325.	
Send comments to The Honorable Robert E. Wenschhof, Chairman of the Township of Freedom Board of Supervisors, Adams County, P.O. Box 418, Gettysburg, Pennsylvania 17325.	
Gilpin (township), Armstrong County	
Allegheny River:	
At confluence of Kiskiminetas River	*772
Upstream side of Lock and Dam No. 5	*776
At Danley Island	*778
Appreximately 5.3 miles upstream of Lock and Dam No. 5	*780
Kiskiminetas River:	
At confluence with Allegheny River	*772
Approximately 1.3 miles upstream of confluence of Elder Run	*775
At confluence with Guffy Run	*782
Maps available for inspection at the Township Building, Leechburg, Pennsylvania.	
Send comments to The Honorable Robert Zboravan, Chairman of the Board of Supervisors of the Township of Gilpin, Armstrong County, R.D. #4, Box 491, Leechburg, Pennsylvania 15656.	
Kiskiminetas (township), Armstrong County	
Kiskiminetas River:	
Most downstream corporate limits	*792
Confluence with Roaring Run	*811
Confluence with Long Run	*826
Approximately 0.9 mile upstream of State Road 56	*832
Maps available for inspection at the Township Building, Apollo, Pennsylvania.	
Send comments to The Honorable Ronald E. Held, Chairman of the Township of Kiskiminetas Board of Supervisors, Armstrong County, Old State Road, Apollo, Pennsylvania 15613.	
Lower Nazareth (township), Northampton County	
Monocacy Creek:	
At downstream corporate limits	*321
Downstream side of Hanoverville Road	*332
Confluence of East Branch Monocacy Creek	*339
Upstream corporate limits	*351
East Branch Monocacy Creek:	
Confluence with Monocacy Creek	*339
Upstream side of Steuben Road	*343
Confluence of Unnamed Tributary to East Branch Monocacy Creek	*359
At upstream corporate limits	*374
Unnamed Tributary to East Branch Monocacy Creek:	
Confluence with East Branch Monocacy Creek	*359
Upstream side of Newburg Road	*372
At upstream corporate limits	*376
Shoeneck Creek:	
At downstream corporate limits	*345
Approximately 200 feet upstream of the Sewage Treatment Plant Road	*348

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

Source of flooding and location	#Depth in feet above ground. Elevation in feet (NGVD)
Maps available for inspection at the Township Office, 306 Butztown Road, Bethlehem, Pennsylvania.	
Send comments to The Honorable Willard Heimbach, Chairman of the Township of Lower Nazareth Board of Supervisors, Northampton County, 306 Butztown Road, Bethlehem, Pennsylvania 18017.	
New Florence (borough), Westmoreland County	
Conemaugh River:	
Approximately 840 feet downstream of Ligonier Street	*1,071
Approximately 1,200 feet upstream of Ligonier Street	*1,075
Maps available for inspection at the Borough Building, Franklin, Pennsylvania.	
Send comments to The Honorable Eugene Gorirossi, New Florence Borough Council, Westmoreland County, Ligonier Street, New Florence, Pennsylvania 15944.	
Parks (township), Armstrong County	
Kiskiminetas River:	
At downstream corporate limits	*781
Upstream of confluence of Carnahan Run	*785
At State Route 66 Alternate	*790
At upstream corporate limits	*792
Maps available for inspection at the Township Building, Vandergrift, Pennsylvania.	
Send comments to The Honorable Steven Rishel, Chairman of the Board of Supervisors for the Township of Parks, Armstrong County, R.D. #1, Vandergrift, Pennsylvania 15690.	
Perry (township), Armstrong County	
Allegheny River:	
Approximately .5 mile downstream of confluence of Armstrong Run	*850
Confluence of Birch Run	*856
Approximately 2.3 mile upstream of confluence of Birch Run	*860
At confluence of Bear Creek	*866
Maps available for inspection at the Township Building, Karns City, Pennsylvania.	
Send comments to The Honorable Hartzell Young, Chairman of the Board of Supervisors of the Township of Perry, Armstrong County, R.D. 2, Karns City, Pennsylvania 16041.	
SOUTH CAROLINA	
Hampton (town), Hampton County	
Coosawhatchie River Tributary:	
At downstream corporate limits	*85
Approximately 150 feet downstream of State Route 363	*93
Just downstream of State Route 363	*99
At upstream corporate limits	*101
Sanders Branch:	
At downstream corporate limits	*62
Approximately 2,000 feet upstream of downstream corporate limits	*63
Maps available for inspection at the Town Hall, 608 First Street, Hampton, South Carolina.	
Send comments to The Honorable Harold S. McMillan, Mayor of the Town of Hampton, Hampton County, 608 First Street, Hampton, South Carolina 29924.	
TENNESSEE	
Claiborne County (unincorporated areas)	
Clear Fork:	
At western County Boundary	*1,085
At northern State Boundary	*1,262
Straight Creek:	
At mouth	*1,108
Just downstream of Straight Creek Road	*1,119
Valley Creek:	
At mouth	*1,185
About 0.53 mile upstream of Norfolk Southern Railway	*1,229
Davis Creek:	
At western County Boundary	*1,040
About 0.55 mile upstream of State Route 63	*1,263
Cawood Branch:	
At mouth	*1,095
About 0.7 mile upstream of Dunn Lane	*1,170
Maps available for inspection at the County Executive's Office, County Courthouse, Tazewell, Tennessee.	
Send comments to The Honorable William C. O'Donnell, County Executive, Claiborne County, County Courthouse, Tazewell, Tennessee 37879.	
Red Boiling Springs (city), Macon County	
Salt Lick Creek:	
About 1,900 feet downstream of North Main Street	*762
About 1,700 feet upstream of Market Street	*778
Salt Lick Creek Tributary:	
At Mouth	*774
About 550 feet upstream of Market Street	*795
McClure Hollow:	
Just downstream of Market Street	*772
About 1,000 feet upstream of Sunset Drive	*791
Maps available for inspection at the City Hall, Red Boiling Springs, Tennessee.	
Send coaments to The Honorable Faulby Parkhurst, Mayor, City of Red Boiling Springs, City Hall, P.O. Box 190, Red Boiling Springs, Tennessee 37150.	
VIRGINIA	
Honaker (town), Russell County	
Lewis Creek:	
At downstream corporate limits	*1,815
At upstream corporate limits	*1,823
Maps available for inspection at the Municipal Building, Honaker, Virginia.	
Send comments to The Honorable Walter Jones, Mayor of the Town of Honaker, Russell County, P.O. Box 746, Honaker, Virginia 24260.	
Washington County (unincorporated areas)	
Wolf Creek:	
Approximately 0.4 miles downstream of confluence of Town Creek	*1,900
Upstream side of the most upstream portion of State Highway 794	*1,992
Upstream side of State Highway 682	*2,019
Approximately 1,270 feet upstream of U.S. Highway 19	*2,052
Town Creek:	
Confluence with Wolf Creek	*1,935
Upstream side of most upstream crossing of State Highway 670	*1,971
Downstream side of State Highway 699	*2,063
Laurel Creek:	
Approximately 211 feet upstream of confluence with South Fork Holston River	*1,825
Downstream side of the most upstream State Highway 91	*2,001
Greenway Creek:	
Approximately 0.8 mile downstream of State Highway 706	*1,822
Downstream side of U.S. Highway 11	*2,016
Tributary to Hutton Creek:	
Upstream side of Norfolk and Western Railway	*2,037
Approximately 1 mile upstream of the Norfolk and Western Railway	*2,061
Beaverdam Creek:	
Approximately 0.84 mile downstream of the confluence with Belvins Branch	*1,953
Approximately 1,200 feet downstream of the confluence with Belvins Branch	*1,985
Maps available for inspection at the Planning and Zoning Office, 205 Academy Drive, Abingdon, Virginia.	
Send comments to The Honorable Richard Barton, Washington County Administrator, 205 Academy Drive, Abingdon, Virginia 24210.	
WASHINGTON	
Columbia County (unincorporated areas)	
Tucannon River:	
360 feet downstream from the Powers Road Bridge	*572
790 feet upstream from the Powers Road Bridge near the intersection of State Route 261 and Little Goose Dam Road	*615
At downstream corporate limits of the City of Starbuck	*635
50 feet upstream from the Tucannon Street Bridge	*648
At upstream corporate limits of the City of Starbuck	*654
Touchet River:	
970 feet downstream from County Road 2427	*1,509
2,975 feet upstream from County Road 2427	*1,532
At the corporate limits of the City of Dayton	*1,580
70 feet upstream from the corporate limits of Dayton	*1,650
At the confluence of North and South Forks Touchet River	*1,672
North Fork Touchet River:	
At the confluence of North and South Forks Touchet River	*1,672
70 feet upstream from South Touchet Road Bridge	*1,703
120 feet upstream from County Road Bridge	*1,739
At a point approximately 200 feet downstream from the Junction of Crall Hollow Road and North Fork Touchet River Road	*1,761
South Fork Touchet River:	
At the confluence of North and South Forks Touchet River	*1,672
2,400 feet above confluence of North and South Forks of Touchet River	*1,699
6,200 feet above confluence of North and South Forks of Touchet River	*1,739
50 feet upstream from County Road Bridge	*1,766
Johnson Hollow:	
200 feet upstream from Dayton Avenue and 90 feet upstream from corporate limits of Dayton	*1,635
50 feet upstream from a private bridge located 2,350 feet above confluence with Patit Creek	*1,662
100 feet upstream from double culverts at a private bridge located 5,200 feet above confluence with Patit Creek	*1,708
140 feet downstream from Edgar Road Bridge	*1,725
Maps are available for review at the Columbia County Planning Department, 341 East Main Street, Dayton, Washington.	
Send comments to Mr. Vernon Marill, Chairman, Columbia County Board of Commissioners, 341 East Main Street, Dayton, Washington 99328.	
Dayton (city), Columbia County	
Patit Creek:	
Confluence with Touchet River	*1,591
100 feet downstream from Patit Street Bridge	*1,600
20 feet upstream from the First Street Bridge	*1,604
100 feet upstream from the Sixth Street Bridge	*1,626
140 feet upstream from U.S. Highway 12 Bridge	*1,633
Patit Creek Left Overbank:	
Confluence with Patit Creek	*1,594
50 feet downstream from First Street	*1,600
75 feet upstream from Second Street	*1,605
60 feet downstream from Fourth Street	*1,613
Touchet River:	
At southwest corner of the corporate limits surrounding waste water treatment plant	*1,550
At western corporate limits of the City of Dayton	*1,579
Confluence with Patit Creek	*1,591
Confluence with Mustard Hollow	*1,618

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

Source of flooding and location	#Depth in feet above ground. Elevation in feet (NGVD)
Upstream corporate limits of City of Dayton	*1,649
Johnson Hollow:	
Confluence with Patit Creek	*1,628
20 feet upstream from Dayton Avenue Bridge	*1,633
City of Dayton corporate limits	*1,634
Maps are available for review at City Hall, Planning Department, 111 South First, Dayton, Washington.	
Send comments to Mayor Carl Rowe, City Hall, 111 South First, Dayton, Washington 99328.	
Mason County (unincorporated areas)	
Hood Canal:	
At confluence with Jorsted Creek	*10
At northern County Boundary	*10
Union River:	
At State Route 300 (North Shore Road)	*13
At Old Belfair Highway	*54
Approximately 3,000 feet upstream of confluence with Bear Creek (at County Boundary)	*129
Tahuya River:	
At State Route 300 (North Shore Road)	*9
Approximately 400 feet downstream of confluence with Howell Lake Tributary	*90
Approximately 400 feet upstream of Haven Way	*177
Skokomish River:	
At State Route 106	*16
Approximately 400 feet upstream of U.S. Route 101	*28
Approximately 500 feet downstream of confluence with North Fork Skokomish River	*57
Goldsborough Creek:	
Approximately 1,800 feet downstream of confluence with Coffee Creek	*35
Approximately 900 feet upstream of U.S. Highway 101	*56
Coffee Creek:	
At confluence with Goldsborough Creek	*45
Approximately 1,700 feet upstream of West Oregon Road	*80
Maps are available for review at the Mason County Courthouse, General Services Department, Annex 1, Fourth and Alder, Shelton, Washington.	
Send comments to Mr. John Eager, Chairman, Mason County Commissioners, County Courthouse, 411 North Fifth, Shelton, Washington 98584.	
Starbuck (city), Columbia County	
Tucannon River:	
450 feet downstream of the southwest corporate limits of Starbuck	*632
550 feet downstream from the Tucannon Street Bridge	*640
100 feet downstream from the Tucannon Street Bridge	*645
500 feet upstream of the Tucannon Street Bridge	*648
200 feet upstream of the southeast corporate limits of Starbuck	*655
Maps are available for review at City Hall, Main Street, Starbuck, Washington.	
Send comments to Mayor Zack Zink, City Hall, P.O. Box 296, Starbuck, Washington 99359.	
WEST VIRGINIA	
Barrackville (town), Marion County	
Buffalo Creek:	
Downstream corporate limits	*891
Upstream corporate limits	*909
Maps available for inspection at the City Hall, Barrackville, West Virginia.	
Send comments to The Honorable Mark Bolyard, Mayor of the Town of Barrackville, Marion County, P.O. Box 26, Barrackville, West Virginia 26599.	

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

Source of flooding and location	#Depth in feet above ground. Elevation in feet (NGVD)
Fairview (town), Marion County	
Paw Paw Creek:	
At downstream corporate limits	*992
Approximately 132 feet upstream of Madison Street	*996
Upstream corporate limits	*1,006
Maps available for inspection at the City Hall, Fairview, West Virginia.	
Send comments to The Honorable Richard Robinson, Mayor of the Town of Fairview, Marion County, P.O. Drawer 119, Fairview, West Virginia 26570.	
Farmington (town), Marion County	
Buffalo Creek:	
Downstream corporate limits	*937
Downstream side of State Route 15	*939
Upstream corporate limits	*940
Maps available for inspection at the City Hall, Farmington, West Virginia.	
Send comments to The Honorable Harvey Markley, Jr., Mayor of the Town of Farmington, Marion County, P.O. Box 520, Farmington, West Virginia 26571.	
Rivesville (town), Marion County	
Monongahela River:	
Entire shoreline affecting community	*868
Entire shoreline of Paw Paw Creek within community	*868
Maps available for inspection at the Town Hall, Rivesville, West Virginia.	
Send comments to The Honorable Kenneth Stottlemire, Mayor of the Town of Rivesville, Marion County, P.O. Box 45, Rivesville, West Virginia 26588.	
Shinnston (city), Harrison County	
West Fork River:	
Downstream corporate limits	*906
Upstream corporate limits	*913
Shins Run: Entire length of Shins Run within the community	*911
Maps available for inspection at the City Hall, 43 Bridge Street, Shinnston, West Virginia.	
Send comments to The Honorable Wanda Ashcraft, Mayor of the City of Shinnston, Harrison County, 43 Bridge Street, Shinnston, West Virginia 26431.	
WISCONSIN	
Manawa (city), Waupaca County	
Little Wolf River:	
About 1.2 miles downstream of Bridge Street	*808
Just downstream of Manawa Dam	*809
Just upstream of Manawa Dam	*815
About 0.5 mile upstream of Manawa Dam	*815
Maps available for inspection at the City Hall, 590 Clark Street, Manawa, Wisconsin.	
Send comments to The Honorable William Levezow, Mayor, City of Manawa, City Hall, Box 248, 590 Clark Street, Manawa, Wisconsin 54949.	
Marion (city), Waupaca County	
North Branch Pigeon River:	
About 1.0 mile downstream of Parkview Avenue	*832
Just downstream of Main Street	*841
Marion Pond: Along shoreline	*854
Maps available for inspection at the City Hall, 402 North Main Street, Marion, Wisconsin.	
Send comments to The Honorable Byron Beversdorf, Mayor, City of Marion, 707 NE. 3rd Street, Marion, Wisconsin 54950.	

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

Source of flooding and location	#Depth in feet above ground. Elevation in feet (NGVD)
WYOMING	
Converse County (unincorporated areas)	
North Platte River (near Orin):	
Approximately 600 feet downstream of State Highway 319	*4,668
Approximately 1,500 feet downstream of Interstate Highway 25	*4,676
North Platte River (near Glenrock):	
Approximately 1.2 miles downstream of State Highway 95	*4,967
Approximately 100 feet downstream of State Highway 95	*4,973
Maps are available for review at the Converse County Planning Office, County Courthouse, 107 North Fifth, Douglas, Wyoming.	
Send comments to Mr. John Pexton, Chairman, Converse County Board of Commissioners, County Courthouse, 107 North Fifth, Douglas, Wyoming 82633.	
Jackson (town), Teton County	
Flat Creek:	
Upstream face of U.S. Routes 26, 89, 187, and 189 (southern corporate limits)	*6,121
20 feet upstream of the end of Virginian Lane	*6,162
Downstream face of U.S. Routes 26, 84, and 187 (northern corporate limits)	*6,214
Cache Creek:	
Upstream face of Norwood Avenue	*6,322
Approximately 2,400 feet downstream of confluence with Woods Canyon Creek (at corporate limits)	*6,383
Maps are available for review at the Town Planner's Office, 155 Pearl Street, Jackson, Wyoming.	
Send comments to Mayor Abi Garman, P.O. Box 1687, Jackson, Wyoming 83001.	
Ranchester (town), Sheridan County	
Tongue River:	
Approximately 1.2 miles downstream of Wolf Creek County Road	*3,742
Approximately 900 feet downstream of Wolf Creek County Road	*3,759
Approximately 1,600 feet upstream of the confluence with Five Mile Creek	*3,766
Maps are available for review at the Town Clerk's Office, 145 Coffeen Street, Ranchester, Wyoming.	
Send comments to Mayor Gerald T. Laya, P.O. Box 655, Ranchester, Wyoming 82801.	
Teton County	
Snake River:	
Upstream face of U.S. Routes 26, 89, 187, and 189	*5,949
At confluence with Mosquito Creek	*6,068
Approximately 100 feet upstream from State Highway 22	*6,159
Approximately 600 feet upstream of confluence with Gros Ventre River	*6,242
Approximately 4.6 miles upstream of confluence with Gros Ventre River	*6,310
Approximately 1,600 feet upstream of confluence with Stewart Draw	*6,400
Flat Creek:	
Upstream face of U.S. Routes 26, 89, 187, and 189	*5,949
Downstream face of Big Trail Drive	*6,071
Downstream face of U.S. Routes 26, 89, 187, and 189 (southern corporate limits of Town of Teton)	*6,120
Spring Creek:	
At confluence with Snake River	*5,988
Approximately 3.6 miles downstream of U.S. Highway 22	*6,077
Approximately 400 feet upstream of U.S. Highway 22	*6,158

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

Source of flooding and location	#Depth in feet above ground. Elevation in feet (NGVD)
Gros Ventre River:	
Confluence with Snake Creek	*6,240
At Golf Course Bridge	*6,310
Approximately 3,000 feet downstream of U.S. Routes 26, 89, and 187	*6,357
Fish Creek:	
Approximately 1,700 feet downstream of Pine Meadow Road	*6,109
At Main Street Bridge	*6,146
At upstream face of Fish Creek Road (upstream crossing)	*6,173
At confluence with Jenson Canyon Creek	*6,220
At confluence with Rock Springs Canyon Creek	*6,267
Approximately 12,200 feet upstream of confluence with Rock Springs Canyon Creek	*6,320
Lake Creek:	
At confluence with Fish Creek	*6,191
Approximately 100 feet upstream of Moose Wilson Road	*6,233
At confluence with Granite Creek	*6,287

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

Source of flooding and location	#Depth in feet above ground. Elevation in feet (NGVD)
Approximately 10,500 feet upstream of confluence with Granite Creek	*6,318
Cache Creek:	
Approximately 2,400 feet downstream of confluence with Woods Canyon Creek (at Town of Jackson corporate limits)	*6,383
Approximately 2,100 feet downstream of confluence with Woods Canyon Creek (Approximately 250 feet upstream of Town of Jackson corporate limits)	*6,388
Teton Creek:	
At County Line Road	*6,373
Approximately 1.6 miles upstream of County Line Road	*6,480
Approximately 900 feet upstream of confluence with Mill Creek	*6,602
Buffalo Fork:	
Approximately 600 feet downstream of U.S. Routes 26, 89, and 187	*6,720

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

Source of flooding and location	#Depth in feet above ground. Elevation in feet (NGVD)
Approximately 800 feet downstream of U.S. Routes 26 and 287	*6,781
Approximately 3,500 feet downstream of confluence with Blackrock Creek	*6,813

Maps are available for review at the Teton County Planner's Office, County Courthouse, 181 South King Street, Jackson, Wyoming.

Send comments to Mr. Leslie Peterson, Chairman, Teton County Board of Commissioners, County Courthouse, P.O. Box 1727, Jackson, Wyoming 83001.

The proposed modified base (100-year) flood elevations for selected locations are:

PROPOSED MODIFIED BASE (100-YEAR) FLOOD ELEVATIONS

State	City/town/county	Source of flooding	Location	#Depth in feet above ground *Elevation in feet (NGVD)	
				Existing	Modified
California	City of Benicia, Solano County	Sulphur Springs Creek	Just downstream of the Southern Pacific Railroad Spur	None	*6
			Just upstream of Park Road	None	*11
			Above East Second Street	None	*27
			Approximately 130 feet downstream of Industrial Way	None	*49
			At intersection of Industrial Way and West Channel Road.	None	#2
		Carquinez Strait	At Benicia Marina	None	*6
		Southampton Bay	Just downstream of Interstate Highway 780 at Benicia State Park.	None	*6

Maps are available for inspection at the Department of Public Works, City Hall, 250 East L Street, Benicia, California.

Send comments to Mayor Marylyn Orouke, City Hall, 250 East L Street, Benicia, California 94510.

California	Sacramento County (Unincorporated Areas).	Morrison Creek	At Interstate Highway Just upstream of Highway 5	*13	*14
			Just upsteam of Elk Grove-Florin Road	*47	*46
			Just downstream of Kiefer Boulevard	*76	*75
			Approximately 200 feet downstream of Mather Boulevard.	None	*85
		Florin Creek	Just upstream of Center Parkway	None	*20
			Just downstream of Stockton Boulevard	*25	*26
			Just upstream of McComber Street	*35	*36
			At Florin-Perkins Road	*36	*37
		Elder Creek	Just downstream of State Highway 99	*20	*23
			Just downstream of Elk Grove-Florin Road	*43	*45
			Just upstream of Bradshaw Road	*60	*60
			Just upstream of Excelsior Road	None	*90
			Approximately 1,500 feet upstream of Excelsior Road	None	*92
		Gerber Creek	Approximately 1,000 feet downstream of Passalis Lane.	*44	*46
			Just downstream of Central California Traction Railroad.	*51	*52
			Upstream of Gerber Road, 300 feet east of Vineyard Road intersection.	None	*73
		Unionhouse Creek	Just upstream of Stockton Boulevard	*26	*25
			1,200 feet east of Elk Grove-Florin Road	*37	*40
		Strawberry Creek	Approximately 250 feet upstream of the confluence with Unionhouse Creek.	*20	*21
			Just upstream of State Highway 99	*25	*26
			Just upstream of Southern Pacific Railroad	*34	*35
		North Fork Laguna Creek	Just upstream of Bruceville Road	None	*24
			Just upstream of State Highway 99	None	*31
			Approximately 3,100 feet upstream of State Highway 99.	None	*33
		Laguna Creek	At Western Pacific Railroad	*13	*14
			Just upstream of State Highway 99	*29	*31
			Just Downstream of Vineyard Road	*66	*67
			Just downstream of Excelsior Road	*79	*83
		Laguna Creek Tributary 1	Approximately 1,500 feet upstream of the confluence with Laguna Creek.	None	*50
			Just upstream of Bader Road	None	*59
			Approximately 100 feet upstream of Excelsior Road	None	*70
		Whitehouse Creek	At the confluence with Laguna Creek	*27	*26
			Just upstream of State Highway 99	*28	*30

PROPOSED MODIFIED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county	Source of flooding	Location	# Depth in feet above ground *Elevation in feet (NGVD)	
				Existing	Modified
			Just upstream of Campbell Road	None	*45
			Approximately 1,300 feet upstream of Campbell Road	None	*46
		Elk Grove Creek	Just upstream of Elk Grove-Florin Road	*39	*39
			Just upstream of Waterman Road	*48	*47
		Sacramento River	At the intersection of Victory Highway and Emmaton Road on Sherman Island (RD 341).	None	*7
			At the City of Isleton southern corporate limits	None	*9
			At the confluence with Delta Cross Channel	None	*14
			At Interstate Highway 80	None	*30
		Georgiana Slough	At the confluence with North Fork Mokelumne River	None	*7
			Just upstream of Southern Pacific Railroad	None	*10
			Approximately 900 feet downstream of Walnut Grove-Thorton Road Extended.	None	*13
		North Fork Mokelumne River	At the intersection of Southern Pacific Railroad and Brunk Road on Tyler Island (RD 563).	None	*7
			At Walnut Grove-Thorton Road Extended	None	*12
			At the confluence of Dead Horse Cut	None	*15
		Mokelumne River	Approximately 600 feet upstream of the confluence with Dead Horse Cut.	None	*15
			Just upstream of New Hope Road	None	*24
		Snodgrass Slough	At the confluence with North Fork Mokelumne River	None	*12
			At Southern Pacific Railroad	None	*15
		Delta Cross Channel	On the east side of Southern Pacific Railroad	None	*15
		Sutter Slough	At the confluence with Steamboard Slough	None	*13
			Approximately 4,000 feet upstream of Sutter Island Cross Road Extended.	None	*16
		Steamboat Slough	Approximately 5,000 feet upstream of the southwestern tip of Grand Island.	None	*9
			At State Highway 220 Extended	None	*12
			At State Highway 160, just downstream of the confluence with Sacramento River.	None	*16
		Threemile and Sevenmile Sloughs	At the confluence of these two sloughs	None	*7

Maps are available for review at the Sacramento County Department of Public Works, 827 Seventh Street, Sacramento, California.

Send comments to Mr. Tobias Johnson, Chairman, Sacramento County Board of Supervisors, 700 H Street, Suite 2450, Sacramento, California 95814.

California	San Joaquin County Unincorporated Areas.	Mokelumne River	50 feet upstream of New Hope Road (Walnut Grove Road).	*22	*24
			Approximately 500 feet upstream of Peltzer Road	*32	*34
			Approximately 750 feet upstream of State Highway 99	*49	*51
			Approximately 1,250 feet downstream of State Highway 88.	None	*89
			Approximately 450 feet downstream of Camanche Dam.	None	*102
		North Fork Mokelumne River	At confluence with South Fork Mokelumne River	None	*7
			Approximately 50 feet upstream of Walnut Grove Road.	None	*12
			At divergence from South Fork Mokelumne River	None	*15
		Middle River	Approximately 3,000 feet upstream of State Highway 4	None	*8
			At the confluence with Old River	None	*16
		Middle River (Delta Area)	At the confluence with Empire Cut	None	*7
		Old River	2,000 feet upstream of Fabian and Bell Canal	None	*8
			At the confluence with Salmon Slough	None	*13
			3,000 feet downstream of the confluence with San Joaquin River.	None	*22
		Old River (Delta Area)	At the confluence of Woodward Canal and Old River	None	*7
			Approximately 1,000 feet easterly along State Highway 4 from the bridge crossing at Old River.	None	*8
		Paradise Cut	At the Confluence with Sugar Cut	None	*12
			Approximately 550 feet upstream of Paradise Road	None	*17
			Approximately 1,000 feet downstream of Paradise Dam.	None	*23
		South Fork Mokelumne River	At the confluence of Hog Slough	None	*8
			Approximately 100 feet upstream of Walnut Grove Road.	None	*15
		South Fork Mokelumne River (Delta Area).	Approximately 1,000 feet west along State Highway 12 from the bridge crossing of Little Potato Slough.	None	*7
			At confluence of Little Potato Slough	None	*8
		San Joaquin River (Delta Area)	Intersection of Jacobs Road and McDonald Road	None	*7
			Intersection of Mathews Road and Wolfe Road	None	*17
			Intersection of Woodward Avenue and McKinley Avenue.	None	*25
			Approximately 3,000 feet north of the intersection of Kasson Road and Durham Ferry Road (Airport Way).	None	*32
		Beaver Slough	Approximately 100 feet downstream of Blossom Road	None	*9
		Bishop Cut (Delta Area)	At confluence of Telephone Cut Bishop Cut	None	*8
		Columbia Cut (Delta Area)	At the confluence of San Joaquin River and Columbia Cut.	None	*7
		Connection Slough (Delta Area)	Approximately 100 feet upstream of the confluence with Old River.	None	*7
		Disappointment Slough (Delta Area).	At the confluence of Ward Cut	None	*7
		Empire Cut (Delta Area)	At the confluence of Middle River	None	*7
		Hog Slough (Delta Area)	At the confluence of South Fork Mokelumne River	None	*8
		Honker Cut (Delta Area)	At the confluence of White Slough	None	*8
		Latham Slough (Delta Area)	At the confluence of Empire Cut	None	*7
		Little Connection Slough (Delta Area).	At confluence with San Joaquin River	None	*7

PROPOSED MODIFIED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county	Source of flooding	Location	# Depth in feet above ground *Elevation in feet (NGVD)	
				Existing	Modified
		Little Potato Slough	At the confluence with Potato Slough	None	*7
			At State Highway 12	None	*8
		Potato Slough (Delta Area)	At the confluence with San Joaquin River	None	*7
		Sycamore Slough (Delta Area)	At the confluence of South Fork Mokelumne River	None	*8
		Telephone Cut (Delta Area)	At the confluence of Bishop Cut	None	*8
		Turner Cut (Delta Area)	At the confluence of Empire Cut, Whiskey Slough and Turner Cut.	None	*7
		Whiskey Slough (Delta Area)	At the confluence of Empire Cut, Turner Cut and Whiskey Slough.	None	*7
		White Slough (Delta Area)	At the confluence with San Joaquin River	None	*7
			At the confluence of Potato Slough	None	*8
		Woodward Canal (Delta Area)	At the confluence of Middle River	None	*7
		Victoria and North Canals (Delta Areas).	At the confluence of Middle River and Victoria and North Canals.	None	*8

Maps are available for review at the San Joaquin County Planning and Inspection Department, 1810 East Hazelton, Stockton, California.

Send comments to Mr. Douglas W. Wilhoit, Chairman, San Joaquin County Board of Supervisors, 222 East Weber Avenue, Room 70701, Stockton, California 95201.

California	Solano County Unincorporated Areas.	Sacramento River	At Toland Landing	None	*7
			At the upstream corporate limits of the City of Rio Vista.	*8	*8
		Sacramento River Via Sutter Slough and Miner Slough.	At Elevator Road extended on Prospect Island (RD 1667).	None	*15
		Steamboat Slough	At the southern tip of Ryer Island	None	*9
			Approximately one half mile upstream of State Highway 220 Extended.	None	*13
		Sutter Slough	At the confluence with Steamboat Slough	None	*13
			At the border with Yolo County	None	*16
		Miner Slough	At the southern tip of Prospect Island	None	*13
			At the divergence from Sutter Slough	None	*15
		Yolo Bypass	At the confluence with Steamboat Slough	None	*9
			Approximately 1,500 feet south of Liberty Ferry	None	*13
			At the border with Yolo County	None	*17
			Along Liberty Island Road just south of Lindsey Slough on Egbert Tract (RD 536).	None	*14
			At the intersection of Swan Road and Liberty Island Road on Cache Hass Area (RD 2098).	None	*15
		Elk Slough	At the intersection of Oxford Road and Jefferson Boulevard on Netherlands Island (RD 999).	None	*10
		Cache Slough	At the southern tip of Ryer Island	None	*9
			At the confluence of Sacramento River Deep Water Ship Channel.	None	*13
			At the confluence of Hass Slough	None	*15
		Suisun Bay	At the eastern limits of the city of Benicia	None	*6
			At the meeting of Grizzly Island Slough Road and Montezuma Slough.	None	*7
			At a footbridge south of the Vennink Club on Grizzley Island.	None	*9
			Entire Chipps Island	None	*9

Maps are available for review at the Solano County Department of Public Works, 550 Union Street, Fairfield, California.

Send comments to Mr. Richard Brann, Chairman, Solano County Board of Supervisors, County Courthouse, Fairfield, California 94533.

Florida	Wauchula, City, Hardee County	Thompson Branch	Approximately 1,420 feet upstream of Stenstrom Road	None	*80
			Approximately 1,650 feet upstream of Stenstrom Road	None	*82

Maps available for inspection at the City Hal, 225 East Main Street, Wauchula, Florida.

Send comments to The Honorable E. J. Wilson, Mayor of the City of Wauchula, Hardee County, P.O. Box 818, Wauchula, Florida 33873.

Mississippi	City of Aberdeen, Monroe County.	City Ditch	About 2,400 feet downstream of Illinois Central Gulf Railroad.	*199	*194
			Just upstream of Long Street	*214	*215
		Old Tombigbee River	At mouth at Tombigbee River	*200	*194
			At confluence of Mattuby Creek	*202	*194
		Mattuby Creek	At confluence with Old Tombigbee River	*202	*194
			About 3.5 miles upstream of Meridian Street	*203	*202

Maps available for inspection at the City Hall, Aberdeen, Mississippi.

Send comments to The Honorable Frank W. Harrington, Mayor, City of Aberdeen, City Hall, P.O. Box 96, Aberdeen, Mississippi 39730.

Mississippi	City of Amory, Monroe County	Roundhouse Branch	About 1,500 feet downstream of 109th Street	*223	*222
		Burketts Creek	About 600 feet downstream of State Highway 25	*220	*219
			Just upstream of Boulevard Drive	*240	*238
		Burketts Creek Tributary No. 1	At confluence with Burketts Creek	*240	*238
			Just upstream of Tschudi Street	*255	*255
		Burketts Creek Diversion Channel	Just upstream of drop structure	None	*239
			About 0.56 mile upstream of State Highway 25	None	*242
		Upper Burketts Creek	About 1,800 feet downstream of Phillips School Road	None	*242
			About 1,350 feet upstream of Mississippian Railway	None	*246

PROPOSED MODIFIED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county	Source of flooding	Location	# Depth in feet above ground *Elevation in feet (NGVD)	
				Existing	Modified
Maps are available for inspection at the City Hall, Amory, Mississippi.					
Send comments to The Honorable Thomas Griffith, Mayor, City of Amory, City Hall, P.O. Drawer 457, Amory, Mississippi 38821.					
Mississippi	City of Long Beach, Harrison County.	Canal No. 1	About 800 feet downstream of Beatline Road	*14	*19
			About 0.7 mile upstream of Commission Road	*19	*22
		Canal No. 3	Just downstream of Epsy Avenue	*13	*15
			Just downstream of 28th Street	*19	22
Maps available for inspection at the City Hall, Long Beach, Mississippi.					
Send comments to The Honorable Clean Mitchell, Mayor, City of Long Beach, P.O. Box 929, Long Beach, Mississippi 39560.					
New York	Kingston (Town) Ulster County	Saw Kill	At downstream corporate limits	None	*163
			Approximately 140 feet downstream of County Highway 30.	None	*179
			Approximately 1,760 feet upstream of County Highway 30.	None	*190
			Approximately 1,600 feet downstream of Powder Mill Road.	None	*218
			Approximately 350 feet upstream of Powder Mill Road	None	*237
			Approximately 1,660 feet downstream of corporate limits.	None	*247
			At upstream corporate limits	None	*262
Maps available for inspection at the Town Hall, Sawkill Road, R.D. #2, Kingston, New York.					
Send comments to The Honorable Jeffrey J. Martin, Supervisor of the Town of Kingston, Ulster County, Town Hall, Sawkill Road, R.D. #2, Kingston, New York 12401.					
New York	Owasco, Town, Cayuga County	Sucker Brook	Confluence with Owasco Lake	None	*718
			Approximately 680 feet upstream of State Route 38 A	None	*718
			Approximately 1,200 feet upsteram of State Route 38 A.	None	*725
			Approximately 0.5 mile upstream of State Route 38 A	None	*733
		Dutch Hollow Brook	At Confluence with Owasco Lake	None	*718
			Downstream side of State Route 38 A	None	*724
			Approximately 0.4 mile upstream of State Route 38 A	None	*744
		Owasco Outlet	At downstream corporate limits	None	*695
			Upstream side of State dam	None	*716
			At confluence with Owasco Lake	None	*718
		Owasco Lake	Entire shoreline within corporate limits	None	*718
Maps available for inspection at the Owasco Town Hall, Two Bristol Avenue, Auburn, New York.					
Send comments to The Honorable Michael O'Leary, Supervisor of the Town of Owasco, Cayuga County, Town Hall, Two Bristol Avenue, Auburn, New York 13021.					
New York	Spring Valley, Village, Rockland County.	Pascack Brook	At downstream corporate limits	None	*349
		At upstream corporate limits	None	None	*359
		Upper Pascack Brook	At confluence of Pascack Brook	None	*350
			Approximately 800 feet downstream of State Route 59	*432	*411
			Upstream side of Maple Avenue	*444	*441
			Downstream side of Union Road	*469	*470
Maps available for inspection at the Spring Village Hall, Building Department, 8 Maple Avenue, Spring Valley, New York.					
Send comments to The Honorable Joel Rosenthal, Mayor of the Village of Spring Valley, Rockland County, Spring Valley Municipal Building, 8 Maple Avenue, Spring Valley, New York 10977.					
Oregon	Polk County (Unincorporated Areas).	Willamette River	Approximately 13,900 feet downstream of the confluence of Glenn Creek.	None	*123
			Approximately 6,800 feet upstream of the Southern Pacific Railroad Bridge.	*143	*144
			Approximately 4,000 feet upstream of the confluence of Rickreall Creek.	*147	*148
			Approximately 3,400 feet downstream of the confluence of Ash Creek.	None	*157
			Approximately 3,330 feet upstream of South River Road.	None	*160
			At confluence of Santiam River	None	*183
			Approximately 13,700 feet of Santiam River	None	*189
		South Yamhill River	Approximately 2.3 miles downstream of Bellevue Ballston Road Bridge.	None	*155
			Approximately 1.28 miles upstream of Bellevue Ballston Road Bridge.	None	*168
			Approximately 0.58 mile downstream of the Condemned Steel Bridge.	None	*224
			Approximately 0.22 mile downstream of State Highway 2 (Wallace Bridge).	*240	*239
			100 feet upstream of Gold Creek Road	*270	*269
			Approximately 0.29 mile upstream of the confluence of Agency Creek.	None	*341
		Rickreall Creek	700 feet downstream of the crossing of the Southern Pacific Railroad.	*152	*148
			100 feet upstream of Bowersville Road	*238	*235

PROPOSED MODIFIED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county	Source of flooding	Location	# Depth in feet above ground *Elevation in feet (NGVD)	
				Existing	Modified
			300 feet upstream of Fir Villa Road	*265	*263
			50 feet downstream of Ellendale Road	None	*393
			At U.S. Geological Survey Gage No. 14-1907.00 (Approximately 1.9 miles upstream of Ellendale Road).	None	*483
		Ash Creek	Approximately 2,000 feet downstream of Gun Club Road.	None	*162
			At confluence of North Fork Ash Creek and Middle Fork Ash Creek.	None	*174
		South Fork Ash Creek	Just upstream of Helmick Road	None	*191
			400 feet upstream of Monmouth Highway (State Highway 51).	None	*198
		North Fork Ash Creek (at Monmouth).	At confluence with Ash Creek and Middle Fork Ash Creek.	None	*174
			10 feet downstream of Hoffman Road	None	*178
		North Fork Ash Creek (at Dallas)	Approximately 1,800 feet downstream of Godsey Road	None	*273
			10 feet upstream of Kings Valley Highway	None	*338
		Middle Fork Ash Creek	At confluence with Ash Creek and North Fork Ash Creek.	None	*174
			Approximately 1,950 feet upstream of Riddell Road	None	*190
		North Fork Tributary	Approximately 1,000 feet upstream of confluence with North Fork Ash Creek.	None	274
			500 feet downstream of Godsey Road	None	*282

Maps are available for review at the Polk County Courthouse, 850 Main Street, Dallas, Oregon.

Send comments to Mr. Craig Hanneman, Chairman, Polk County Board of Supervisors, County Courthouse, 850 Main Street, Dallas, Oregon.

Pennsylvania	Londonderry, Township, Chester County.	Doe Run	Approximately 150 feet of downstream corporate limits	None	*338
			Upstream side of dam	None	*373
			Approximately 0.27 mile upstream of Creek Road	None	*413

Maps available for inspection at the Londonderry Township Building, Dalesville Road, Londonderry, Pennsylvania.

Send comments to The Honorable Richard Henryson, Chairman of the Township of Londonderry Board of Supervisors, Chester County, R.D. #2, Cochranville, Pennsylvania 19330.

Virginia	St. Paul, Town, Wise and Russell Counties.	Lick Creek	At confluence with Clinch River	None	*1,471
			Approximately 265 feet upstream of upstream corporate limits.	None	*1,481
		Clinch River	Approximately 1,900 feet upstream of downstream corporate limits along cut-off portion of channel.	*1,465	*1,464
			Approximately 3,000 feet upstream of Clinchfield Railway along cut-off portion of channel.	*1,466	*1,464

Maps available for inspection at the Municipal Building, Russell Street, St. Paul, Virginia.

Send comments to The Honorable William Kiser, Mayor of the Town of St. Paul, Wise and Russell Counties, Town Hall, P.O. Box 66, St. Paul, Virginia 24263.

West Virginia	Pax, Town, Fayette County	Paint Creek	At downstream corporate limits	None	*1,626
			At upstream corporate limits	None	*1,631

Maps available for inspection at the City Hall, Pax, West Virginia.

Send comments to The Honorable Margaret A. Hunter, Mayor of the Town of Pax, Fayette County, P.O. Box 118, Pax, West Virginia 25904.

Issued August 10, 1987.

Harold T. Duryee,

Administrator, Federal Insurance Administration.

[FR Doc. 87-18783 Filed 8-19-87; 8:45 am]

BILLING CODE 6718-03-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

46 CFR Parts 10, 157, and 187

[CGD 87-017]

Assistance Towing Licenses

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard is proposing to amend the regulations for the licensing of maritime personnel to include specific licensing and manning requirements for all vessels, regardless of size, which engage in towing a disabled vessel for consideration. This proposal is being made in response to a statutory change requiring such licenses. This action is intended to provide assurance to all involved parties that persons who provide assistance towing services have met minimum established standards for knowledge and experience.

DATES: Comments must be received on or before October 19, 1987.

ADDRESSES: Comments should be mailed to Commandant (G-CMC/21) (CGD 87-017), U.S. Coast Guard, Washington, DC, 20593-0001. Between 8:00 am and 3:00 pm, Monday through Friday, comments may be delivered to and will be available for inspection and copying at the Marine Safety Council (G-CMC/21), Room 2110, U.S. Coast Guard Headquarters, 2100 Second Street, SW, Washington, DC 20593, (202) 267-1477.

FOR FURTHER INFORMATION CONTACT: LCDR Gary R. Kaminski, Merchant Vessel Personnel Division, Room 1210, U.S. Coast Guard Headquarters, 2100 Second St. SW., Washington, DC 20593-0001, (202) 267-0218.

SUPPLEMENTARY INFORMATION: Interested persons are invited to participate in this rulemaking by submitting written data, views, or arguments. Written comments should include the docket number (CGD 87-017), the name and address of the person submitting the comments, and the specific portion of the proposed rulemaking to which the comment is addressed. Persons desiring an acknowledgment that their comment has been received should enclose a stamped, self-addressed post card or envelope. All comments received prior to the close of the comment period will be considered before final action is taken. No public hearings are planned,

but they may be held if written requests for a hearing are received and it is determined that the opportunity to make oral presentations will aid the rulemaking process.

Drafting Information

The principal persons involved in drafting this proposed rule are Lieutenant Commander Gary R. Kaminski, Project Manager, and Commander Ronald C. Zabel, Office of the Chief Counsel, Project Attorney.

Background and Discussion

In 1982 Congress directed the Coast Guard to review its policies for towing and salvage to minimize the possibility of Coast Guard competition with commercial capability where it exists. The towing industry was recognized as having the ability and right to engage in business responding to assistance requests from disabled vessels. Accordingly, since 1983 it has been the Coast Guard's policy to defer to existing commercial capability those non-emergency assistance requests which did not require an immediate rescue response from Coast Guard units. As more operators began to engage in the assistance towing business, it became obvious that the existing laws and regulations regarding vessel manning and licensing did not adequately address this area of the commercial marine industry. A license was required to operate a towing vessel only if it was 26 feet or more in length. The existing license for operator of uninspected towing vessels provided a license appropriate for the traditionally larger harbor and coastwise towboats, however it required higher levels of expertise than was necessary for assistance towing with many smaller vessels under 100 gross tons but still 26 feet or more in length.

In 1983 the holders of licenses as operator and ocean operator of inspected small passenger vessels under 100 gross tons were authorized to operate any vessel, including towing vessels, within the scope of their license. This was done in anticipation of these licenses being converted to masters and mates of vessels up to 200 gross tons and a goal of removing trade restrictions from all inspected vessel licenses. This allowed persons with less expertise to operate towing vessels of 26 feet or more in length but did not address the issue of whether persons operating towing vessels under 26 feet in length should be licensed.

In 1986, the 99th Congress passed legislation amending 46 USC 8904 to require a license for persons operating assistance towing vessels. It provides that "a vessel that tows a disabled vessel for consideration shall be operated by an individual licensed by the Secretary to operate that type of vessel in the particular geographic area under prescribed regulations," and becomes effective January 1, 1988. The Coast Guard is proposing to implement this requirement by establishing an endorsement to most existing licenses which authorizes the holder to engage in assistance towing.

The use of an endorsement is considered more practical than establishing an entirely new, specialized license. The Coast Guard has a proposed rule under consideration which will streamline the entire license structure and eliminate most trade restricted licenses. It is believed that a specialty license, while it could be directly tailored to assistance towing, would be too limited in its application. Holders of a license for assistance towing only would not be authorized to engage in other trades such as carrying passengers or freight. For this reason, creating a specialty license was rejected.

An endorsement is preferred over the simple acceptance of all of the existing licenses. With the exception of the license for operator of uninspected towing vessels, the examinations and experience requirements for most existing licenses do not specifically address an applicant's knowledge of towing. It is recognized that many persons are currently engaging in the assistance towing trade safely and competently under the authority of a license as ocean operator or operator of small passenger vessels. However, years of Coast Guard experience have shown that apparently routine assistance towing incidents can deteriorate rapidly, requiring specialized knowledge and skills. If the authority of a license is to explicitly include providing commercial towing assistance to disabled vessels, the interests of safety demand that the Coast Guard be assured that the license holder can not only operate his or her own vessel safely but also posseses sufficient knowledge of towing procedures in general and specific knowledge of the problems encountered with disabled vessels.

The need to measure the knowledge and skills of the persons operating the assisting vessel is of more concern when considering persons licensed to operate only smaller vessels. These licenses can be obtained with relatively limited experience. Licenses to operate larger vessels, particularly those over 1600 gross tons, typically require longer sea service and are normally held by persons with broad experience. Therefore, for the "upper level" or unlimited" licenses above 1600 gross tons, the traditional authority of a licensed master or mate to serve on any vessel in any trade including towing or assistance towing would be retained, and no endorsement would be required.

Under this proposed rule the holder of any license as master, mate or operator of vessels of not more than 1600 gross tons, except operator of uninspected towing vessels, would be required to obtain an additional endorsement authorizing assistance towing in order to engage in that trade. These licenses have, in past, all been trade restricted or in some way limited by their nature. The endorsement would allow the license holder to engage in assistance towing on any size vessel that is within the scope of the license. The holder of a license as operator of uninspected towing vessels could engage in assistance towing without the additional endorsement.

The holders of licenses as operator of uninspected passenger vessels (formerly motorboat operator) could obtain an endorsement authorizing them to engage in assistance towing only with vessels of less than 26 feet in length.

Under current laws and regulations, a person holding a license as operator of uninspected passenger vessels is not authorized to operate a towing vessel of 26 feet or more in length. It is not the intent of this proposal to alter this restriction.

In order to obtain the endorsement, an applicant would be required to pass a written examination covering towing equipment, procedures, and safety. The following subjects would be included in the examination:

(1) Towing safety precautions
(2) Static and dynamic forces in towing
(3) Towlines and bridles
(4) Thimbles and other hardware
(5) Fenders and drouges
(6) Approaches
(7) Passing and connecting towline
(8) Determining towing speed
(9) Towing astern, alongside, or in tandem
(10) Towing in current, surf, or across a bar
(11) Handling a sinking tow
(12) Assisting a vessel aground

No additional service would be required to obtain the endorsement on an existing license. Applicants who do not have a license as master, mate, or operator, would have to qualify for a license appropriate for the size of vessel they intend to operate, and pass the basic examination for that license in addition to an assistance towing module as an addendum to the basic examination. The holder of an existing

license would only be required to pass the assistance towing module.

These regulations would apply only to persons operating vessels which tow a disabled vessel for consideration. A volunteer or "good Samaritan" who assists a disabled vessel and does not do so commercially or for consideration would not be required to hold a license.

A license is not required for anyone who operates a towing vessel of under 26 feet in length for purposes other than assisting a disabled vessel, for example, towing vessels between berths at a marina or boat yard. The present requirement of 46 U.S.C. 8904 for licensed operators of towing vessels of 26 feet or over in length still applies to all commercial towing operations other than assistance towing. All individuals who are presently licensed to operate those towing vessels would retain that authority.

Proposed Regulations

An interim final rule on Licensing of Maritime Personnel, is expected to be published before a final rule in this proposal. The supplemental notice of proposed rulemaking was published on 24 October 1985, at 50 FR 43316. If that occurs, these regulations would be incorporated into the newly revised licensing and manning regulations. If that interim final rule is not published before this rule is ready for publication, these regulations will be incorporated into the existing licensing and manning regulations in Parts 10, 157, and 187 of this chapter. In either case, only the specific subpart and section numbers and headings would be different; the text of the regulations would remain virtually the same. The proposed test is as follows:

A new section would be added to the licensing regulations to read:

Assistance Towing

(a) This section contains the requirements to qualify for an endorsement authorizing an individual to engage in assistance towing. The endorsement is applicable to all licenses except operator of uninspected towing vessels and master or mate licenses authorizing service on inspected vessels of over 1600 gross tons. Holders of these license are authorized to engage in assistance towing without endorsement.

(b) An applicant for an assistance towing endorsement shall pass a written examination demonstrating his or her knowledge of assistance towing safety, equipment, and procedures. (c) An assistance towing endorsement on a master or mate license authorizes the holder to engage in assistance towing services with any vessel within the scope of the license. (d) An assistance towing endorsement on a license as operator of uninspected passenger vessels authorizes the holder to engage in assistance towing services with a vessel of less than 26 feet in length, within the scope of the license. (e) The period of validity of the endorsement is the same as the license on which it is endorsed and the endorsement may be renewed with the license without reexamination. (f) An applicant for a raise in grade of a license below "unlimited" master or mate must be reexamined on assistance towing subjects in order to obtain an assistance towing endorsement for the higher grade license.

A new section would be added to the Manning Requirements to read:

Assistance Towing

An individual operating a vessel which tows a disabled vessel for consideration must hold one of the following licenses:

(a) Operator of uninspected towing vessels.
(b) Master or mate of inspected steam or motor vessels authorizing service on vessels of more than 1600 gross tons.
(c) Any other license as master, mate, or operator which has been endorsed for assistance towing.

These regulations would be promulgated under the authority of 46 U.S.C. 7101 and 8904, and 49 CFR 1.46 b.

Regulatory Evaluation

This proposed rule is considered to be non-major under Executive Order 12291 and non-significant under DOT regulatory policies and procedures (44 FR 11034; February 26, 1979). The economic impact of this proposal has been found to be so minimal that further evaluation is unnecessary. The rulemaking will affect the approximately 300 persons presently engaged in providing assistance towing services. Approximately 10%, or 30, of these individuals hold an unlimited license as master or mate or a license as operator of uninspected towing vessels and would need no additional endorsement to continue operating under these regulations. Approximately 40%, or 120 persons, hold a small passenger vessel operator license or a limited master or mate license and would need to obtain the assistance towing endorsement. Approximately 50%, or 150 persons, presently do not hold any license and are operating vessels of less than 26 feet in length. These persons would be required to obtain at least a license as operator of uninspected passenger vessels, with the assistance towing endorsement.

There are no direct costs such as application, examination, or person to take the examination. The examination for an original operator's license with the assistance towing endorsement requires 1 full day (5 to 7 hours) to complete. The assistance towing addendum for an endorsement on an existing license would require approximately ½ day (2–3 hours) of an applicant's time. Incidental expenses an applicant for an original license would incur include the cost of a physical exam (approximately $75), and a First Aid and CPR class (approximately $50). Thus the total cost will equal the costs of a physical examination plus a First Aid and CPR class times the number of persons required to obtain an original license or: 150 persons × ($125)=$18,750

There are no casualty statistics or other data available to specifically support or refute the need for this action. However, the statute clearly requires standards be established for persons operating assistance towing vessels. The primary effect of this proposal will be to prevent unqualified persons from engaging in the growing field of commercial assistance towing. It is not a reaction to current unsafe conditions.

An additional benefit of this rulemaking is the intangible assurances provided by the establishment of minimum qualifications for persons engaging in assistance towing. Persons licensed to provide assistance towing could display evidence of their credentials to potential clients, and would assure the boating public that they are receiving assistance from persons with demonstrated knowledge and capabilities.

Since the impact on individuals engaged in this service is so minimal, the Coast Guard certifies that this proposal will not have a significant economic impact on a substantial number of small entities.

This proposed rule contains no new information collection requirements. The information collection requirements for the issuance of marine licenses have been submitted to the Office of Management and Budget (OMB) for review under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*) and have been approved by OMB. The OMB approval numbers are listed in section 46 CFR 10.01–6.

List of Subjects

46 CFR Part 10

Seamen, Marine safety, Navigation (water), Passenger vessels.

46 CFR Part 157

Seaman, Vessels.

46 CFR Part 187

Marine safety, Passenger vessels, Seaman.

W.J. Ecker,

Acting Chief, Office of Marine Safety, Security and Environmental Protection.

Dated: June 10, 1987.

[FR Doc. 87-19078 Filed 8-19-87; 8:45 am]

BILLING CODE 4910-14-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 2

[Gen. Docket No. 87-212]

Equipment Authorization and Identification Requirements; Correction

AGENCY: Federal Communications Commission.

ACTION: Notice of proposed rule making; correction.

SUMMARY: On June 4, 1987, the Commission adopted a Notice of Proposed Rule Making in Gen. Docket No. 87-212, regarding equipment authorization procedures. This document corrects certain errors in that document.

ADDRESS: Federal Communications Commission, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Ruby Moore, Equipment Authorization Branch, Office of Engineering and Technology, (301) 725-1585.

SUPPLEMENTARY INFORMATION: The Commission's Notice of Proposed Rule Making, 52 FR 24042 (June 26, 1987) is corrected as follows:

§ 2.926 [Amended]

1. The example following § 2.926(a) should read:

FCC ID: XXX123
XXX-Grantee code
123-Equipment product code

§ 2.934 [Amended]

2. In § 2.934, the phrase "30 days before," should read "no later than 30 days after."

Federal Communications Commission.

William J. Tricarico,

Secretary.

[FR Doc. 87-18967 Filed 8-19-87; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

MM Docket No. 84-281; FCC 87-259

Radio Broadcasting Services; Nighttime Broadcasting on Canadian, Mexican, and Bahamian Clear Channels

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This action reopens the rule making proceeding in MM Docket No. 84-281 relating to the establishment of new unlimited-time AM stations on the 14 foreign AM clear channels: 540 kHz, 690 kHz, 730 kHz, 740 kHz, 800 kHz, 860 kHz, 900 kHz, 990 kHz, 1010 kHz, 1050 kHz, 1220 kHz, 1540 kHz, 1570 kHz, and 1580 kHz. This was done in compliance with an order by the United States Court of Appeals. All interested parties will thereby be given due opportunity to comment on the requirements that the FCC proposes to apply to applications for unlimited-time use of these 14 channels.

DATES: Comments must be filed by October 5, 1987, and reply comments on or before October 20, 1987.

ADDRESS: Federal Communications Commission, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Louis C. Stephens, Policy and Rules Division, Mass Media Bureau (202) 254-3394.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Further Notice of Proposed Rule Making, in MM Docket No. 84-281, FCC 87-259 adopted July 28, 1987 and released August 12, 1987.

The full text of this Commission document is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street NW., Washington, DC. The complete text of this Further Notice of Proposed Rule Making may also be purchased from the Commission's copy contractor, International Transcription Services, (202) 857-3800, 2100 M Street NW., Washington, DC 20037.

Summary of Further Notice of Proposed Rule Making

1. This Further Notice of Proposed Rule Making, adopted pursuant to a remand order by the United States Court of Appeals for the Second Circuit, provides notice and opportunity for comment on revisions to the FCC's rules relating to the assignment of new unlimited-time stations on the fourteen AM foreign clear channels.

2. The issue of the use of the foreign clear channels had been considered earlier by the Commission, and rules for such use were adopted by Report and Order, adopted April 16, 1985. In that document, 50 FR 24515 (June 11, 1985), the Commission dealt with two aspects of the use of these channels. The first related to the grant of nighttime authority to existing daytime-only stations on these channels. The second involved the standards to govern the assignment of new full-time stations on these channels. Subsequently, minor revisions in these rules were made by the Commission in a Memorandum Opinion and Order adopted on February 3, 1986, 103 FCC 2d 532 (1986) 52 FR 21308, June 5, 1987. These revisions, however, were not the subject of the appeal nor are they at issue in the further rule making. Likewise, no issue was raised as to nighttime authorizations for existing daytime-only stations. Thus, it is only the matter of the assignment of new full-time stations that is before the Commission on remand.

3. In deciding upon the standards to apply to the acceptance of applications for new stations, the Commission needs to consider where and to what extent such filings are possible, given the current pattern of use of these channels. Based on this information, it will be possible to evaluate various approaches to the use of these channels. One approach that the Commission originally proposed would confine unlimited-time use of the foreign clear channels to applicants who could meet stated service requirements (such as, for example, provision of a first nighttime primary service or a first nighttime local service) from which minority and noncommercial applicants would be exempted. Since the Commission proposed to adopt such requirements and exemptions for the foreign clear channels, the Rules were amended to eliminate those requirements from all AM channels. When that was done, the Commission also discontinued the above-mentioned exemption from those requirements. It had been applied only on one group of AM channels: the Class I-A clear channels. In these circumstances, the Commission does not now propose to apply to the foreign clear channels the service requirements formerly applied to all AM channels or the exemptions that were formerly applicable only to the Class I-A clear channels.

4. In order to help provide data on which to base its decisions, the Commission's staff has done extensive studies of the current use of these frequencies and the degree to which additional filing opportunities remain. In

essence, these studies show that there are relatively few opportunities to establish new stations except in generally underserved areas. Thus, most applicants would have been able to qualify by virtue of proposing service to underserved areas or communities, and they would not need to rely on alternative standards such as being a minority applicant.

5. For the information of commenting parties, the FCC appended to the Further Notice a statement of the methodology used as well as the complete results of the studies. Interested parties are invited to examine these studies and to respond to them in their filings in this proceeding.

Ex Parte Considerations

6. This is a non-restricted notice and comment rule making proceeding. *See* § 1.1231 of the Commission's Rules, 47 CFR 1.1231 for rules governing permissible *ex parte* contacts.

Paperwork Reduction Act Statement

7. The proposal herein has been analyzed with respect to the Paperwork Reduction Act of 1980, and found to contain no new or modified form, information collection and/or record keeping, labeling, disclosure, or record retention requirements and will not increase or decrease burden hours imposed on the public.

Regulatory Flexibility Analysis

8. With reference to the Regulatory Flexibility Act of 1980, 5 U.S.C. 603, the Commission noted that the action proposed will not have a notable effect on the opportunities of small entities to apply for stations on the foreign clear channels that are the subject of this proceeding. Public comment is requested on the initial regulatory flexibility analysis set out in full in the Commission's complete Further Notice of Proposed Rule Making.

9. The Secretary shall cause a copy of this Further Notice of Proposed Rule Making, including the regulatory flexibility analysis, to be sent to the Chief Counsel for Advocacy of the Small Business Administration in accordance with section 603(a) of the Regulatory Flexibility Act, Pub. L. 96–354, 94 Stat. 1164, 5 U.S.C. 601 *et seq.* (1981).

Comment Instruction

10. Pursuant to applicable procedures set forth in §§ 1.415 and 1.419 of the Commission's Rules, 47 CFR 1.415 and 1.419, interested parties may file comments on or before October 5, 1987, and reply comments on or before October 20, 1987. All relevant and timely comments will be considered by the Commission before final action is taken in this proceeding.

Authority Citation

11. Authority for the rule changes on which comments are invited is contained in sections 4(i) and 303 of the Communications Act of 1934, as amended, 47 U.S.C. 154(i) and 303.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

William J. Tricarico,

Secretary.

[FR Doc. 87–18968 Filed 8–19–87; 8:45 am]

BILLING CODE 6712–01–M

Notices

Federal Register
Vol. 52, No. 161
Thursday, August 20, 1987

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Intent To Enter Into Cooperative Agreement; Agricultural Research Institute

AGENCY: Office of International Cooperation and Development (OICD), USDA.

ACTION: Notice of intent.

Activity: OICD intends to enter into a Cooperative Agreement with the Agricultural Research Institute (ARI) to sponsor an International Symposium on Water Quality Modeling of Non-Point Agricultural Sources.

Authority: Section 1458 of the National Agricultural Research, Extension and Teaching Policy Act of 1977, as amended (7 U.S.C. 3291), and the Food Security Act of 1985 (Pub. L. 99–198).

OICD anticipates the availability of funds for fiscal year 1987 (FY 1987) to enter into an agreement with ARI for joint sponsorship of a symposium on water quality modeling. The symposium goals are to provide a forum for maximum interaction between model developers and managers who use models in order to promote improved water quality; to compare and contrast US and foreign views regarding the model development and use; and to produce a state-of-the-art text consisting of invited papers and synopses of discussions which will serve as a benchmark for further discussions. Assistance will be provided only to ARI. Based on the above, this is not a formal request for application. An estimated $5,000 will be available in FY 1987 to support the pre-symposium administration; and an estimated $32,000 in FY 1988 for actual conduct of the symposium. It is anticipated that this cooperative agreement will be funded over a budget period of 15 months.

Information on proposed agreement number 58–319R–7–024 may be obtained from: Nancy J. Croft, Contracting Officer, USDA/OICD/Management Services Branch, Washington, DC 20250–4300.

Dated: August 14, 1987.

Allen Wilder,

Contracting Officer.

[FR Doc. 87–19011 Filed 8–19–87; 8:45 am]

BILLING CODE 3410–DP–M

Intent To Enter Cooperative Agreement With Virginia Polytechnic Institute and State University

AGENCY: Office of International Cooperation and Development (OICD), USDA.

ACTION: Notice of intent.

Activity: OICD intends to enter into a Cooperative Agreement with Virginia Polytechnic Institute and State University (VPI&SU) to identify food materials which demonstrate the ability to prevent growth of pathogenic organisms which cause diarrhea in children.

Authority: Section 1458 of the National Agricultural Research, Extension and Teaching Policy Act of 1977, as amended (7 U.S.C. 3291), and the Food Security Act of 1985 (Pub. L. 99–198).

OICD anticipates the availability of funds for fiscal year 1987 (FY1987) to enter into a cooperative agreement with VPI&SU. The University will identify food materials which have the ability to prevent growth of pathogenic organisms which cause diarrhea in children; verify the effectiveness of these materials in animal models; develop recommendations for testing the materials; and describe the physical/chemical characteristics of the successful material(s). Assistance will be provided only to VPI&SU, which was selected because of its expressed interest in research in this area, and its ongoing activities in projects relative to the work to be covered by this agreement. Based on the above, this is not a formal request for application. An estimated $87,000 will be available in FY1987 to support this work. It is anticipated that this cooperative agreement will be funded over a budget period of 15 months.

Information on proposed agreement number 58–319R–7–021 may be obtained from: Nancy J. Croft, Contracting Officer, USDA/OICD/Management Services Branch, Washington, DC 20250–4300.

Dated: August 14, 1987.

Allen Wilder,

Contracting Officer.

[FR Doc. 87–19012 Filed 8–19–87; 8:45 am]

BILLING CODE 3410–DP–M

Agricultural Marketing Service

National Advisory Committee for Tobacco Inspection Services; Meeting

In accordance with the Federal Advisory Committee Act (5 U.S.C. App. 1) announcement is made of the following Committee meeting:

Name: National Advisory Committee for Tobacco Inspection Services.

Date: October 2, 1987.

Place: U.S. Department of Agriculture, Agricultural Maketing Service, Tobacco Division, Training Laboratory, Room 402, 333 Waller Avenue, Lexington, Kentucky 40504.

Time: 1:30 p.m.

Purpose: To review various regulations issued pursuant to the Tobacco Inspection Act (7 U.S.C. 511 *et seq.*) and to discuss the level of tobacco inspection and related services. In particular, the Committee will consider the pairing or grouping of burley markets and the distribution of graders among burley markets for the 1987–88 selling season.

The meeting is open to the public. Persons, other than members, who wish to address the Committee at the meeting should contact Lioniel S. Edwards, Director, Tobacco Division, Agricultural Marketing Service, U.S. Department of Agriculture, 300 12th Street SW., Washington, DC 20250, (202) 447–2567, prior to the meeting. Written statements may be submitted prior to or at the meeting.

Dated: August 14, 1987.

J. Patrick Boyle,

Administrator.

[FR Doc. 87–19045 Filed 8–14–87; 8:45 am]

BILLING CODE 3410–02–M

Animal and Plant Health Inspection Service

[Docket No. 87–116]

Availability of Environmental Assessment and Finding of No Significant Impact for Alabama, Florida, Georgia, and South Carolina Boll Weevil Eradication Program

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are providing notice that we have prepared an environmental assessment and finding of no significant impact concerning a boll weevil eradication program for Alabama, Florida, Georgia, and South Carolina. Based on the assessment, we have determined that no significant adverse effect on the environment will result from implementation of the selected alternative. Therefore, we will not prepare an environmental impact statement for this program.

ADDRESS: You may obtain a copy of the environmental assessment from Robert E. Pizel, Regulatory and Environmental Documentation Section, Plant Protection and Quarantine, Animal and Plant Health Inspection Service, United States Department of Agriculture, Room 638, Federal Building, 6505 Belcrest Road, Hyattsville, Maryland 20782.

The environmental assessment is available for public inspection at the above address and at the Animal and Plant Health Inspection Service, United States Department of Agriculture, 4120 Reedy Creek Road, Raleigh, North Carolina 27622. Hours for inspection are between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays.

FOR FURTHER INFORMATION CONTACT: Robert E. Pizel, Regulatory and Environmental Documentation Section, Plant Protection and Quarantine, Animal and Plant Health Inspection Service, United States Department of Agriculture, Room 638, Federal Building, 6505 Belcrest Road, Hyattsville, Maryland 20782 (301) 436–8295.

SUPPLEMENTARY INFORMATION:

Background

The boll weevil, *Anthonomus grandis* (Boheman), is an introduced pest from Mexico that entered the United States near Brownsville, Texas, in approximately 1892, spreading by 1922 throughout a region known as the Cotton Belt. This areas includes all or part of 13 states extending from western Texas to Virginia, and involves approximately 11 million acres of cotton. As the boll weevil through the Cotton Belt, it inflicted more damage than any other cotton pest, and currently costs cotton producers and the U.S. economy close to $300 million annually in losses and control costs.

The Alabama, Florida, Georgia, South Carolina boll weevil eradication program has the following primary goals: (1) To maintain eradication areas in Virginia, North Carolina, and South Carolina, and to eliminate any reintroductions; (2) to eradicate the boll weevil from all of Florida and Georgia, the southern half of Alabama, and a buffer zone in South Carolina; and (3) to maintain a buffer zone on the western edge of the program area, in which boll weevil populations will be suppressed to subeconomic levels. This buffer zone will also decrease the threat of seasonal migration into the eradication area.

Sites targeted for program treatments are infested cotton fields. The amount of acres requiring treatment varies from year to year depending on levels of infestation, which are determined by boll weevil trapping surveys.

The following alternatives were considered in selecting the recommended course of action:

(1) No action to contain or eradicate.

(2) Sterile insect technique.

(3) Cultural.

(4) *Chemical.* Under the chemical alternative, the following procedures were proposed: (a) Aerial application of azinphosmethyl; (b) ground application of azinphosmethyl; (c) aerial application of diflubenzuron; (d) ground application of diflubenzuron; (e) aerial application of malathion; (f) ground application of malathion; (g) use of propoxur in boll weevil traps.

(5) *Integrated pest management (IPM).* We have selected alternative five (5) because this would allow the program to use any of the identified control alternatives in the containment and eradication of the boll weevil. The alternatives may be used singly or in combination, depending upon environmental and pest conditions. As an integration of control strategies in a systems approach, the IPM alternative affords the best combination of environmental protection and program efficacy.

After considering the effects of implementing the selected alternative, we have concluded there will be no primary or secondary effects on the human environment as a result of the program, and that any long-term negative effects will be negligible. We have also considered cumulative impacts, and anticipate that the program will have significant beneficial effects on the environment through the coordination and planned reduction of current pesticide use.

In the environmental assessment, we evaluated the uniqueness or rareness of resources being affected and concluded that the selected alternative will not have an effect on the continued existence of any endangered or threatened species, or result in the destruction of adverse modification of the habitats of those species.

We have reviewed this action under the requirements of the National Environmental Policy Act (NEPA) as amended (42 U.S.C. 4321 *et seq.)*, the Council on Environmental Quality's National Environmental Policy Act Regulations (40 CFR Parts 1500 through 1508), and the APHIS Guidelines Concerning the Implementation of NEPA Procedures (44 FR 50381–50384).

Done in Washington, DC, this 17th day of August, 1987.

D. Husnik,

Acting Deputy Administrator, Plant Protection and Quarantine, Animal and Plant Health Inspection Service.

[FR Doc. 87–19099 Filed 8–19–87; 8:45 am]

BILLING CODE 3410-34-M

Commodity Credit Corporation

1987 Peanut Program; 1987 Crop Price Support Differentials; Determination

AGENCY: Commodity Credit Corporation, USDA.

ACTION: Notice of determination—1987-Crop Peanut Price Support Differentials.

SUMMARY: This notice of determination sets forth specified price support loan and purchase rates for the 1987-crop of quota and additional peanuts which reflect adjustments for differences in type, quality, location and other factors. These adjusted loan and purchase rates apply to warehouse-stored loans and farm-stored Loans and purchases. The adjustments are made in accordance with section 403 of the Agricultural Act of 1949 (the "1949 Act"). The prices set forth in this notice are the same as were proposed in the notice published on April 22, 1987 (52 FR 13259) except for a technical adjustment with respect to farm-stored peanuts.

EFFECTIVE DATE: August 20, 1987.

FOR FURTHER INFORMATION CONTACT: Solomon J. Whitfield, Tobacco and Peanuts Division, ASCS, USDA, Room 5725 South Building, P.O. Box 2415, Washington, DC 20013, (202) 447–7127. A final Regulatory Impact Analysis describing options considered in developing this determination and the impact of implementing such options is available upon request from Mr. Whitfield.

SUPPLEMENTARY INFORMATION: This notice of determination has been reviewed under USDA procedures in accordance with Executive Order 12291 and Departmental Regulation No. 1512–1 and has been classified "not major". It has been determined that this determination will not result in: (1) An annual effect on the economy of $100 million or more; (2) a major increase in costs or prices for consumers, industries,

Federal, State or local governments, or geographical regions; or (3) significant adverse effects on competition, employment, investment, productivity, innovation or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

The title and number of the Federal assistance program to which this determination applies are: Commodity Loans and Purchases, 10.051, as found in the Catalog of Federal Domestic Assistance.

It has been determined that the Regulatory Flexibility Act is not applicable to this notice of determination since the Commodity Credit Corporation (CCC) is not required by 5 U.S.C. 553 or any other provision of law to publish a notice of proposed rulemaking With respect to the subject matter of this determination.

Section 1017 of the Food Security Act of 1985 (Pub. L. 99–198) provides explicitly that the Secretary of Agriculture shall determine the rate of loans, payments, and purchases under a program established under the Agricultural Act of 1949 (7 U.S.C. 1421 *et seq.*) for any of the 1986 through 1990 crops of a commodity without regard to the requirements for notice and public participation in rulemaking prescribed in section 553 of Title 5, United States Code, or in any directive of the Secretary.

On the basis of an environmental evaluation, it has been determined that this action will have no significant impact on the quality of the human environment. In addition, it has been determined that this action will not adversely affect environmental factors such as wildlife habitats, water quality, air quality, and land use and appearance. Therefore, neither an environmental assessment nor an Environmental Impact Statement is needed. This program is not subject to the provisions of Executive Order 12372 which requires intergovernmental consultation with State and local officials. See the Notice related to 7 CFR Part 3015, Subpart V, published at 48 FR 29115 (June 24, 1983).

Under the provisions of Section 108B of the 1949 Act, as added by section 705 of the Food Security Act of 1985, the Secretary is required to announce price support levels for quota peanuts (peanuts marketed under a quota held by or acquired by the producer) and additional peanuts (nonquota peanuts). The 1987 quota support level of $607.47 per ton and the additional support level of $149.75 per ton were announced on February 13, 1987. Section 403 of the 1949 Act permits adjustments in the support levels for type, quality, location and other factors.

Section 403 also provides that on the application of such adjustments the average level of support shall, to the extent practicable and based on the expected incidence of the factors on which the adjustments are made, be equal to the support level announced by the Secretary for the crop year involved.

A Notice of Proposed Determination regarding adjustments (or "differentials") in the levels of price support for the 1987-crop of peanuts was published in the **Federal Register** on April 22, 1987 (52 FR 13259). In that notice, it was proposed that the premium for extra large kernels (ELKs) of Virginia-type peanuts would remain at the 1986-crop level of 35 cents per percentage ELKs in a farmers stock ton. In addition, because abnormal weather in 1983 produced low quality Virginia-type peanuts, it was also proposed that the customary 5-year average used to estimate the incidence of quality and other factors be adjusted to exclude the 1983 crop average and be replaced by the 1981-crop. The April 22, 1987 notice also proposed that the minimum support value for any quota lot of eligible peanuts of any type would remain at 7 cents per pound of kernels in the lot so that the minimum level would not exceed the support level for loose shelled kernels (LSKs). Aside from the changes indicated in the April 22, 1987 notice, no other changes from the method of determining differentials for recent crop years were proposed.

Three commenters responded to the April 22 notice. They were: two grower organizations and one sheller/handler organization. The grower organizations supported the proposed differentials. The sheller/handler organization suggested that the basic differentials be changed to make the base value percentage of sound mature kernels (SMK) uniform for all peanut types; i.e., uniform for Virginia, Runner, Spanish and Valencia-type peanuts, and to reduce the 35 cents premium for Virginia-type peanuts per percentage of ELKs in a ton of peanuts to 25 cents per percentage ELKs or to limit the years used to project the expected incidence of Virginia-type for the 1987-crop ELK to the average ELK percentages for the 1984, 1985 and 1986-crop years.

Under the differentials which applied to the 1986-crop and all preceding crops since 1976, the base SMK value per percentage for Virginia-type peanuts has been 2 percent higher than the base SMK value per percentage for Runner-type peanuts. For Spanish-type peanuts, the base SMK value per percentage has been ½ percent higher than the Runner base SMK value per percentage. The Valencia base SMK value per percentage has not been established as a proportion of any other base SMK value. However, peanut differentials have traditionally been established in such a manner that the average Valencia support per ton has been tied to either the average level of support per ton for Virginia-type peanuts or Spanish-type peanuts depending on the quality and location of the Valencia-type peanuts.

The commenter seeking a uniform SMK value between types seeks to reduce the relative price of Virginia-type peanuts. This suggested change has not been adapted. Uniform SMK levels could cause many handlers to use larger than normal quantities of Spanish and Virginia-type peanuts in primary products, which would subsequently cause a larger than normal loan intake of quota Runner-type peanuts at a possible loss to CCC and with undue disruption of market relationships. Peanut crop production information published by the U.S. Department of Agriculture's Statistical Reporting Service over the past eight years shows only slight shifts in production of peanuts by type and CCC's loan intake of edible quality peanuts of all types appears to have reached a balance. CCC normally sells a large percentage of its Virginia-type loan inventory, which is mostly additional peanuts, under the "immediate buyback" provisions for domestic edible use at the quota support rate. This indicates that the Virginia-type peanut price has not been disproportionate with that of other types.

Further, the ELK premium for 1987-crop Virginia-type peanuts has not been reduced. A reduction could cause handlers to use slightly more Virginia-type peanuts for domestic edible use, resulting in larger than normal purchases by handlers of Virginia-type quota peanuts and increased purchases of Virginia-type additional peanuts under the "buyback" authority. Also, the value of the other quality factors would have to be increased so that the weighted average of the loan rate per ton for all types would equal the national average loan rate. CCC has not crushed substantial quantities of Virginia-type quota peanuts in recent years. There does not appear to be any reason for that trend to change for the 1987-crop. Accordingly, it does not appear that the 35 cent premium on

Virginia-type peanuts will result in an oversupport of 1987-crop Virginia-type peanuts or cause a reduction in the use of Virginia-type peanuts in primary products.

As to averaging, use of different averaging methods for the same peanut type for different quality factors would produce an inaccurate picture of the expected crop. Use of a five year average provides the most reliable statistical picture of the overall crop. The use of a five-year average should not result in an excess of support for the 1987 crop, even though some quality factors may exceed the expected incidence as determined by using the five year average. The differentials set forth in this notice are the same as set forth in the April 22, 1987 proposal except that the average price per ton for farm-stored loans has been changed to an unrounded figure. This change follows normal CCC disbursement practices for such loans.

Except as indicated in the proposed notice, the 1987-crop differentials have been calculated in the same manner as the 1986-crop differentials, and employ the same premiums and discounts.

As indicated in the proposed determination, the value of additional peanuts for price support purposes will be calculated by using a two-step process. The first step will be to calculate the level at which the peanuts would be supported if they were quota peanuts. That figure will then be reduced by a factor (.2465) that represents the ratio of the national average support level for additional peanuts for the 1987-crop ($149.75/ton) to the national average support level for quota peanuts for the 1987-crop ($607.47/ton).

Price support loans made on the basis of the prices set forth in this notice will be subject to adjustments for deductions permitted to be made by CCC or required by law.

Because of the onset of the marketing year for the 1987-crop and the need for interested parties to be informed as soon as practicable of the prices set forth in this notice, this final determination shall be effective upon publication.

Determination

Accordingly, the following support prices and applicable adjustments are set forth with respect to the 1987-crop of peanuts.

(a) Average 1987 Support Values for Quota Peanuts by Type Per Average Grade Ton of Peanuts

(1) Support Value for Warehouse-Stored Peanuts

	Per average grade ton
Type:	
Virginia	$606.73
Runner	611.61
Spanish	573.26
Valencia:	
Southwest area—suitable for cleaning and roasting	606.73
Southwest area—not suitable for cleaning and roasting	573.26
Areas other than Southwest	573.26

(2) Support Value for Farm-Stored Peanuts:

	Per average grade ton
Type:	
Virginia	$606.73
Runner	611.61
Spanish	573.26
Valencia:	
Southwest Area	606.73
Areas Other Than Southwest	573.26

(b) Calculation of Support Prices for Quota Peanuts by Type and Quality

The support price per ton for 1987-crop quota peanuts of a particular type and quality shall be calculated on the basis of the following rates (with no value assigned to damaged kernels (DKs)), premiums, and discounts (including a DK discount) except that the minimum support value for any quota lot of eligible peanuts of any type shall be 7 cents per pound of kernels in the lot:

(1) Kernel Value Per Ton Excluding Loose Shelled Kernels (LSKs)

(i) The price per ton for each percent of sound mature (SM) and sound split (SS) kernels in the ton shall be:

	Per Percent
Type:	
Virginia	$8.743
Runner	8.572
Spanish	8.615
Valencia:	
Southwest area—suitable for cleaning and roasting	8.997
Southwest area—not suitable for cleaning and roasting	8.615
Areas other than Southwest	8.615

(ii) The price per ton for each percent of other kernels (OK) shall be: All types, per percent, $1.40.

(iii) The premium per ton for each percent of Extra Large Kernels (ELKs) for Virginia-type peanuts shall be: $0.35.

However, no premium for ELKs shall be applicable to any ton of such peanuts containing more than four-percent DKs.

(2) Price of LSKs Per Pound. The price for each pound of LSKs shall be: All types, per pound, $0.07.

(3) Foreign Material Discount. For all types of peanuts, the discount per ton for foreign material by percentage of foreign material in the ton shall be as follows:

Percent	Discount
0 to 4	$0
5	1.00
6	2.00
7	3.00
8	4.00
9	5.00
10	6.00
11	7.00
12	8.50
13	10.00
14	11.50
15	13.00
16 and over	(1)

[1] For each full percent in excess of 15 percent deduct an additional $2.

(4) SS Kernel Discount

For all types of peanuts, the discount per ton for SS kernels by percentage of SS kernels in the ton shall be as follows:

Percent	Discount
1 through 4	$0
5	1.00
6	1.60
7 and over	(1)

[1] For each full percent in excess of 6 percent deduct an additional $0.80.

(5) DK Discount

(i) For all types of peanuts, the discount per ton for DKs shall by percentage of DKs in the ton be as follows:

Percent	Discount
1	$ 0
2	3.40
3	7.00
4	11.00
5	25.00
6	40.00
7	60.00
8 to 9	80.00
10 and over	100.00

(ii) Notwithstanding the above discount schedule, the DK discount for Segregation 2 peanuts transferred from additional to quota loan pools shall not exceed $25 per ton.

(6) Adjustment for Peanuts Sampled with Other Than Pneumatic Sampler

The support price per ton for Virginia-type peanuts sampled with other than a

pneumatic sampler shall be reduced by $0.10 per every percentage in the ton of SM and SS kernels.

(7) Mixed Type Discount

Individual lots of farmers stock peanuts containing mixtures of two or more types in which there is less than 90 percent of any one type will be supported at a price which is $10 per ton less than the support price applicable to the type in the mixture having the lowest support price.

(8) Adjustments for Location Where Peanuts are not Customarily Shelled or Crushed

(i) Farmers stock peanuts for which price support is made available in the following States shall be discounted in those States as follows:

State	Per ton
Arizona	$25.00
Arkansas	10.00
California	33.00
Louisiana	7.00
Mississippi	10.00
Missouri	10.00
Tennessee	25.00

(ii) Farmers stock peanuts on which price support is made available in Puerto Rico and all other States, territories and possessions of the United States (excluding the States specified in paragraph (8)(i) and Alabama, Florida, Georgia, New Mexico, North Carolina, Oklahoma, South Carolina, Texas, and Virginia) shall be discounted $40.00 per ton.

(9) Virginia-Type Peanuts

Virginia-type peanuts, in order to be eligible for price support as Virginia-type, must contain 40 percent or more "fancy" size peanuts, as determined by a presizer with the rollers set with a $^{33}/_{64}$ inch space. Virginia-type peanuts so determined to contain less than 40 percent "fancy" size peanuts will be supported (but not classed) as though they were Runner-type peanuts.

(10) Discount for Aspergillus Flavus Mold (Segregation 3 Peanuts)

There will be no discount applied to Segregation 3 peanuts for Aspergillus flavus mold when such peanuts are pledged as loan collateral at the additional loan rate. Should such peanuts later be transferred to a quota loan pool under 7 CFR Part 1446, they will be discounted at the rate of $25 per net ton from the quota price support rate.

(c) Calculation of Support Values for Additional Peanuts

The support price per ton for 1987-crop additional peanuts of a particular type and quality shall be calculated on the basis of 24.65 percent of the same rates, premiums and discounts which are applicable to quota peanuts. This percentage has been computed by dividing the national average support rate per ton for 1987-crop additional peanuts by the national average support rate ton for 1987-crop quota peanuts.

Signed at Washington, DC on August 17, 1987.

Milton Hertz,

Executive Vice President, Commodity Credit Corporation.

[FR Doc. 87-19054 Filed 8-17-87; 3:28 pm]

BILLING CODE 3410-05-M

Federal Grain Inspection Service

Advisory Committee Meeting

Pursuant to the provisions of section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), a notice is hereby given of the following committee meeting:

Name: Federal Grain Inspection Service Advisory Committee.

Date: September 14, 1987.

Place: Holiday Inn, DFW Airport North, 4441 Highway 114 and Esters Blvd., Irving, TX 75063.

Time: 9:00 A.M.

Purpose: A subcommittee to review and prepare recommendations to the Federal Grain Inspection Service Advisory Committee on sorghum odor and damage determinations.

The agenda includes a review of methods used for determining sorghum odor and damage.

The meeting will be open to the public. Public participation will be limited to written statements unless otherwise requested by the Committee Chairman. Persons, other than members, who wish to address the Committee at the meeting or submit written statements before or at the meeting should contact Marion Stackhouse, Subcommittee Chairman, P.O. Box 1290, Indianapolis, IN 46206, telephone (317) 263-7851.

Dated: August 14, 1987.

W. Kirk Miller,

Administrator.

[FR Doc. 87-19044 Filed 8-19-87; 8:45 am]

BILLING CODE 3410-EN-M

Soil Conservation Service

Environmental Statement; Hagerman Water Drainage RC&D Measure, Idaho

AGENCY: Soil Conservation Service, USDA.

ACTION: Notice of a finding of no significant impact.

FOR FURTHER INFORMATION CONTACT: Stanley N. Hobson, State Conservationist, Soil Conservation Service, 304 North 8th Street, Rm. 345 Boise, Idaho 83702, telephone (208) 334-1601.

Notice: Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Hagerman Water Drainage RC&D Measure, Gooding County, Idaho.

The environmental assessment of this federally assisted action indicates that the measure will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Stanley N. Hobson, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

Hagerman Water Drainage RC&D Measure will provide assistance to the City of Hagerman for the removal of excess surface and sub-surface waters within the City. Planned treatments include both surface and sub-surface collective systems to reducing standing water problems within the City, and to prevent entry of these waters into the City sewer system.

The Notice of a Finding of No Significant Impact (FONSI) has been forwarded to the Environmental Protection Agency. The basic data developed during the environmental assessment are on file and may be reviewed by contacting Mr. Stanley N. Hobson. The FONSI has been sent to various Federal, State and local agencies, and interested parties. A limited number of copies of the FONSI are available to fill single copy requests at the address on the previous page.

Implementation of the proposal will not be initiated until 30 days after the date of this publication in the **Federal Register.**

(This activity is listed in the Catalog of Federal Domestic Assistance Program No. 10.901—Resources Conservation and Development—and is subject to the provisions of Executive Order 12372 which

requires intergovernmental consultation with State and local officials.)

Stanley N. Hobson,

State Conservationist.

Date: August 11, 1987.

[FR Doc. 87-19086 Filed 8-19-87; 8:45 am]

BILLING CODE 3410-16-M

Environmental Statement; Pigeon Creek Watershed, IN

AGENCY: Soil Conservation Service, USDA.

ACTION: Notice of a finding of no significant impact.

SUMMARY: Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Pigeon Creek Watershed, Steuben County, Indiana.

FOR FURTHER INFORMATION CONTACT: Robert L. Eddleman, State Conservationist, Soil Conservation Service, Corporate Sq-West, Suite 2200, 5610 Crawfordsville Road, Indianapolis, IN 46224, telephone (317) 248-4350.

SUPPLEMENTARY INFORMATION: The environmental assessment of this federally assisted action indicates that the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Robert L. Eddleman, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The project concerns a plan for watershed protection. The planned works of improvement include conservation tillage systems, water and sediment control basins, and land use conversion.

The Notice of a Finding of No Significant Impact (FONSI) has been forwarded to the Environmental Protection Agency and to various Federal, State, and local agencies and interested parties. A limited number of copies of the FONSI are available to fill single copy requests at the above address. Basic data developed during the environmental assessment are on file and may be reviewed by contacting Robert L. Eddleman.

No administrative action on implementation of the proposal will be taken until 30 days after the date of this publication in the **Federal Register.**

(This activity is listed in the Catalog of Federal Domestic Assistance under No. 10.904—Watershed Protection and Flood Prevention—and is subject to the provisions of Executive Order 12372 which requires intergovernmental consultation with State and local officials.)

Robert L. Eddleman,

Date: August 12, 1987.

[FR Doc. 87-19087 Filed 8-19-87; 8:45 am]

BILLING CODE 3410-16-M

DEPARTMENT OF COMMERCE

International Trade Administration

[A-423-602]

Antidumping Duty Order; Industrial Phosphoric Acid From Belgium

AGENCY: Import Administration, International Trade Administration, Commerce.

ACTION: Notice.

SUMMARY: In separate investigations concerning industrial phosphoric acid (IPA) from Belgium, the U.S. Department of Commerce (the Department) and the U.S. International Trade Commission (ITC) have determined that IPA from Belgium is being sold at less than fair value and that sales of IPA from Belgium are materially injuring a U.S. industry.

Therefore, based on these findings, all unliquidated entries, or warehouse withdrawals, for consumption of IPA from Belgium made on or after April 22, 1987, the on which the Department published its "Preliminary Determination" notice in the **Federal Register,** will be liable for the possible assessment of antidumping duties. Further, a cash deposit of estimated antidumping duties must be made on all such entries, and withdrawals from warehouse, for consumption made on or after the date of publication of this antidumping duty order in the **Federal Register.**

EFFECTIVE DATE: August 20, 1987.

FOR FURTHER INFORMATION CONTACT: Mary Martin, Office of Investigations, or William Matthews, Office of Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 377-2830 (Martin) or (202) 377-3601 (Matthews).

SUPPLEMENTARY INFORMATION: The product covered by this order is IPA as currently provided for in item 416.30 of the *Tariff Schedules of the United States.*

In accordance with section 733 of the Tariff Act of 1930, as amended (the Act) (19 U.S.C. 1673b), on April 14, 1987, the Department made its preliminary determination that there was reason to believe or suspect that IPA from Belgium was being sold at less than fair value and that critical circumstances did not exist with respect to these imports (52 FR 13263, April 22, 1987). On June 29, 1987, the Department made its final determination that these imports were being sold at less than fair value and that critical circumstances did not exist with respect to these imports (52 FR 25436, July 7, 1987).

On August 12, 1987, in accordance with section 735(d) of the Act (19 U.S.C. 1673d(d)), the ITC notified the Department that such imports materially injure a U.S. industry.

Therefore, in accordance with sections 736 and 751 of the Act (19 U.S.C. 1673e and 1675), the Department directs U.S. Customs officers to assess, upon further advice by the administering authority pursuant to section 736(a)(1) of the Act (19 U.S.C. 1673e(a)(1)), antidumping duties equal to the amount by which the foreign market value of the merchandise exceeds the United States price for all entries of IPA from Belgium. These antidumping duties will be assessed on all unliquidated entries of IPA entered, or withdrawn from warehouse, for consumption on or after April 22, 1987, the date on which the Department published its "Preliminary Determination" notice in the **Federal Register.**

On and after the date of publication of this notice, U.S. Customs officers must require, at the time as importers would normally deposit estimated duties on this merchandise, a cash deposit equal to the estimated weighted-average antidumping duty margin of 14.67 percent.

This determination constitutes an antidumping duty order with respect to IPA from Belgium, pursuant to section 736 of the Act (19 U.S.C. 1673e) and § 353.48 of the Commerce Regulations (19 CFR 353.48). We have deleted from the Commerce Regulations, Annex I of 19 CFR Part 353, which listed antidumping duty findings and orders currently in effect. Instead, interested parties may contact the Central Records Unit, Room B-099, Import Administration, for copies of the updated list of orders currently in effect.

Notice of Review

In accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)), the Department hereby gives notice that, if requested, it will commence an administrative review of this order. For further information regarding this review, contact William Matthews at (202) 377–3601.

This notice is published in accordance with section 736 of the Act (19 U.S.C. 1673e) and § 353.48 of the Commerce Regulations (19 CFR 353.48).

Joseph A. Spetrini,

Acting Deputy Assistant Secretary for Import Administration.

August 17, 1987.

[FR Doc. 87–19207 Filed 8–19–87; 8:45 am]

BILLING CODE 3510-DS-M

[A–549–601]

Antidumping Duty Order; Malleable Cast Iron Pipe Fittings From Thailand

AGENCY: International Trade Administration, Import Administration, Commerce.

ACTION: Notice.

SUMMARY: In separate investigations the United States Department of Commerce (the Department) and the United States International Trade Commission (the ITC) have determined that malleable cast iron pipe fittings (pipe fittings) from Thailand are being sold at less than fair value and that sales of pipe fittings from Thailand are materially injuring a United States industry. Therefore, based on this finding, we will continue suspension of all unliquidated entries, or warehouse withdrawals, for consumption of pipe fittings from Thailand made on or after February 13, 1987, the date on which the Department published its preliminary determination notice in the **Federal Register**. These entries will be liable for the possible assessment of antidumping duties. Further, a cash deposit of estimated antidumping duties must be made on all such entries, and withdrawals from warehouse, for consumption on or after the date of publication of this antidumping duty order in the **Federal Register**.

EFFECTIVE DATE: August 20, 1987.

FOR FURTHER INFORMATION CONTACT: Charles Wilson (202) 377–5288 or James Riggs (202) 377–1766, Office of Investigations, International Trade Administration, United States Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, 20230.

SUPPLEMENTARY INFORMATION:

The products covered by this investigation are malleable cast iron pipe fittings advanced in condition by operations or processes subsequent to the casting process other than with grooves, or not advanced, of cast iron other than alloy cast iron, as provided for in items 610.7000 and 610.7400 of the *Tariff Schedules of the United States Annotated* (*TSUSA*).

In accordance with section 733 of the Tariff Act of 1930, as amended (the Act) (19 U.S.C. 1673b), on February 5, 1987, the Department made its preliminary determination that there was reason to believe or suspect that pipe fittings from Thailand were being sold at less than fair value (52 FR 4837 February 13, 1987). On June 29, 1987, the Department made its final determination that these imports were being sold at less than fair value (52 FR 29262 July 7, 1987).

On August 12, 1987, in accordance with section 735(d) of the Act (19 U.S.C. 1673d(d)), the ITC notified the Department that such imports materially injure a United States industry.

Therefore, in accordance with sections 726 and 751 of the Act (19 U.S.C. 1673e and 1675), the Department directs United States Customs officers to assess, upon further advice by the administering authority pursuant to section 736(a)(1) of the Act (19 U.S.C. 1673e(a)(1)), antidumping duties equal to the amount by which the foreign market value of the merchandise exceeds the United States price for all entries of pipe fittings from Thailand. These antidumping duties will be assessed on all unliquidated entries of pipe fittings entered, or withdrawn from warehouse, for consumption on or after February 13, 1987, the date on which the Department published its preliminary determination.

On and after the date of publication of this notice, United States Customs officers must require, at the same time as importers would normally deposit estimated duties on this merchandise, a cash deposit equal to the estimated weighted-average antidumping duty margin of 2.75 percent.

This determination constitutes an antidumping duty order with respect to pipe fittings from Thailand, pursuant to section 736 of the Act (19 U.S.C. 1673e) and 19 CFR 353.48. We have deleted from the Commerce Regulations, Annex I of 19 CFR Part 353, which listed antidumping duty findings and orders currently in effect. Instead, interested parties may contact the Central Records Unit, Room B–099, Import Administration, for copies of the updated list of orders currently in effect.

This notice is published in accordance with section 736 of the Act (19 U.S.C. 1673e) and § 353.48 of the Commerce Regulations (19 CFR 353.48).

August 17, 1987.

Joseph A. Spetrini,

Acting Duty Assistant Secretary for Import Administration.

[FR Doc. 87–19085 Filed 8–19–87; 8:45 am]

BILLING CODE 3510-DS-M

Export Trade Certificate of Review; Calcined Petroleum Coke, Inc.

ACTION: Notice of application.

SUMMARY: The Office of Export Trading Company Affairs, International Trade Administration, Department of Commerce, has received an application for an Export Trade Certificate of Review. This notice summarizes the conduct for which certification is sought and requests comments relevant to whether the certificate should be issued.

FOR FURTHER INFORMATION CONTACT: George Muller, Acting Director, Office of Export Trading Company Affairs, International Trade Administration, 202/377–5131. This is not a toll-free number.

SUPPLEMENTARY INFORMATION: Title III of the Export Trading Company Act of 1982 (Pub. L. 97–290) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. A certificate of review protects its holder and the members identified in it from private treble damage actions and from civil and criminal liability under Federal and state antitrust laws for the export conduct specified in the certificate and carried out during its effective period in compliance with its terms and conditions. Section 302(b)(1) of the Act and 15 CFR 325.6(a) require the Secretary to publish a notice in the **Federal Register** identifying the applicant and summarizing its proposed export conduct.

Request for Public Comments

Interested parties may submit written comments relevant to the determination whether a certificate should be issued. An original and five (5) copies should be submitted not later than 20 days after the date of this notice to: Office of Export Trading Company Affairs, International Trade Administration, Department of Commerce, Room 5618, Washington, DC 20230. Information submitted by any person is exempt from disclosure under the Freedom of

Information Act (5 U.S.C. 552). Comments should refer to this application as "Export Trade Certificate of Review, application number 87-00011." A summary of the application follows.

Applicant: Calcined Petroleum Coke, Inc., 230 Park Avenue Suite 2717, New York, New York 10017, (212)983-4500

Application #: 87-00011

Date deemed submitted: August 6, 1987.

Summary of the Application:

Export Trade: Product

Calcined Petroleum Coke.

Export Markets

The Export Markets include all parts of the world except the United States (the fifty states of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands).

Export Trade Activities and Methods of Operation

Calcined Petroleum Coke, Inc., seeks certification to offer the major U.S. producers of Calcined Petroleum Coke a proposal to (and carry out that proposal, should the producers accept) become their exclusive export sales agent for an initial period of two years. As exclusive agent, Calcined Petroleum Coke, Inc., would

(1) Purchase from each producer its annual export capacity and resell this capacity to aluminum smelters outside of the U.S.;

(2) Have sole discretion to set prices and other terms for export sales of Calcined Petroleum Coke;

(3) Agree with each producer to pay the producer a fixed amount per metric ton of capacity in excess of current export requirements on the condition that the producer not sell from that capacity directly or indirectly into the export market; and

(4) Seek to negotiate advantageous transportation rates with carriers and with conferences for the shipment of exported Calcined Petroleum Coke.

Date: August 14, 1987.

George Muller,

Acting Director, Office of Export Trading Company Affairs.

[FR Doc. 87-19041 Filed 8-19-87; 8:45 am]

BILLING CODE 3510-DR-M

Solicitation of Comments on Machine Tool Special Issue License Request

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of request for comments.

SUMMARY: The Department of Commerce hereby announces its review of a request for special issue licenses under Paragraph 10 of the U.S.-Taiwan Arrangement Concerning Trade in Certain Machine Tools.

DATE: Comments must be submitted no later than August 31, 1987.

ADDRESS: Send all comments to Lee Mercer, Deputy Assistant Secretary for Trade Administration, International Trade Administration, Department of Commerce, Room 3892, Washington, DC 20230.

FOR FURTHER INFORMATION CONTACT: Nicholas C. Tolerico, Acting Director, Office of Agreements Compliance, International Trade Administration, Department of Commerce, Washington, DC 20230, at (202) 377-3793, or John Richards, Director, Office of Industrial Resource Administration, International Trade Administration, Department of Commerce, Washington, DC 20230, at (202) 377-4506.

SUPPLEMENTARY INFORMATION: Paragraph 10 of the U.S.-Taiwan Arrangement Concerning Trade in Certain Machine Tools provides for the authorization of special issue licenses. Such licenses may be authorized for importation of machine tools in excess of the export limit when the United States Government determines that regular licenses are not available, and there is a national security need for that product, and/or the domestic industry is unable to meet demand for that product.

Special issue licenses are granted for a limited time period and for a specified number of machines, on a product-by-product basis.

We have received a request for 56 special issue licenses for bed-type machining center frames which meet the following specifications: Work envelopes of 22" x 14" x 14", 30" x 20" x 20", 40" x 30" x 22", and 52" x 30" x 23.6"; table loads of 550, 1,100, and 3,300 pounds; continuous spindle horsepowers of 3HP, 7.5HP, and 10HP; positioning accuracy of + or — .0004"; and positioning repeatability of + or — .0002".

The Department of Commerce is particularly interested in public comments regarding the domestic availability of the items described above, and any effects that the proposed additional imports of these items would have upon domestic machine tool manufacturers.

Public information will be made available at the Department of Commerce for public inspection and copying. Material that is national security classified information or business confidential information is subject to the provisions of Paragraph 359.6 of the regulations (15 CFR 359.6).

The public record concerning this request will be maintained in the International Trade Administration's Freedom of Information Records Inspection Facility, Room 4104, U.S. Department of Commerce, Washington, DC, 20230. The records in this facility may be inspected and copied in accordance with regulations published in Part 4 of Title 15 of the Code of Federal Regulations.

Further information about the inspection and copying of records at the facility can be obtained from Patricia Mann, Freedom of Information Officer, International Trade Administration, Department of Commerce, Room 4001, Washington, DC 20230, at (202) 377-3031.

Lee Mercer,

Deputy Assistant Secretary for Trade Administration.

[FR Doc. 87-19053 Filed 8-19-87; 8:45 am]

BILLING CODE 3510-DS-M

National Oceanic and Atmospheric Administration

Senior Executive Service; Membership of the National Oceanic and Atmospheric Administration Performance Review Boards

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of membership of NOAA Performance Review Boards.

SUMMARY: In conformance with the Civil Service Reform Act of 1978, 5 U.S.C. 4314(c)(4), NOAA announces the appointment of persons to serve as members of NOAA Performance Review Boards (PRB's). The NOAA PRB's are responsible for reviewing performance appraisals and ratings of Senior Executive Service (SES) members and making written recommendations to the appointing authority on SES retention and compensation matters, including performance-based pay adjustments, awarding of bonuses and amounts, and initial recommendations for potential rank awards. The appointment of these members to the NOAA PRB's will be for

periods of 24 months service beginning August 31, 1987.

DATE: The effective date of service of appointees to the NOAA Performance Review Board is August 31, 1987.

FOR FURTHER INFORMATION CONTACT: Susan Johnson, NOAA Personnel Officer, Office of Administration, NOAA, 6010 Executive Blvd., Rockville, Maryland 20852, (301) 443–8811.

SUPPLEMENTARY INFORMATION: The names and titles of the members of the NOAA PRB's (NOAA officials unless otherwise identified) are set forth below:

Dennis F. Geer, Director, Office of Administration
Curtis T. Hill, Director, Mountain Administrative Support Center
Kelly C. Sandy, Director, Western Administrative Support Center
Robert S. Smith, Director, Eastern Administrative Support Center
Frank W. Maloney, Chief, Aeronautical Charting division, National Ocean Service
Andrew Robertson, Chief, Ocean Resources Assessment Division, National Ocean Service
Peter L. Tweedt, Director, Ocean and Coastal Resource Management Office, National Ocean Service
Paul M. Wolff, Assistant Administrator for Ocean Services and Coastal Zone Management
Michael A. Chinnery, Director, National Geophysical Data Center, National Environmental Satellite, Data, and Information Service
Kenneth D. Hadeen, Director, National Climatic Data Center, National Environmental Satellite, Data, and Information Service
Russell Koffler, Director, Office of Satellite Data Processing and Distribution, National Environmental Satellite, Data, and Information Service
Gregory W. Withee, Director, National Oceanographic Data Center, National Environmental Satellite, Data, and Information Service
Richard P. Augulis, Director, Central Region, National Weather Service
Louis J. Boezi, Director, Transition Program Office, National Weather Service
William D. Bonner, Director, National Meteorological Center, National Weather Service
Anthony F. Durham, Director, NEXRAD Joint Systems Program, National Weather Service
Elbert W. Friday, Deputy Assistant Administrator for Weather Services
Richard E. Hallgren, Assistant Administrator for Weather Services
Michael D. Hudlow, Director, Office of Hydrology, National Weather Service
Frederick P. Ostby, Director, National Severe Storms Forecast Center, National Weather Service
Douglas H. Sargeant, Director, Office of Systems Development, National Weather Service
Eddie Bernard, Director, Pacific Marine Environmental Laboratory, Office of Oceanic and Atmospheric Research
B. Kent Burton, Director, Office of Legislative Affairs
Kathleen J. Charles, Deputy Comptroller
Timothy R. Keeney, Deputy General Counsel for Policy, Research, Services and Coastal Zone
Augustine J. LaCovey, Director, Office of Public Affairs
William Matuszeski, Director, Office of A–76 Activities
Daniel W. McGovern, General Counsel
J. Roy Spradley, Jr., Special Advisor, Office of Assistant Secretary for Oceans and Atmosphere
Joseph W. Angelovic, Deputy Assistant Administrator for Science and Technology, National Marine Fisheries Service
Izadore Barrett, Director, Southwest Fisheries Center, National Marine Fisheries Service
Henry R. Beasley, Director, Office of International Fisheries, National Marine Fisheries Service
Richard J. Berry, Director, Southeast Fisheries Center, National Marine Fisheries Service
Carmen J. Blondin, Deputy Assistant Administrator for Fisheries Resource Management, National Marine Fisheries Service
Ellsworth C. Fullerton, Director, Southwest Region, National Marine Fisheries Service
Samuel McKeen, Chief, Management and Budget Staff, National Marine Fisheries Service
Bill A. Powell, Executive Director, National Marine Fisheries Service
Richard B. Roe, Director, Office of Fisheries Management, National Marine Fisheries Service
Rolland A. Schmitten, Director, Northwest Region, National Marine Fisheries Service
John J. Carey, Deputy Assistant Administrator for Ocean Services and Coastal Zone Management
Bruce C. Douglas, Chief, Geodetic Research and Development Laboratory, National Ocean Service
Charles N. Ehler, Director, Office of Oceanography and Marine Assessment, National Ocean Service
Hugo F. Bezdek, Director, Atlantic Oceanographic and Meteorological Laboratories, Office of Oceanic and Atmospheric Research
Kirk Bryan, Supervisory Research Meteorologist, Geophysical Fluid Dynamics Laboratory, Office of Oceanic and Atmospheric Research
Vernon E. Derr, Director, Environmental Research Laboratories, Office of Oceanic and Atmospheric Research
Lester Machta, Director, Air Resources Laboratory, Office of Oceanic and Atmospheric Research
Jerry D. Mahlman, Director, Geophysical Fluid Dynamics Laboratories, Office of Oceanic and Atmospheric Research
Syukuro Manabe, Supervisory Research Meteorologist, Geophysical Fluid Dynamics Laboratory, Office of Oceanic and Atmospheric Research
Alan R. Thomas, Deputy Assistant Administrator for Oceanic and Atmospheric Research
Richard J. Caldwell, Manager of the Office of Facilities, United States Information Service
Joseph E. Clark, Deputy Director, National Technical Information Service
Harriet G. Jenkins, Assistant Administrator for Equal Opportunity Programs, National Aeronautics & Space Administration
Roy R. Mullen, Associate Chief, National Mapping Division, United States Geological Survey
Joe D. Simmons, Deputy Director, Center for Basic Standards, National Bureau of Standards

Date: August 11, 1987.

Anthony J. Calio,

Under Secretary, NOAA.

[FR Doc. 87–19088 Filed 8–19–87; 8:45 am]

BILLING CODE 3510–12–M

Patent and Trademark Office

[Docket No. 70470–7070]

Electronic Data Dissemination Polices and Guidelines

AGENCY: Patent and Trademark Office, Commerce.

ACTION: Proposed Amendment of Electronic Patent Data Dissemination Policies and Guidelines; Request for Public Comment.

SUMMARY: The U.S. Patent and Trademark Office (PTO) issues this notice to request comments on policies and guidelines for the dissemination and distribution of electronic patent and trademark data by the PTO. The purposes of this notice are (1) to inform the public of the PTO's intention to amend its pricing policy for data base products, and to expand the scope of its dissemination policies and guidelines to encompass patent and trademark electronic data; (2) to explain the current

situation with regard to public access to automated patent and trademark search rooms and libraries; and (3) to solicit public comments on the intended proposals. The proposed pricing would amend the policies and guideliness published in 49 FR 24585 on June 14, 1984.

DATE: Comments should be submitted no later than September 21, 1987.

ADDRESS: Comments should be addressed to: Donald J. Quigg, Assistant Secretary and Commissioner of Patents and Trademarks, U.S. Patent and Trademark Office, Washington, DC 20231.

FOR FURTHER INFORMATION CONTACT: Bradford R. Huther at 703–557–1572.

SUPPLEMENTARY INFORMATION: This notice follows the form of a notice of proposed rulemaking in that the text of the amendment of policies and guidelines is accompanied by this Supplementary Information section containing introductory and background material.

The Patent and Trademark Office has determined that this notice is not a major rule within the meaning of section 1(b) of Executive Order 12291. Therefore, a Regulatory Impact Analysis has not will be prepared. Because a notice of proposed rulemaking and an opportunity for public comment are not required to be given for this amended policy statement by the Administrative Procedure Act under 5 U.S.C. 553(b)(A), no initial or final Regulatory Flexibility Analysis has to be or will be prepared. This notice does not contain a collection of information for purposes of the Paperwork Reduction Act.

It is the intention of the PTO to revise immediately its pricing policy for the sale of its data base products in compliance with OMB Circular A–130 entitled "Management of Federal Information Resources." Under the revised pricing policy, PTO would recover only the marginal cost (i.e., that amount that is sufficient to cover the costs of reproduction and dissemination). This will result in a lowering of most fees charged for data base products. It is also the intention of the PTO to explain the situation under Pub. L. 99–607, the 1986 legislation authorizing appropriations for the PTO, with regard to public access to the patent or trademark search rooms and libraries, and to solicit public comments on alternatives for funding public access to those search rooms and libraries. Such comments will be considered by the PTO in formulating further modifications to the PTO's current information guidelines and policies, which modifications will be published at a later date in the form of a separate proposed rulemaking.

Background

In response to Pub. L. 96–517, the 1980 legislation which amended patent and trademark laws, the PTO prepared and submitted a plan for the automation of its operations to Congress on December 13, 1982. The plan centered on two basic concepts: the creation of electronic data bases that (1) would replace the PTO's all-paper patent and trademark files, and thereby improve their intergrity and quality; and (2) would support searches, examinations, office actions and other office functions through electronic workstations which would provide text and image retrieval capabilities and perform other automation functions.

Active Federal trademark registrations have been converted to an electronic data base of textual and digital image data. A computer system has been installed to enable examiners to search the data base for textual data and codes describing designs, and within calendar year 1987 will be fully operational to retrieve and display all information as substitute for paper file searches.

An Automated Patent System (APS) is being installed for test and evaluation purposes, using one patent examining group as an operational testbed. Major operational components of APS—large scale computers with conventional magnetic storage devices, a high-speed local area data communications network, and electronic workstations equipped with dual resolution display graphics control devices and laser printers—were interconnected on July 1, 1986, to enable system test and evaluation to begin in the testbed group. Optical disk storage units were subsedquently installed to house the test data base of digital images of U.S. and foreign patents. Other equipment that will be needed to simulate the system's performance under full workload conditions will be installed and evaluated during 1987.

The text of U.S. patents issued since 1975 was entered in the system to provide the data base for use with full text searching capabilities of APS. Images of all U.S. and relected foreign patents in the testbed group's search files have been converted to digital form and are being placed on optical disks for use in electronic classification and combined text classification searches. Work has begun to digitize the entire backfile of U.S. patents. Through exchange agreements with the European and Japanese Patent Offices, European patents issued since 1920 and all Japanese patents have been or will be converted to a common facsimile standard and key patent will be entered for on-line retrieval.

Text search capabilities of APS are now being made available to all PTO examiners. A decision on the deployment of the digital image retrieval and other electronic searching capabilities is planned to be made in 1988. Additional system capabilities for office automation and other administrative support will be added to those already installed in the testbed over the next several months to supplement the search and retrieval capabilities. Examiners will be provided with access to commercial data bases, such as industry-specific data bases, through APS, from the electronic workstations.

At the present time, neither the trademark nor the patent automated systems has been deployed to the public search rooms. It is expected that the trademark automated system could be ready for public deployment prior to the end of the current authorization cycle, which is September 30, 1988. According to the 1987 edition of the Automation Master Plan, full deployment of the automated patent system to the public search room is scheduled for fiscal year 1991. Public evaluation of the automated patent system is scheduled to begin in fiscal year 1987.

Under the provisions of Pub. L. 99–607, which authorizes appropriations through September 30, 1988, "The Commissioner of Patent and Trademarks may not impose a fee for use of public patent or trademark search rooms and libraries. The costs of such rooms and libraries shall come from amounts appropriated by Congress." In anticipation of the need to propose authorizing legislation for fiscal years 1989 through 1991, comments are being requested regarding three potential funding alternatives to support the automated public search rooms. They are:

(1) *Use of taxpayer revenues.* The costs of supporting the automated public search rooms could be covered by funds appropriated specifically for that purpose by Congress. No statutory changes would be required for this option. Presently, the paper search rooms are being supported with appropriated funds. Under current funding levels and, in the absence of authority to charge fees for this purpose, the public's access to automated search rooms would be restricted.

(2) *Use of general fee revenues.* The marginal costs of supporting the

automated public search rooms could be apportioned as a cost of prosecuting an application or derived from the total available fee revenues collected by the PTO. Under this alternative, the costs for the automated public search rooms would be borne by all users of the patent and trademark systems. The user charge prohibition in Pub. L. 99-607 would have to be modified to permit this option.

(3) *Establish specific user charges for access to the public search rooms.* Under this alternative such charges for access to the automated trademark and patent systems in the public search rooms would be consistent with the guidelines of OMB Circular A-130, and would be established through the rulemaking process. The marginal costs for the public search rooms under this alternative would be borne only by those who actually use the public search rooms. The user charge prohibition in Pub. L. 99-607 would have to be rescinded to permit this option.

Electronic Data Dissemination Policies and Guidelines

The Patent and Trademark Office proposes to amend its notice entitled Electronic Patent Data Dissemination Policies and Guidelines, published in 49 FR 24585 on June 14, 1984, as follows:

The title of the guidelines would be changed to read Electronic Data Dissemination Policies and Guidelines.

Guideline III, paragraphs C and D would be amended to read:

C. Fees charged to commercial data base vendors for bulk data developed by the PTO will be based on the marginal cost of providing such distribution services.

D. Normally, arrangements with commercial data base vendors will be non-exclusive. Bulk resale of PTO data by commercial data base vendors will be permitted subject to the terms of each bulk data sales agreement.

A new Guideline V, entitled Data Base Product Pricing would be added as follows:

V. Data Base Product Pricing

Fees charged to the public for U.S. patent and trademark data products will be based on the marginal cost of providing such products.

Dated: August 17, 1987.

Rene D. Tegtmeyer,

Assistant Commissioner for Patents.

[FR Doc. 87-19056 Filed 8-19-87; 8:45 am]

BILLING CODE 3510-16-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Gas Transportation Rate Design and the Use of Auctions to Allocate Capacity; Technical Conference

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Notice of Technical Conference.

SUMMARY: On July 29, 1987, the Federal Energy Regulatory Commission (Commission) released for public comment a staff discussion paper entitled "Gas Transportation Rate Design and the Use of Auctions for the Allocation of Capacity." The staff discussion paper offers auction options that could be used as part of a gas pipeline rate proceeding for the allocation of pipeline capacity. The Commission is exploring the use of auctions as part of its gas strategy policy announced on January 15, 1987. The purpose of the technical conference is to permit interested persons the opportunity to orally comment on the contents of the discussion paper.

DATE: The technical conference will be held on Thursday, August 27, 1987, beginning at 10:00 a.m.

ADDRESS: The technical conference will be held at: Federal Energy Regulatory Commission, 825 North Capitol Street, NW., Washington, DC 20426.

The technical conference will be held in Hearing Room A located on the second floor of the Commission's headquarters at the above address. Requests to participate, including the length of time requested to make oral comments, should be directed to Richard P. O'Neill, Director, Office of Pipeline and Producer Regulation, at (202) 357-8500 by August 25, 1987.

FOR FURTHER TECHNICAL INFORMATION CONTACT: Wayne R. Guest, Office of Pipeline and Producer Regulation, Federal Energy Regulatory Commission, 825 North Capitol Street, NW., Washington, DC 20426, (202) 357-9201.

FOR FURTHER LEGAL INFORMATION CONTACT: Thomas J. Lane, Office of the General Counsel, Federal Energy Regulatory Commission, 825 North Capitol Street, NW., Washington, DC. 20426, (202) 357-8530.

SUPPLEMENTARY INFORMATION: On July 29, 1987, the Commission released for public comment a staff paper which discusses transportation rate design and, in particular, the use of various auction mechanisms, as part of the rate design to allocate transmission capacity. The staff paper was drafted by the Commission's Office of Economic Policy and the Office of Pipeline and Producer Regulation.

The staff paper offers options that are being considered for implementing an auction for allocating pipeline capacity. The paper also details various benefits and goals of the action process including how actions could more efficiently assign capital costs by establishing peak and off-peak seasonal rates, allocate pipeline capacity more efficiently than the first-come, first-served provisions of Order No. 436 and provide market signals to indicate where expansion should occur.

The technical conference will not be of a judicial or evidentiary nature. There will be no cross-examination of persons presenting comments and there will not be a transcript of the oral presentations. However, the Commission's staff may ask questions of persons making statements and persons making statements may address questions and make suggestions to the Commission's staff present at the conference. Persons participating at the technical conference should, if possible, bring, in written form, 10 copies of their oral presentation.

Finally, any persons wishing to submit written comments on the staff paper should submit them by September 9, 1987, by sending them to: Federal Energy Regulatory Commission, Office of the Secretary, 825 North Capitol Street, NW., Washington, DC 20426.

Written comments should reference the staff paper "Gas Transportation Rate Design and the Use of Auctions for the Allocation of Capacity." Copies of the discussion paper are available to the general public for $2.75 each through the Commission's Public Reference Branch, Room 1000, at the above address.

The staff discussion paper does not necessarily reflect the views of the Commission.

Kenneth F. Plumb,

Secretary.

[FR Doc. 87-19203 Filed 8-19-87; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. C187-297-000]

Application for Pregranted Abandonment for an Unlimited Term; Jack L. Burrell, et al.

August 17, 1987.

Take notice that on February 9, 1987, Jack L. Burrell, *et al.*, (Applicant), 2301 Cedar Springs, Suite 400, Dallas, Texas 75201, filed an application for pregranted abandonment relating to sales for resale in interstate commerce

of natural gas from properties located in Reeves and Pecos Counties, Texas. Applicant states that sales from such properties were made to Transwestern Pipeline Company (Transwestern) and were authorized under a small producer certificate issued in Docket No. CS72–46. Applicant states that it previously filed an application requesting permanent abandonment and three-year pregranted abandonment authorization in Docket No. CI87–87–000 pursuant to § 2.77 of the Commission's rules after Transwestern terminated its gas purchase contract. Applicant states that the subject gas is NGPA section 106(a) and 108 gas and that prior to being shut in such gas had a deliverability of 700 Mcf/d. Applicant further states that by order issued January 9, 1987, such application was granted as requested.

Applicant now requests pregranted abandonment authorization for an unlimited term relating to sales of gas from the subject properties. The price to be charged for any subsequent sale of such gas would not exceed maximum lawful prices including any allowances permitted by regulation. Approval of this pregranted abandonment would allow Applicant to make sales of varying terms in the interstate market, including sales for resale to local distribution companies and interstate pipelines, making this gas equally available to jurisdictional and nonjurisdictional purchasers in response to marketplace needs. Applicant states that this pregranted abandonment is the same in scope as that provided for in the Commission's Order No. 451 which prescribed § 157.301(b) of the Commission's Regulations. If Applicant had not been forced to seek expedited abandonment under § 2.77 as a result of Transwestern's actions, and had instead invoked the good faith negotiation procedures in Oder No. 451 and abandoned sales to Transwestern thereby, Applicant states it would have had such pregranted abandonment authority. For the foregoing reasons, Applicant states it is in the public convenience and necessity that Applicant be granted the requested pregranted abandonment authority.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 2, 1987, file with the Federal Energy Regulatory Commission, Washington, DC 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party in a proceeding must file a petition to intervene in accordance with the Commission's rules.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or to be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 87–19066 Filed 8–19–87; 8:45 am]

BILLING CODE 6717–01–M

ENVIRONMENTAL PROTECTION AGENCY

[OPTS–42059D; FRL–3250–7]

Testing Consent Agreement Development for 1,1,1-Trichloroethane Under TSCA Secton 4; Solicitation for Public Participation

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA published a final test rule on 1,1,1-trichloroethane (TCEA; CAS No. 71–55–6) in the **Federal Register** of October 10, 1984 (49 FR 39810). The rule required manufacturers and processors of TCEA to test this chemical substance for developmental toxicity effects. The Agency is considering developing a testing consent agreement for mutagenicity and neurotoxicity testing of TCEA and is soliciting public participation in the process. EPA invites persons interested in becoming involved in or monitoring negotiations for the development of a consent agreement to identify themselves as "interested parties". A public meeting is announced to discuss the Agency's consideration of a testing consent agreement for TCEA.

DATES: Submit written notice of interest to be designated an interested party on or before September 17, 1987.

ADDRESS: Submit written notice of interest in being designated an "interested party" in triplicate identified by the document control number (OPTS–42059D) to: TSCA Public Information Office (TS–793), Office of Pesticides and Toxic Substances, Environmental Protection Agency, Rm. NE–G004, 401 M St., SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Edward A. Klein, Director, TSCA Assistance Office (TS–799), Office of Toxic Substances, Rm. E–543, 401 M St., SW., Washington, DC 20460, (202) 554–1404.

Persons interested in attending the public meeting should notify EPA by telephone before September 10, 1987.

SUPPLEMENTARY INFORMATION: In October, 1984, when EPA issued a test rule for TCEA, the Agency deferred requiring mutagenicity and neurotoxicity testing because the tiered testing scheme for mutagenicity and the neurotoxicity testing guidelines had not been developed. Both are now available and the Agency is considering developing a testing consent agreement for mutagenicity and neurotoxicity testing.

EPA has issued amendments to the procedural regulations in 40 CFR Part 790, which govern the development and implementation of testing requirements under secton 4 of TSCA. These amendments established procedures for using enforceable consent agreements to develop testing requirements under section 4 of the Act. This notice serves three purposes under those procedures. First, it requests "interested parties" who wish to participate in testing negotiations for TCEA to identify themselves to EPA. Second, it announces a public meeting to initiate testing. Third it proposes a target schedule for implementation of the consent agreement process for TCEA.

I. Identification of Interested Parties

Under 40 CFR 790.22, the testing negotiation procedures are initiated by the publication of a **Federal Register** notice which invites persons interested in participating in or monitoring negotiations for the development of a consent agreement to notify the Agency in writing. Those individuals and groups who respond to EPA's notice by the deadline established in the notice will have the status of "interested parties" and will be afforded opportunities to participate in the negotiation process. These "interested parties" will not incur any obligations by being designated "interested parties". The procedures for these negotiations are described in 40 CFR 790.22.

Individuals and groups desiring to have the status of "interested parties" for TCEA should submit a written notice of this fact to the Agency at the address given above on or before September 17, 1987.

The Agency is considering initiating the consent agreement process for TCEA rather than the formal rule making process because industry has requested EPA to consider the consent agreement process for TCEA and because EPA believes this process will lead to the development of necessary test data significantly earlier.

II. Public Meeting

A public meeting will be held to discuss EPA's evaluation of testing needs for TCEA and industry's testing proposal on September 10, 1987 at 10 a.m. This meeting will be held in Room 103, Northeast Mall, EPA Headquarters, 401 M. Street, SW., Washington, DC 20460. Persons interested in attending this meeting should notify the EPA TSCA Assistance Office by telephone at the telephone number listed above before September 10, 1987.

III. Timetable for Negotiating Consent Agreements

In accordance with the procedures for the development of consent agreements established in 40 CFR 790.22, the following target schedule is established for TCEA. EPA has shortened the negotiating time for this chemical because an industry group has already come together and has been able to agree on some joint testing.

September 10, 1987—Public meeting to discuss EPA's preliminary testing decisions.

September 17, 1987—Deadline for the notice of interested party designation.

October 8, 1987—Decision by EPA on whether to negotiate a consent order or prepare a test rule.

October 22, 1987—Draft consent order sent to interested parties for comment (if EPA decides to use the consent order).

January 14, 1988—Issue consent order.

Dated: August 14, 1987.

J. Merenda,

Director, Existing Chemical Assessment Division, Office of Toxic Substances.

[FR Doc. 87-19197 Filed 8-19-87; 8:45 am]
BILLING CODE 6560-50-M

FEDERAL MARITIME COMMISSION

Agreement(s) Filed; Jacksonville Port Authority

The Federal Maritime Commission hereby gives notice of the filing of the following agreement(s) pursuant to section 5 of the Shipping Act of 1984.

Interested parties may inspect and obtain a copy of each agreement at the Washington, DC Office of the Federal Maritime Commission, 1100 L Street, NW., Room 10325. Interested parties may submit comments on each agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573, within 10 days after the date of the **Federal Register** in which this notice appears. The requirements for comments are found in § 572.603 of Title 46 of the Code of Federal Regulations. Interested persons should consult this section before communicating with the Commission regarding a pending agreement.

Agreement No.: 224-200019
Title: Jacksonville Terminal Agreement
Parties: Jacksonville Port Authority (JPA), Green Grove Maritime, Inc. (GCM)
Synopsis: The proposed agreement would allow GCM to stevedore and handle cargo at JPA at incentive rates.

By Order of the Federal Maritime Commission.

Joseph C. Polking,

Secretary.

Dated: August 17, 1987.

[FR Doc. 87-19103 Filed 8-19-87; 8:45 am]
BILLING CODE 6730-01-M

Agreement(s) Filed

The Federal Maritime Commission hereby gives notice of the filing of the following agreement(s) pursuant to section 5 of the Shipping Act of 1984.

Interested parties may inspect and obtain a copy of each agreement at the Washington, DC Office of the Federal Maritime Commission, 1100 L Street NW., Room 10325. Interested parties may submit comments on each agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573, within 10 days after the date of the **Federal Register** in which this notice appears. The requirements for comments are found in § 572.603 of Title 46 of the Code of Federal Regulations. Interested persons should consult this section before communicating with the Commission regarding a pending agreement.

Agreement No.: 212-010286-013.
Title: South Europe/U.S.A. Pool Agreement.
Parties:

Compania Trasatlantica Espanola, S.A.
Costa Line (Costa Container Lines, S.p.A., Genoa)
Evergreen Marine Corporation
Farrell Lines, Inc.
"Italia" Di Navigazione, S.p.A.
Jugolinija
Lykes Lines (Lykes Bros. Steamship Co., Inc.)
A.P. Moller-Maersk Line
Nedlloyd Lines (Nedlloyd Lijnen B.V.)
Sea-Land Service, Inc.
Trans Freight Lines
Zim Israel Navigation Company. Ltd.

Synopsis: The proposed amendment would delete the requirement for unanimous agreement for modifications to the list of cargoes excluded from the scope of the pool.

Agreement No.: 217-010731-002.
Title: Sea-Land Service/United Arab Shipping Company Space Charter Agreement.
Parties:

Sea-Land Service, Inc. (Sea-Land)
United Arab Shipping Company (SAG)

Synopsis: The proposed amendment would assure Sea-Land up to 15 refrigerated container slots per vessel sailing and would provide that up to 30 refrigerated container spaces would be available for "Mid-East interport cargoes." It would also provide for an expedited approval process should Sea-Land request a greater number of refrigerated container spaces.

Agreement No.: 212-010746-001.
Title: Columbus/PACE/SCNZ/BSL/PAD Space Charter and Sailing Agreement.
Parties:

Columbus Line Associated Container Transportation (Australia) Ltd.

Synopsis: The proposed amendment would add The Shipping Corporation of New Zealand Ltd., Blue Star Line, Ltd. and Pacific Australia Direct Line as parties to the agreement and would make other changes in the agreement reflecting the increase in the number of parties. It would also permit the parties to pool revenues from certain cargo and would provide maximum vessel numbers and capacities for each party. The agreement was formerly designated as Agreement No. 217-010746, the Columbus/Pace Cross Charter Agreement.

Agreement No.: 217-011023-001.
Title: Hyundai Merchant Marine/Hanjin Container Lines Space Charter Agreement.
Parties:

Hyundai Merchant Marine Co., Ltd.
Hanjin Container Lines, Ltd.

Synopsis: The proposed amendment would extend the termination date of the agreement until March 28, 1988.

Agreement No.: 203-011141.
Title: Gulfway.
Parties:

Lykes Bros. Steamship Co., Inc.
Hapag-Lloyd AG
Sea-Land Service, Inc.
Trans Freight Lines
Gulf Container Line (GCL), B.V.
Compagnie Generale Maritime (CGM)
Nedlloyd Lijnen, B.V.
South Atlantic Cargo Shipping (Atlanticargo) N.V.

Synopsis: The proposed agreement would permit the parties to meet or otherwise communicate and to agree

upon rates, tariffs, practices and conditions of service in the trade between U.S. Gulf ports and other U.S. ports and points via such ports, and ports and points in the United Kingdom, Ireland, Scandinavia and Northern Europe and other points in Europe via such ports. Adherence to any agreement reached would be voluntary.

By Order of the Federal Maritime Commission.

Dated: August 17, 1987.

Joseph C. Polking,

Secretary.

[FR Doc. 87-19057 Filed 8-19-87; 8:45 am]

BILLING CODE 6730-01-M

Issuance of Certificate (Performance); Security for the Protection of the Public Indemnification of Passengers for Nonperformance of Transportation

Notice is hereby given that the following has been issued a Certificate of Financial Responsibility for Indemnification of Passengers for Nonperformance of Transportation pursuant to the provisions of section 3, Pub. L. 89-777 (80 Stat. 1357, 1358) and Federal Maritime Commission General Order 20, as amended (46 CFR Part 540): Raymond & Whitcomb New York, Inc., (d/b/a Raymond & Whitcomb Co.), 400 Madison Avenue, New York, NY 10017.

Date: August 17, 1987.

Joseph C. Polking,

Secretary.

[FR Doc. 87-19058 Filed 8-19-87; 8:45 am]

BILLING CODE 6730-01-M

Ocean Freight Forwarder License Applicants

Notice is hereby given that the following applicants have filed with the Federal Maritime Commission applications for licenses as ocean freight forwarders pursuant to section 19 of the Shipping Act, 1984 (46 U.S.C. app. 1718 and 46 CFR Part 510).

Persons knowing of any reason why any of the following persons should not receive a license are requested to contact the Office of Freight Forwarder and Passenger Vessel Operations, Federal Maritime Commission, Washington, DC 20573.

Dora V. Soderberg dba DVS International Co., 358 S.W. 27th Avenue, Apt. 1, Miami, FL 33135

Zust Bachmeier of Switzerland Inc., 114 East 28th Street, New York, NY 10016

Officers: Dr. Edgar Scherer, Chairman, Thomas Graefe, President, George Pavia, Secretary

Alternative Freight Services, Inc., Peace Bridge Plaza Warehouse, Suite 211, Buffalo, NY 14213

Officers: Peter K. Vaccaro, President, Sylvia K. Phillips, Vice President, Thomas deGuehery, Vice President

Enterprise Forwarders, Inc., 2350 N.W. 93rd Avenue, Miami, FL 33172

Officers: Susy Barba, President, Maria Jacqueline Maestri, Vice President/Secretary

Kokusai Soko America, Inc., 305 No. Oak Street, Inglewood, CA 90302

Officers: Susumu Ikejiri, President, Takashi Ozawa, Vice President, Katsutoshi Ozawa, Corporate Secretary, James Kodaira, Corporate Treasurer

Robert Sordo dba Aldemar Shipping Company, 10910 S. La Cienega Blvd., Inglewood, CA 90304

International Freight Forwarders, Inc., 5445 Mariner, Suite 314, Tampa, FL 33609

Officers: Deborah Walker Hill, President/Director, Deborah Lynn Page, Secretary

By the Federal Maritime Commission.

Joseph C. Polking,

Secretary.

Dated: August 17, 1987.

[FR Doc. 87-19059 Filed 8-19-87; 8:45 am]

BILLING CODE 6730-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Alcohol, Drug Abuse, and Mental Health Administration

Advisory Committee Meetings

Summary

This notice sets forth the schedule and proposed agenda of the forthcoming meetings of the agency's national advisory bodies and one of its initial review committees in the month of September 1987. These committees will be open for discussion of administrative announcements and program developments. The committees will be performing initial review of applications for Federal assistance. Therefore, portions of the meetings will be closed to the public as determined by the Administrator, ADAMHA, in accordance with 5 U.S.C. 552(b)(6) and 5 U.S.C. app. 2 10(d). Notice of these meetings is required under the Federal Advisory Committee Act, Pub. L. 92-463.

Committee Name: Mental Health Small Grant Review Committee.

Date and Time: September 10-11: 9:30 a.m.

Place: The Dupont Plaza Hotel, 1500 New Hampshire Avenue, NW., Washington, DC 20036.

Status of Meeting: Open—September 10: 9:30-10:30 a.m.; Closed—Otherwise.

Contact: Monica Woodfork, Room 9C-05, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857, (301) 443-4843.

Purpose: The Committee is charged with the initial review of applications for reserch in all disciplines pertaining to alcohol, drug abuse, and mental health for support of research in the areas of psychology, psychiatry, and the behavioral and biological sciences.

Committee Name: National Advisory Council on Drug Abuse.

Date and Time: September 14-16: 9:00 a.m.

Place: National Institutes of Health, 9000 Rockville Pike, Building 31C, Conference Room 8, Bethesda, MD 20892.

Status of Meeting: Open—September 14: 9:00 a.m.-5:00 p.m.; Closed—Otherwise.

Contact: Sheila H. Gardner, Room 10A-43, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857, (301) 443-0441.

Purpose: The National Advisory Council on Drug Abuse advises and makes recommendations to the Secretary, Department of Health and Human Services, the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, and the Director, National Institute on Drug Abuse, on the development of new initiatives and priorities and the efficient administration of drug abuse research, including prevention and treatment research, and research training. The Council also gives advice on policies and priorities for drug abuse grnts and contracts, and reviews and makes final recommendations on grant applications.

Committee Name: National Advisory Mental Health Council, NIMH.

Date and Time: September 14-16: 9:00 a.m.

Place: September 14: National Institutes of Health, Building 31C, Conference Room 6, 9000 Rockville, Pike, Bethesda, MD 20892.

September 15-16: Parklawn Building, Conference Rooms G and H, 5600 Fishers Lane, Rockville, MD 20857.

Status of Meeting: Open—September 14: 9:00 a.m.-5:00 p.m.; Closed—Otherwise.

Contact: Rachel Driver, Room 9-105, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857, (301) 443-3367.

Purpose: The National Advisory Mental Health Council advises the Secretary of Health and Human Services, the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, and the Director, National Institute of Mental Health, regarding policies and programs of the Department in the field of mental health. The Council reviews applications for grants-in-aid relating to research and training in the field of mental health and makes recommendations to the Secretary with respect to approval of applications for, and amount of, these grants.

Committee Name: National Advisory Council on Alcohol Abuse and Alcoholism.

Date and Time: September 17-18: 10:00 a.m.

Place: National Institutes of Health, Wilson Hall, Building 1, 9000 Rockville Pike, Bethesda, MD 20892.

Status of Meeting: Open—September 17; Closed—Otherwise.

Contact: James Vaughan, Room 16C–20, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857, (301) 443–4375.

Purpose: The National Advisory Council on Alcohol Abuse and Alcoholism advises the Secretary, Department of Health and Human Services, the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, and the Director, National institute on Alcohol Abuse and Alcoholism, regarding policy direction and program issues of national significance in the area of alcohol abuse and alcoholism. Reviews all grant applications submitted, evaluates these applications in terms of scientific merit and adherence to Department policies, and makes recommendations to the Secretary with respect to approval and amount of award.

Substantive information may be obtained from the contact persons listed above. Summaries of the meetings and rosters of committee members may be obtained as follows: NIAAA: Ms. Diana Widner, Committee Management Officer, Room 16C20, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, (301) 443–4375; NIDA: Ms. Camilla Holland, Committee Management Officer, Room 10–22, Parklawn Building; 5600 Fishers Lane, Rockville, MD 20857, (301) 443–1644; NIMH: Ms. Joanna Kieffer, Committee Management Officer, Room 9–95, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, (301) 443–4333.

Date: August 7, 1987.

Peggy W. Cockrill,

Committee Management Officer, Alcohol, Drug Abuse, and Mental Health Administration.

[FR Doc. 87–19061 Filed 8–19–87; 8:45 am]

BILLING CODE 4160–20–M

Centers for Disease Control

Cooperative Agreement; Intent to Contract for Sanitation Inspection of Cruise Ships

AGENCY: Centers for Disease Control (CDC), Public Health Service, HHS.

ACTION: Notice of intent to contract for sanitation inspection of cruise ships.

SUMMARY: The Public Health Service intends to contract with a party, or parties, for routine vessel sanitation inspections. The Contractor(s) would conduct physical inspections only and would report results to CDC. CDC would retain primary responsibility for the program including scheduling inspections, determining the content of the inspections, oversight of inspections, and reporting inspection results to the public.

DATE: Comments on the implementation of this proposed procedure must be received on or before September 21, 1987.

ADDRESS: Comments may be mailed to Director, Center for Environmental Health, Centers for Disease Control, 1600 Clifton Road, Atlanta, Georgia 30333.

FOR FURTHER INFORMATION CONTACT: Vernon N. Houk, M.D., Director, Center for Environmental Health, CDC, Atlanta, Georgia, 30333. Telephones: FTS: 236–4111, Commercial: (404) 452–4111.

SUPPLEMENTARY INFORMATION:

Purpose and Background

The purpose of this announcement is to specify administrative changes in vessel sanitation inspections conducted by the Vessel Sanitation Program, CDC.

CDC operates a vessel sanitation inspection program for cruise ships having international itineraries and calling at United States ports, under the Public Health Service Act (sections 361 through 369, 42 U.S.C. 264 through 272). Regulations for the inspection program appear at 42 CFR Part 71.

A notice of two public meetings with the cruise ship industry, private sanitation consultants, consumers, and other interested parties to be convened by CDC was published in the **Federal Register**, on Tuesday, June 16, 1987 [52 FR 22848]. Matters considered at the first meeting included consideration of contracting, by CDC, the inspection portion of the Vessel Sanitation Program. The **Federal Register** notice also included an announcement of the administrative assignment of the Vessel Sanitation Program to the Center for Environmental Health, CDC.

The first of the two public meetings was held in Miami, Florida, on Wednesday, June 24, 1987. The official record of that meeting remained open through the close of business, Monday, July 6, 1987, to allow all interested parties ample opportunity to submit materials and comments to be made part of the record of the meeting. Matters discussed at the meeting included the proposal by CDC to recover the costs of the program by charging fees for sanitation inspections and consideration of contracting, by CDC, the routine inspection portion of the Vessel Sanitation Program. A notice of a proposal for the collection of fees from the cruise ship companies for conducting sanitation inspections of cruise ships was published in the **Federal Register** on Friday, July 17, 1987 [52 FR 27060]. The second of the two public meetings is scheduled for Wednesday, September 23, 1987 in Miami, Florida.

After considering the comments made during the public meeting and reviewing the written comments received after the meeting, regarding contracting the inspection portion of the Vessel Sanitation Program, CDC is proposing to contract for the sanitation inspections. Under the proposed contract, the Contractor(s) would perform routine, unannounced, complete sanitation inspections on passenger cruise ships having international itineraries and calling at United States ports. Contractor(s) responsibilities under the contract would include:

1. Providing qualified inspectors who meet the minimum qualifications specified in Exhibit 1 of the Vessel Sanitation Program Operations Manual and have at least one year's work experience in the actual performance of sanitation inspections of large institutional food service operations;
2. Adhering to the inspection manual and specifications provided by CDC when conducting inspections;
3. Adhering to the inspection and reinspection schedules provided by CDC when conducting inspections;
4. Maintaining confidentiality of inspection schedule;
5. Immediately alerting CDC when inspection indicates a ship should not sail based on CDC criteria;
6. Leaving copies of inspection reports with the appropriate officials on the ships; and,
7. Reporting results to CDC within a specified time period.

CDC would retain overall responsibility for the Vessel Sanitation Program and would be responsible for:

1. Contracting for the inspections;
2. Training inspectors;
3. Establishing all inspection frequencies;
4. Establishing the content of the inspections;
5. Assuring quality inspections;
6. Analyzing the inspection data;
7. Taking immediate remedial or other action where appropriate;
8. Publishing the results bi-weekly in a separate document not related to Quarantine documents;
9. Providing technical consultation for new construction and major refitting of ships;
10. Providing inspection reports to the public on request;
11. Providing copies of the inspection manual to interested parties;
12. Billing shipping companies for the inspections;
13. Continuing to encourage the cruise ship lines to obtain appropriate consultation and training for their staffs;
14. Maintaining the process for cruise lines to appeal the results of a specific inspection;
15. Continuing to coordinate outbreak investigations;
16. Continuing regularly scheduled open meetings of interested parties; and,

17. Keeping inspection guidelines and procedures up to date.

Under the terms of any resulting inspection services contract, the Contractor(s) will not be allowed to enter into separate financial arrangements with vessel owners, operators, and/or staff for providing consultations or training related to the improvement of sanitation activities on board vessels inspected under the Vessel Sanitation Program.

Comments previously received as a result of the June 24, 1987, public meeting in Miami will automatically be considered during the comment period of this Notice.

Dated: August 14, 1987.

Glenda S. Cowart,

Acting Director, Office of Program Support, Centers for Disease Control.

[FR Doc. 87-19014 Filed 8-19-87; 8:45 am]

BILLING CODE 4160-18-M

Notice of Meeting; Effects of Long-Term Low-Dose Exposure to Chemical Agents To Be Destroyed by Department of Defense

Time and Date:

8:30 a.m.–5:00 p.m.—September 29, 1987

8:30 a.m.–1:00 p.m.—September 30, 1987

Place: Viscount Hotel, 2061 North Druid Hills Road NE., Atlanta, Georgia 30329

Status: Open

Matters To Be Discussed

This meeting is being convened to discuss issues related to possible effects of long-term exposure to low doses of agents GB (CAS 107-44-8), VX (CAS 50782-69-9), mustard (CAS 505-60-2), Lewisite (dichloro(2-chlorovinyl)arsine, CAS 541-25-3), and GA (CAS 77-81-6). The purpose of the meeting is to enable the Surgeon General to make sound recommendations for the protection of the general public and of workers engaged in transportation or destruction of these agents.

The meeting will be open to the public, limited only by the space available. The meeting room accommodates approximately 75 people.

Contact person for more information: Additional information concerning the meeting may be obtained from:

Linda Anderson, Chief, Special Programs Group, CEH, CDC, 1600 Clifton Road, NE., Atlanta, GA 30333. Telephones: FTS: 236-4595, Commercial: 404/454-4595.

Dated: August 7, 1987.

Elvin Hilyer,

Associate Director for Policy Coordination, Centers for Disease Control.

[FR Doc. 87-19013 Filed 8-19-87; 8:45 am]

BILLING CODE 4160-18-M

Health Resources and Services Administration

Final Special Considerations for Nursing Special Project Grants; Demonstration Activities

The Health Resources and Services Administration announces the final Special Considerations which will govern the distribution of grant awards in Fiscal Year 1987 for Nursing Special Project Grants; Demonstration Activities under Purposes 7, 8 and 9 of the Public Health Service Act, as amended by Pub. L. 99-92.

Nursing Special Project Grants are authorized to improve nursing practice through projects that increase knowledge and improve skills of nursing personnel which enhance their effectiveness in health care delivery.

The Nurse Education Amendments of 1985 (Pub. L. 99-92), enacted, August 16, 1985, added three additional purposes (Nos. 7, 8 and 9) for the support of demonstration activities. The purposes for which grant support may be sought are:

Purpose 7

Demonstrate clinical nurse education programs which combine educational curricula and clinical practice in health care delivery organizations, including acute care, facilities, long-term care facilities and ambulatory care facilities.

Purpose 8

Demonstrate methods to improve access to nursing services in noninstitutional settings through support of nursing practice arrangements in communities.

Purpose 9

Demonstrate methods to encourage nursing graduates to practice in health manpower shortage areas (designated under sections 332) in order to improve the specialty and geographical distribution of nurses in the United States.

Proposed Special Considerations were published for public comment in the **Federal Register** on May 6, 1987 (FR 16907).

One response has been received from an Associate Director for Nursing, and Associate Dean for Nursing Practice in a university based school of nursing. This respondent indicated a desire that a broad special consideration be given to projects which demonstrate efforts to recruit and retain nurses regardless of their majority/minority status rather than limiting the special consideration to projects which identify recruitment and retention of minority nurses.

The Department recognizes that recruitment and retention of professional nurses, regardless of their majority/minority status is a priority concern of some nursing administrators. This fact, however, does not detract from the Department's belief that continued efforts must be made to encourage employment of minority nurses. Although the number of minority nurses is slowly increasing, continued efforts are needed in order to effect a proportional change that will more nearly reflect the composition of the population.

Therefore, as proposed, special consideration will be given to:

(1) Projects which include a target population of minority or disadvantaged persons.

(2) Projects that plan to continue beyond the period in which Federal funding is available and meet a clear financial need.

(3) Projects which demonstrate efforts to recruit and retain minority nurses.

Dated: July 31, 1987.

David N. Sundwall,

Administrator, Assistant Surgeon General.

[FR Doc. 87-19033 Filed 8-19-87; 8:45 am]

BILLING CODE 4160-15-M

Public Health Service

National Commission on Orphan Diseases; Public Hearing and Public Meeting

AGENCY: Office of the Assistant Secretary for Health, HHS.

ACTION: Notice.

SUMMARY: The Department of Health and Human Services (DHHS) and the Office of the Assistant Secretary for Health are announcing a forthcoming hearing and meeting of the National Commission on Orphan Diseases scheduled on September 17 and 18, 1987, respectively.

DATE: Date, time and place: Public hearing, September 17, 1987 at 9 a.m.; Commission meeting on September 18, 1987, 9 a.m., Hubert H. Humphrey Building, 200 Independence Avenue SW., Room 800, Washington, DC 20201. The entire proceedings are open to the public.

FOR FURTHER INFORMATION CONTACT: Written requests to participate in the

public hearing should be sent to: Mary C. Custer, Ph.D., Executive Secretary, National Commission on Orphan Diseases, Office of the Assistant Secretary for Health, 5600 Fishers Lane, Room 18–38, Rockville, MD 20857, 301–443–6156. Persons desiring more information regarding the responsibilities and activities of the Commission should contact Stephen C. Groft, Pharm. D., Executive Director, National Commission on Orphan Diseases, at the same address and phone number.

Agenda: Open Public Hearing (September 17)

The Commission has identified twelve issues or questions that form the primary focus for the Commission's public hearings. These issues and questions have been published previously in the **Federal Register** notice announcing the Commission's first public hearing (52 FR, page 23083, June 17, 1987). Copies of these issues may be obtained from the contact persons listed above.

Persons desiring to make oral presentations that address these issues should notify either of the contact persons before September 3, 1987 and submit a written statement of the information to be presented to the Commission. Oral presentations will be limited to ten minutes. Longer presentations should be summarized orally and submitted in writing in their entirety. Any person attending the hearing who did not request an opportunity to speak in advance of the hearing may be allowed to make an oral presentation at the conclusion of the hearing, if time permits, at the chairperson's discretion.

Persons who are not able to attend the public hearing, but want to submit information, may do so in writing. These statements should be forwarded to the Executive Secretary. Other issues and questions identified by the participants may also be included. Such information should be mailed to the contact persons at the address listed above.

The Commission has scheduled two additional public hearings in Chicago, Illinois, on November 6 and in Dallas, Texas, on February 4, 1988.

Agenda: Open Public Meeting (September 18)

The Commission will discuss plans to review the organization of the peer review process at the Alcohol, Drug Abuse and Mental Health Administration, the National Institutes of Health and the Food and Drug Administration with respect to rare disease research applications and a questionnaire for a survey of the research on rare disease and related issues at Federal agencies. Additionally, the Commission will discuss the status of general clinical research centers, research training activities and intramural and extramural research programs supported by the National Institutes of Health.

SUPPLEMENTARY INFORMATION:

According to the Orphan Drug Act (Pub. L. 97–414), an orphan disease or condition is any disease or condition which (a) affects fewer than 200,000 persons in the United States, or (b) affects more than 200,000 persons in the United States and for which there is no reasonable expectation that the cost of developing or making available in the United States a drug for such disease or condition will be recovered from sales in the United States.

Public Law 99–91 (Orphan Drug Amendments of 1985) established the National Commission on Orphan Diseases. The National Commission on Orphan Diseases is to assess the activities of the National Institutes of Health (NIH), the Alcohol, Drug Abuse, and Mental Health Administration (ADAMHA), the Food and Drug Administration (FDA), other public agencies, and private entities in connection with:

(1) Basic research conducted on rare diseases;

(2) The use in research on rare diseases of knowledge developed in other research;

(3) Applied and clinical research on the prevention, diagnosis, and treatment of rare diseases; and

(4) The dissemination to the public, health care professionals, researchers, and drug and medical device manufacturers of knowledge developed in research on rare diseases and other diseases which can be used in the prevention, diagnosis, and treatment of rare diseases.

Meetings of the Commission will be conducted, insofar as is practical, in accordance with the agenda published in the **Federal Register** notices. Changes in the agenda will be announced at the beginning of the meeting.

Persons interested in specific agenda items may contact Dr. Mary Custer, Exectuve Secretary of the Commission, for the approximate time of discussion.

A list of Commission members and the charter of the Commission will be available at the meeting. Interested persons who are unable to attend the meeting may request this information or summary minutes of the meeting from the Executive Secretary.

This notice is issued under 10(a) (1) and (2) of the Federal Advisory Committee Act, Pub. L. 92–463 (5 U.S.C. Appendix I).

Dated: August 14, 1987.

Robert E. Windom,

Assistant Secretary for Health.

[FR Doc. 87–19071 Filed 8–19–87; 8:45 am]

BILLING CODE 4160–17–M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[OR–130–07–4410–08: GP7–271]

Planning Analysis for Iceberg Point and Point Colville, Lopez Island, San Juan County, WA

AGENCY: Bureau of Land Management, Interior

ACTION: Notice of Intent, and Initiation of Scoping Process.

SUMMARY: The Bureau of Land Management is initiating a planning analysis pursuant to section 43 CFR 1610.8 of the planning regulations for two parcels of public land, located on Lopez Island in San Juan County, Washington, described as follows: Section 23, Lot 4, Section 24, Lots 6 and 7, T. 34 N., R. 2 W., containing 55.59 acres on Iceberg Point, and Section 21, Lot 6, T. 34 N., R. 1 W., containing 60.0 acres on Point Colville.

This planning analysis is in response to wide spread public interest in keeping these areas in a natural condition. The proposed plan analysis will focus only on these two parcels totaling 115.59 acres (55.59 acres for Iceberg Point and 60.0 acres for Point Colville). The proposal is to provide special management protection measures through the designation as Areas of Critical Environmental Concern (ACEC).

The ACEC designation is the primary issue to be addressed in this plan. This designation would be protective in nature and emphasize preserving these areas in a natural condition. The only alternative presently being considered is the No Action alternative. Under this alternative management emphasis would remain the same.

The interdisciplinary team which will prepare the planning analysis includes BLM resource specialists in botany, wildlife biology, access, recreation, geology and minerals.

All persons with an interest in management of these two areas and resources are requested to submit comments on this proposal within 30 days of the date on this federal register notice. Comments and requests for further information or requests to be

placed on a mailing list should be addressed to Joseph Buesing, District Manager, Spokane District Office, East 4217 Main Avenue, Spokane Washington 99202, (509) 456–2570 or James Fisher, Area Manager, Wenatchee Resource Area Office, 1133 North Western Avenue, Wenatchee, Washington 98801, (509) 662–4223. No public meetings are anticipated but may be scheduled if necessary. Copies of the planning document will be available for public review at the above offices of the BLM, and at public locations in San Juan County. The draft analysis will be available in October and the final in November 1987.

The date of this notice initiates the 30 day scoping period.

EFFECTIVE DATE: August 12, 1987.

ADDRESS: Spokane District, Bureau of Land Management, East 4217 Main Avenue, Spokane, Washington 99202.

Dated: August 12, 1987.

Joseph Buesing,

District Manager.

[FR Doc. 87–19035 Filed 8–19–87; 8:45 am]

BILLING CODE 4310-33-M

[MT-070-07-4322-01-ADVB]

District Advisory Council Meeting; Montana

AGENCY: Bureau of Land Management, Butte District Office, Interior.

ACTION: Notice of meeting.

SUMMARY: A meeting of the Butte District Advisory Council will be held Tuesday and Wednesday, September 15 and 16. The meeting will begin at 1:00 p.m. on September 15 in the Butte District Conference Room, 106 North Parkmont (Industrial Park), Butte, Montana. The agenda will include: (1) A discussion of the pilot program's progress to date, (2) rights-of-way procedures, (3) archeological activity at the district's early man site, (4) cooperative arrangements with local organizations, (5) a status report on current wilderness studies and (6) council topics. On September 16 the council will go on a field tour in conjunction with the Butte District Grazing Advisory Board of various points of interest in the Garnet Resource Area. The field tour will depart at 9:00 a.m. from the Deer Lodge Ranger Station (USFS) in Deer Lodge, Montana.

The meeting and the field tour are open to the public although transportation will not be provided on the field tour for members of the public. Interested persons may make oral statements to the council or file written statements for the council's consideration. Anyone wishing to make oral statements should make prior arrangements with the district manager. Summary minutes of the meeting will be maintained in the district office and will be available for public inspection and reproduction during regular business hours within 30 days followng the meeting.

FOR FURTHER INFORMATION CONTACT: James A. Moorhouse, District Manager, Butte District, Bureau of Land Management, Box 3388, Butte, Montana 59702.

J.A. Moorhouse,

District Manager.

August 13, 1987.

[FR Doc. 87–19089 Filed 8–19–87; 8:45 am]

BILLING CODE 4310-DN-M

[MT-070-07-4322-01-ADVB]

District Grazing Advisory Board Meeting; Montana

AGENCY: Bureau of Land Management, Butte District Office, Interior.

ACTION: Notice of meeting.

SUMMARY: A meeting of the Butte District Grazing Advisory Board will be held Wednesday, September 16 in the conference room of the Deer Lodge Ranger District (USFS), 91 North Frontage Street in Deer Lodge, Montana. The meeting will begin at 8:00 a.m. On the agenca will be a discussion of range project maintenance throughout the district. At about 9:00 a.m., the board will depart on a field tour in conjunction with the Butte District Advisory Council of points of interest in the Garnet Resource Area.

The meeting and the field tour are open to the publc although transportation will not be provided on the field tour for members of the public. Interested persons may make oral statements to the board or file written statements for the board's consideration. Anyone wishing to make oral statements should make prior arrangements with the district manager. Summary minutes of the meeting will be maintained in the district office and will be available for public inspection and reproduction during regular business hours within 30 days following the meeting.

FOR FURTHER INFORMATION CONTACT: James A. Moorhouse, District Manager, Butte District, Bureau of Land Management, Box 3388, Butte, Montana 59702.

J.A. Moorhouse,

District Manager.

August 13, 1987.

[FR Doc. 87–19090 Filed 8–19–87; 8:45 am]

BILLING CODE 4310-DN-M

[WY-920-07-4111-15; W-99258]

Proposed Reinstatement of Terminated Oil and Gas Lease; Sweetwater County, WY

Pursuant to the provisions of Pub. L. 97–451, 96 Stat. 2462–2466, and Regulation 43 CFR 3108.2–3(a) and (b)(1), a petition for reinstatement of oil and gas lease W–99258 for lands in Sweetwater County, Wyoming, was timely filed and was accompanied by all the required rentals accruing from the date of termination.

The lessee has agreed to the amended lease terms for rentals and royalties at rates of $5 per acre, or fraction thereof, per year and 16⅔ percent, respectively.

The lessee has paid the required $500 administrative fee and $125 to reimburse the Department for the cost of this **Federal Register** notice. The lessee has met all the requirements for reinstatement of the lease as set out in section 31 (d) and (e) of the Mineral Lands Leasing Act of 1920 (30 U.S.C. 188), and the Bureau of Land Management is proposing to reinstate lease W–99258 effective May 1, 1987, subject to the original terms and conditions of the lease and the iancreased rental and royalty rates cited above.

Andrew L. Tarshis,

Chief, Leasing Section.

[FR Doc. 87–19091 Filed 8–19–87; 8:45 am]

BILLING CODE 4310-22-M

[UT-060-07-4212-13; U-59956]

Realty Action; Partial Cancellation, U-59956; Land Exchange with Private Party in Grand and San Juan Counties, UT

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of partial cancellation of Notice of Realty Action (50 FR 6259 (February 14, 1985)).

SUMMARY: Notice is given that the following described parcel of public land has been examined, and through the development of land-use planning decisions (based upon public input, resource considerations, regulations, and Bureau policies) has been found

suitable for disposal by exchange under section 206 of the Federal Land Policy and Management Act of 1976 (FLPMA) (90 Stat. 2756; 43 U.S.C. 1716). The parcel contains 35.00 acres of public land in San Juan County, Utah described as follows:

Salt Lake Meridian, Utah

T.34S., R.24E.,
Sec. 30, N½SW¼SE¼, N½SW¼ SW¼SE¼, S½S½SW¼SE¼.

The Notice of Realty Action published in the **Federal Register**, Vol. 50, page 6259 (February 14, 1985) is canceled, in part, as to the offering of the above described public lands for direct sale under section 203 of the Federal Land Policy and Management Act of 1976 (90 Stat. 2750; 43 U.S.C. 1713). This partial cancellation will allow for the exchange of these lands.

In exchange for these lands, the United States will acquire the following described 40.00 acres of land in Grand County, Utah from The Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter Day Saints:

Salt Lake Meridian, Utah

T.20S., R.20E.,
Sec. 33, E½SW¼SE¼, W½SE¼SE¼.

The purpose of this exchange is to acquire properties listed on the National Register of Historic Places. These properties would be managed for public use, interpretation, and protection. This exchange will also serve to resolve trespass occurring on public lands.

The public interest will be well served by making the exchange. The values of the lands to be exchanged are approximately equal and the acreage will be adjusted or money will be used to equalize values upon completion of the final appraisal of the lands. The exchange involves surface estate interests only.

The public lands will be conveyed subject to the following terms and conditions:

1. All minerals, including oil and gas, shall be reserved to the United States, together with the right to prospect for, mine and remove the minerals. A more detailed description of this reservation, which will be incorporated in the patent document, is available for review at the Moab District Office and the Grand Resource Area Office.

2. A right-of-way will be reserved for ditches and canals constructed by the authority of the United States (Act of August 30, 1890, 26 Stat. 391; 43 U.S.C. 945).

3. The conveyance of the lands will be subject to all valid existing rights and reservations of record. Existing rights and privileges of record include, but are not limited to, the following:

a. Federal oil and gas lease U–57468.
b. Road right-of-way U–53767 to San Juan County for County Road 146.

The private lands will be acquired subject to the following terms and conditions:

1. A reservation of all minerals.
2. Subject to all valid existing rights.

Publication of this notice in the **Federal Register** segregates the public lands from the operation of the public land laws, and mining laws, excepting the mineral leasing laws. The segregative effect will end upon issuance of patent or two years from the date of publication, whichever occurs first.

Comments: For a period of 45 days from the date of publication of this notice in the **Federal Register**, interested parties may submit comments to the Bureau of Land Management, District Manager, Moab District Office, P.O. Box 970, Moab, Utah 84532. Objections will be reviewed by the State Director, who may sustain, vacate, or modify this realty action. In the absence of any objections, this realty action will become the final determination of the Department of the Interior.

SUPPLEMENTARY INFORMATION: Additional information concerning this action may be obtained from Jim Ward, Area Realty Specialist, Grand Resource Area Office, Sand Flats Road, P.O. Box M, Moab, Utah 84532, (801) 259–8193, or from Brad Groesbeck, District Realty Specialist, Moab District Office, 82 East Dogwood, P.O. Box 970, Moab, Utah 84532, (801) 259–6111.

Date: August 10, 1987.

Gene Nodine,

District Manager.

[FR Doc. 87–19092 Filed 8–19–87; 8:45 am]

BILLING CODE 4310-DQ-M

[MT–020–07–4322–02]

Miles City District Grazing Advisory Board, Montana; Meeting

AGENCY: Bureau of Land Management, Miles City District Office, Interior.

ACTION: District Grazing Advisory Board Meeting Notice.

SUMMARY: Notice is hereby given in accordance with Pub. L. 92–463 that the Miles City District Grazing Advisory Board will meet September 17, 1987. The meeting will begin at 10 a.m. in the conference room of the Miles City District Office, Bureau of Land Management, Garryowen Road, Miles City, Montana 59301.

The agenda for the Grazing Advisory Board meeting includes updates on the wild horse program, the District weed control program, range program evaluation results, proposed regulations on agricultural trespass, fiscal 1988 range improvement projects, and the range management budget.

The meeting is open to the public. The public may make oral statements before the board or file written statements for their consideration. Summary minutes of the meeting will be maintained in the Bureau of Land Management District Office and will be available for public inspection and reproduction during regular business hours within 30 days following the meeting.

FOR FURTHER INFORMATION CONTACT: District Manager, Miles City District, Bureau of Land Management, P.O. Box 940, Miles City, Montana 59301.

Dated: August 12, 1987.

Arnold E. Dougan,

Acting District Manager.

[FR Doc. 87–19036 Filed 8–19–87; 8:45 am]

BILLING CODE 4310-DN-M

[NM–060–07–4211–02–NCGG]

Right-of-Way Application Filing Locations; Roswell District, NM

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of right-of-way application filing locations for the Roswell District.

SUMMARY: To accommodate and be more responsive to public needs, effective October 1, 1987, Right-of-Way applications shall be filed at the respective Resource Area Office where the right-of-way being requested is physically located.

Pursuant to 43 CFR 1821.2–1(d) the following offices will accept Right-of-Way applications for proposed Rights-of-Ways to be constructed within their respective jurisdictional boundaries:

Carlsbad Resource Area, P.O. Box 1778, Carlsbad, NM 88220–1778
Roswell Resource Area, P.O. Box 1857, Roswell, NM 88201–1857

General questions concerning Right-of-Way application procedures should also be directed to the affected office.

David L. Mari,

Associate District Manager.

[FR Doc. 87–19093 Filed 8–19–87; 8:45 am]

BILLING CODE 4310-FB-M

[NV-920-07-4133-12]

Review of Mineral Reports on Wilderness Study Areas (WSAs); Nevada

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of the availability of 15 mineral survey reports produced by the U.S. Geological Survey/U.S. Bureau of Mines on Bureau of Land Management Wilderness Study Areas (WSAs) in Nevada. Announcement of a 60-day comment period to obtain previously unknown mineral information on the areas.

SUMMARY: The Federal Land Policy and Management Act (Pub. L. 94–579) requires the U.S. Geological Survey and the U.S. Bureau of Mines to conduct mineral surveys on certain Bureau of Land Management (BLM) WSAs to determine the mineral value, if any, that may be present. In Nevada, 15 such reports on WSAs have been completed. This notice gives the public an opportunity to obtain the reports and to review and offer previously unknown mineral information on the WSAs. New public comment information/data will be screened by the Bureau of Land Management. The State Director of that agency may ask the Geological Survey or the Bureau of Mines to determine if the information contains significant new data or an interpretation that was not available at the time the mineral survey report was prepared. Geological Survey or the Bureau of Mines would determine if additional field investigations should be undertaken. Recommendations for the designation of an area as wilderness will be made to the Secretary of the Interior by the BLM. The Secretary shall, in turn, make recommendations to the President who will advise Congress. A recommendation of the President for designation as wilderness shall become effective only if so provided by an Act of Congress.

DATES: The public review of the 15 mineral survey reports named in this notice shall begin on September 15, and shall continue for 60 days (November 15).

ADDRESS: All data and written comments should be directed to the State Director (NV–920), Bureau of Land Management, P.O. Box 12000, Reno, Nevada 89520. Copies of the reports may be purchased from: Books and Open-File Reports Section, U.S. Geological Survey, Federal Center, Box 25425, Denver, CO 80225.

FOR FURTHER INFORMATION CONTACT: Jack Crowley, Minerals Division, (702) 784–5138, or Linda Hansen, Wilderness EIS Coordinator, (702) 784–5748, Nevada State Office, Bureau of Land Management, P.O. Box 12000, 850 Harvard Way, Reno, Nevada 89520.

SUPPLEMENTARY INFORMATION: The 15 mineral reports available for review and for purchase are listed below. The price noted is that charged by the Books and Open-File Reports Section, U.S. Geological Survey, and includes third or fourth class mailing. First class or foreign mailings require an addition of ten percent.

Bad Lands WSA, Elko County, Nevada (USGS 1725–A). $1.25.

South Pequop WSA, Elko County, Nevada (USGS 1725–B). $1.50.

Mount Limbo WSA, Pershing County, Nevada (USGS 1726–A). $1.25.

South Jackson Mountains WSA, Humboldt County, Nevada (USGS 1726–B). $1.25.

Pahute Peak WSA, Humboldt County, Nevada (USGS 1726–C). $1.25.

Worthington Mountains WSA, Lincoln County, Nevada (USGS 1728–A). $1.25.

White Rock Range WSA, Lincoln County, Nevada and Beaver and Iron Counties, Utah (USGS 1728–B). $1.50.

Far South Egans WSA, Lincoln and Nye Counties, Nevada (USGS 1728–C). $1.25.

Parsnip Peak WSA, Lincoln County, Nevada (USGS 1728–D). $1.25.

Weepah Spring WSA, Lincoln and Nye Counties, Nevada (USGS 1728–E). $1.25.

La Madre Mountains WSA, Clark County, Nevada (USGS 1730–A). $1.00.

Morey and Fandango WSAs, Nye County, Nevada (USGS 1731–A). $1.50.

Palisade Mesa and The Wall WSAs, Nye County, Nevada (USGS 1731–B). $1.25.

South Reveille WSA, Nye County, Nevada (USGS 1731–C). $1.25.

Roberts WAS, Eureka County, Nevada (USGS 1731–K). $2.00.

The reports are also available for review in the offices of the Bureau of Land Management in Nevada. Those are in Reno, Elko, Winnemucca, Carson City, Ely, Las Vegas, Battle Mountain, Caliente and Tonopah. Libraries with copies include the Nevada State Library in Carson City; the Government Documents Section of the University of Nevada, Las Vegas, Library; and the Mines Library of the University of Nevada, Reno. Community libraries which have been sent copies are located in the following Nevada cities: Fallon, Minden, Elko, Winnemucca, Pioche, Yerington, Hawthorne, Lovelock, Ely, Austin, Eureka, Caliente, Tonopah, Pahrump, Goldfield and Battle Mountain. Upon receipt of additional mineral survey reports on Nevada WSAs, additional comment periods will be held.

Date: August 10, 1987.

Edward F. Spang,

State Director, Nevada.

[FR Doc. 87–19094 Filed 8–19–87; 8:45 am]

BILLING CODE 4310–HC–M

Fish and Wildlife Service

Receipt of Applications for Permits

The following applicants have applied for permits to conduct certain activities with endangered species. This notice is provided pursuant to section 10(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531, *et seq.*):

PRT–686768

Applicant: Robert J. Jessup, Downers Grove, IL

The applicant requests an amendment to his current permit to capture, identify and release Indiana bats *(Myotis sodalis)* in DuPage, Findley, Boone and Benton Counties, Illinois, while surveying for bats in those counties. The applicant was formerly authorized for capture activities only in DuPage County.

PRT–720841

Applicant: San Diego Zoological Society, San Diego, CA

The applicant requests a permit to import one captive born female northern Chinese leopard *(Panthera pardus japonensis)* for enhancement of propagation through the introduction of new blood lines.

PRT–702631

Applicant: U.S. Fish & Wildlife Service, Regional Director—Region One, Portland, OR

The applicant requests an amendment of the regional comprehensive permit to include authorization to conduct continuing research activities with California condors *(Gymnogyps californianus)*, all of which have been removed from the wild and are currently being maintained in captivity for scientific research and the enhancement of propagation and survival of the species.

PRT–720894

Applicant: Life Fellowship Bird Sanctuary, Seffner, FL

The applicant requests a permit to import two Galapagos tortoises *(Geochelone elephantopus)*, from the Bermuda Aquarium, Museum, and Zoo for the purpose of research and captive propagation.

PRT-720917

Applicant: Fresno Zoo, Fresno, CA

The applicant requests a permit to purchase two pairs of Darwin's rheas *(Pterocnemia pennata)* from the International Animal Exchange, Inc., Ferndale, Michigan, for purposes of captive propagation and educational display. The rheas were born in captivity in Chile and will be imported by the International Animal Exchange, Inc., for sale to the Fresno Zoo.

PRT-720929

Applicant: Cecil A. Ferguson, Perryopolis, PA

The applicant requests a permit to purchase three pairs of Hawaiian (=nene) geese *(Nesochen (=Branta) sandvicensis)* from a breeder in Ohio or a breeder in New Hampshire for the purpose of captive propagation.

PRT-720922

Applicant: Walter A. Huston, West Hollywood, CA

The applicant requests a permit to import one male peregrine falcon *(Falco peregrinus peregrinus)* that was captive born in Scotland and that has been owned by the applicant for two years. The applicant will import the bird and place it with a raptor propagator in Olympia, Washington, for captive breeding purposes.

Documents and other information submitted with these applications are available to the public during normal business hours (7:45 am to 4:15 pm) Room 611, 1000 North Glebe Road, Arlington, Virginia 22201, or by writing to the Director, U.S. Fish and Wildlife Service of the above address.

Interested persons may comment on any of these applications within 30 days of the date of this publication by submitting written views, arguments, or data to the Director at the above address. Please refer to the appropriate applicant and PRT number when submitting comments.

Date: August 17, 1987.

R. K. Robinson,

Chief, Branch of Permits, Federal Wildlife Permit Office.

[FR Doc. 87-19063 Filed 8-19-87; 8:45 am]

BILLING CODE 4310-SS-M

Minerals Management Service

Development Operations Coordination Document; Amoco Production Co.

AGENCY: Minerals Management Service, Interior.

ACTION: Notice of the receipt of a proposed Development Operations Coordination Document (DOCD).

SUMMARY: Notice is hereby given that Amoco Production Company has submitted a DOCD describing the activities it proposes to conduct on Lease OCS-G 7281, Block 175, High Island Area, offshore Texas. Proposed plans for the above area provide for the development and production of hydrocarbons with support activities to be conducted from an onshore base located at Freeport, Texas.

DATE: The subject DOCD was deemed submitted on August 12, 1987.

ADDRESS: A copy of the subject DOCD is available for public review at the Public Information Office, Gulf of Mexico OCS Region, Minerals Management Service, 1201 Elmwood Park Boulevard, Room 114, New Orleans, Louisiana (Office Hours: 8 a.m. to 4:30 p.m., Monday through Friday).

FOR FURTHER INFORMATION CONTACT: Ms. Angie D. Gobert, Minerals Management Service, Gulf of Mexico OCS Region, Field Operations, Plans, Platform and Pipeline Section, Exploration/Development Plans Unit; Telephone (504) 736-2876.

SUPPLEMENTARY INFORMATION: The purpose of this Notice is to inform the public, pursuant to section 25 of the OCS Lands Act Amendments of 1978, that the Minerals Management Service is considering approval of the DOCD and that it is available for public review.

Revised rules governing practices and procedures under which the Minerals Management Service makes information contained in DOCDs available to affected States, executives of affected local governments, and other interested parties became effective December 13, 1979 (44 FR 53685). Those practices and procedures are set out in revised § 250.34 of Title 30 of the CFR.

Date: August 13, 1987.

J. Rogers Pearcy,

Regional Director, Gulf of Mexico OCS Region.

[FR Doc. 87-19095 Filed 8-19-87; 8:45 am]

BILLING CODE 4310-MR-M

INTERNATIONAL TRADE COMMISSION

[Investigation No. 751-TA-14]

Import Investigations; Liquid Crystal Display Television Receivers From Japan

AGENCY: International Trade Commission.

ACTION: Institution of a review investigation concerning the Commission's affirmative determination in investigation No. AA1921-66, Television Receiving Sets from Japan.

SUMMARY: The Commission hereby gives notice that it has initiated an investigation pursuant to section 751(b) of the Tariff Act of 1930 (19 U.S.C. 1675(b)) to review its determination in investigation No. AA1921-66. The purpose of the investigation is to determine whether an industry in the United States would be materially injured, or would be threatened with material injury, or the establishment of an industry in the United States would be materially retarded, by reason of imports of liquid crystal display television receivers (LCD TVs) from Japan if the antidumping order regarding such merchandise were to be modified. LCD TVs are provided for in items 684.98 and 685.04 of the Tariff Schedules of the United States. As provided in § 207.45(b) of the Commission's Rules of Practice and Procedure (19 CFR 207.45(b)), the 120-day period for completion of this investigation begins on the date of publication of this notice in the **Federal Register.**

For further information concerning the conduct of this investigation, hearing procedures, and rules of general application, consult Part 207, Subparts A and E (19 CFR Part 207), and Part 201, Subparts A through E (19 CFR Part 201) of the Commission's rules.

EFFECTIVE DATE: August 20, 1987.

FOR FURTHER INFORMATION CONTACT: Vera Libeau (202-523-0368), Office of Investigations, U.S. International Trade Commission, 701 E Street NW., Washington, DC 20436. Hearing-impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-724-0002. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-523-0161.

SUPPLEMENTARY INFORMATION:

Background

On March 4, 1971, the Commission determined that an industry in the United States was being injured by reason of imports of television receivers, monochrome and color, from Japan which the Department of Treasury had determined were being, or were likely to be sold at less than fair value (LTFV) within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)). Accordingly, on March 9, 1971, a dumping finding with respect to television receivers from Japan was published in the **Federal Register** as Treasury Decision 71-76 (36 FR 4597).

On April 28, 1987, the Commission received a request, pursuant to section 751(b) of the Act, to modify T.D. 71–76 to exclude LCD TVs from the scope thereof. This request was filed by counsel on behalf of Casio Computer Co., Ltd., Casio, Inc., Citizen Watch Co., Ltd., Hitachi, Ltd., Hitachi Sales Corporation of America, Hitachi Sales Corporation of Hawaii, Inc., Matsushita Electrical Industrial Co., Ltd., Matsushita Electric Corporation of America, NEC Corporation, NEC Home Electronics (U.S.A.), Inc., Seiko Epson Corporation, Sharp Corporation, Sharp Electronics Corporation, Toshiba Corporation, and Toshiba America, Inc.

On June 8, 1987, the Commission published a request for comments concerning the institution of a section 751(b) review investigation on television receivers from Japan (52 FR 21630). In response to the Commission's request for comments, statements in support of the institution of a review investigation were received from Cable Value Network, Caldor, Trader Horn, W.R. Light Company, Inc., and 47th St. Photo. All of these firms are retailers of consumer products and argued that LCD TVs do not compete with CRT TVs. A memorandum in opposition to the institution of a review investigation was filed by Collier, Shannon, Rill & Scott on behalf of the Independent Radionic Workers of America, the International Brotherhood of Electrical Workers, the International Union of Electronic, Electrical, Technical, Salaried and Machine Workers, AFL–CIO–CLC, and the Industrial Union Department, AFL–CIO. Their submission argued that the requisite showing of changed circumstances had not been made by the petitioners and their petition for an investigation should consequently be denied.

After consideration of the request for review and the responses to the notice inviting comments, the Commission has determined, pursuant to 19 U.S.C. 1675(b) and rule 19 CFR 207.45, that the request shows changed circumstances sufficient to warrant institution of a review investigation regarding LCD TVs from Japan.

Participation in the Investigation

Persons wishing to participate in this investigation as parties must file an entry of appearance with the Secretary to the Commission, as provided in § 201.11 of the Commission's rules (19 CFR 201.11), not later than twenty-one (21) days after the publication of this notice in the **Federal Register**. Any entry of appearance filed after this date will be referred to the Chairman, who will determine whether to accept the late entry for good cause shown by the person desiring to file the entry.

Service List

Pursuant to § 201.11(d) of the Commission's rules (19 CFR 201.11(d)), the Secretary will prepare a service list containing the names and addresses of all persons, or their representatives, who are parties to this investigation upon the expiration of the period for filing entries of appearance. In accordance with §§ 201.16(c) and 207.3 of the rules (19 CFR 201.16(c) and 207.3), each document filed by a party to the investigation must be served on all other parties to the investigation (as identified by the service list), and a certificate of service must accompany the document. The Secretary will not accept a document for filing without a certificate of service.

Staff Report

A public version of the prehearing staff report in this investigation will be placed in the public record on October 26, 1987, pursuant to § 207.21 of the Commission's rules (19 CFR 207.21).

Hearing

The Commission will hold a hearing in connection with this investigation beginning at 9:30 a.m. on November 12, 1987, at the U.S. International Trade Commission Building, 701 E Street NW., Washington, DC. Requests to appear at the hearing should be filed in writing with the Secretary to the Commission not later than the close of business (5:15 p.m.) on October 27, 1987. All persons desiring to appear at the hearing and make oral presentations should file prehearing briefs and attend a prehearing conference to be held at 9:30 a.m. on November 2, 1987, in room 117 of the U.S. International Trade Commission Building. The deadline for filing prehearing briefs is November 5, 1987.

Testimony at the public hearing is governed by § 207.23 of the Commission's rules (19 CFR 207.23). This rule requires that testimony be limited to a nonconfidential summary and analysis of material contained in prehearing briefs and to information not available at the time the prehearing brief was submitted. Any written materials submitted at the hearing must be filed in accordance with the procedures described below and any confidential materials must be submitted at least three (3) working days prior to the hearing (see § 201.6(b)(2) of the Commission's rules (19 CFR 201.6(b)(2))).

Written Submissions

All legal arguments, economic analyses, and factual materials relevant to the public hearing should be included in prehearing briefs in accordance with 207.22 of the Commission's rules (19 CFR 207.22). Posthearing briefs must conform with the provisions of section 207.24 (19 CFR 207.24) and must be submitted not later than the close of business on November 18, 1987. In addition, any person who has not entered an appearance as a party to the investigation may submit a written statement of information pertinent to the subject of the investigation on or before November 18, 1987.

A signed original and fourteen (14) copies of each submission must be filed with the Secretary to the Commission in accordance with § 201.8 of the Commission's rules (19 CFR 201.8). All written submissions except for confidential business data will be available for public inspection during regular business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary to the Commission.

Any business information for which confidential treatment is desired must be submitted separately. The envelope and all pages of such submissions must be clearly labeled "Confidential Business Information." Confidential submissions and requests for confidential treatment must conform with the requirements of § 201.6 of the Commission's rules (19 CFR 201.6).

Authority: This investigation is being conducted under authority of the Tariff Act of 1930, title VII. This notice is published pursuant to § 207.45 of the Commission's rules (19 CFR 207.45).

By order of the Commission.

Issued: August 14, 1987.

Kenneth R. Mason,

Secretary.

[FR Doc. 87–19010 Filed 8–19–87; 8:45 am]

BILLING CODE 7020-02-M

INTERSTATE COMMERCE COMMISSION

[No. MC–F–18265]

ConAgra, Inc.; Control Exemption; Monfort Transportation Co.

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: Under 49 U.S.C. 11343(e) and the Commission's regulations in *Procedures—Handling Exemptions Filed by Motor Carriers*, 367 I.C.C. 113 (1982), the Interstate Commerce

Commission exempts from the requirement of prior approval under 49 U.S.C. 11343(a)(5), the acquisition, by ConAgra, Inc. (ConAgra), a noncarrier, of stock control of motor carrier Monfort Transportation Company (MTC) (No. MC–144572). MTC holds authority to operate: (1) As a common carrier, transporting general commodities (with exceptions), between all points in the United States (except Alaska and Hawaii); and (2) as a contract carrier, transporting general commodities (with exceptions), between all points in the United States (except Alaska and Hawaii), under continuing contracts with shippers and receivers of such commodities. MTC also operates in intrastate commerce in Colorado and Nebraska and these intrastate operations are subject to the instant exemption petition. *See* 49 U.S.C. 11341(a). Under the terms of the transaction, MTC's noncarrier parent, Monfort of Colorado, Inc. (Monfort), will become a first-tier, noncarrier subsidiary of ConAgra. ConAgra presently controls motor and water carrier ConAgra Transportation, Inc. (No. MC–150422 and No. W–1333); and motor carriers Lynn Transportation Company, Inc. (No. MC–133604); Balcom Chemicals, Inc. (No. MC–174324); Armour Food Express Company (Nos. MC–140364 and MC–152245); U.S. Tire, Inc. (No. MC–170511); and Yellowstone Valley Chemicals, Inc. (No. MC–185117). A petition for exemption of control by ConAgra of motor carrier Miller Bros. Co., Inc. (No. MC–117699), is currently pending in No. MC–F–18138.

DATES: This exemption will be effective on September 21, 1987. Petitions for reconsideration must be filed by September 9, 1987. Petitions for stay must be filed by August 31, 1987.

ADDRESSES:

Send pleadings, referring to No. MC–F–18265, to

(1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423

and

(2) ConAgra's representative: Peter A. Greene, Thompson, Hine and Flory, 1920 N Street, NW., Washington, DC 20036

and

(3) MTC's representative: John T. Wirth, Nelson & Harding, 717–17th Street, Suite 2600, Denver, CO 80202–3357.

FOR FURTHER INFORMATION CONTACT: Andrew Lyon, (202) 275–7291) (TDD for hearing impaired: (202) 275–1721).

SUPPLEMENTARY INFORMATION: Additional information is contained in the Commission's decision. To purchase a copy of the full decision, write to T.S. InfoSystems, Inc., Room 2229, Interstate Commerce Commission Building, Washington, DC 20423, or call (202) 289–4357 (assistance for the hearing impaired is available through TDD services (202) 275–1721) or by pickup from TSI in Room 2229 at Commission headquarters.

Decided: August 11, 1987.

By the Commission, Chairman Gradison, Vice Chairman Lamboley, Commissioners Sterrett, Andre, and Simmons.

Noreta R. McGee,

Secretary.

[FR Doc. 87–19096 Filed 8–19–87; 8:45 am]

BILLING CODE 7035–01–M

[Docket No. AB–18 (Sub-No. 101X)]

Chesapeake and Ohio Railway Co.; Exemption; Abandonment in Floyd County, KY

Applicant has filed a notice of exemption under 49 CFR Part 1152, Subpart F—*Exempt Abandonments* to abandon its 1.32-mile line of railroad known as Steele Creek Spur between milepost 0.00 and milepost 1.32 near Wayland, in Floyd County, KY.

Applicant has certified that (1) no local traffic has moved over the line for at least 2 years and that overhead traffic is not moved over the line or may be rerouted and (2) that no formal complaint filed by a user of rail service on the line (or by a State or local governmental entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Commission or any U.S. District Court, or has been decided in favor of the complainant within the 2-year period. The appropriate State agency has been notified in writing at least 10 days prior to the filing of this notice.

Applicant has filed an environmental report which shows that no significant environmental or energy impacts are likely to result from this abandonment.

As a condition to use of this exemption, any employee affected by the abandonment shall be protected pursuant to *Oregon Short Line R. Co.-Abandonment-Goshen*, 360 I.C.C. 91 (1979).[1]

The exemption will be effective on September 19, 1987 (unless stayed pending reconsideration). Petitions to stay must be filed by August 31, 1987, and petitions for reconsideration, including environmental, energy, and public use concerns, must be filed by September 9, 1987 with: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423.

A copy of any petition filed with the Commission should be sent to applicant's representative: Lawrence H. Richmond, CSX Transportation, 100 North Charles Street, Baltimore, MD 21201.

If the notice of exemption contains false or misleading information, use of the exemption is void *ad initio.*

A notice to the parties will be issued if use of the exemption is conditioned upon environmental or public use conditions.

Decided: August 13, 1987.

By the Commission, Jane F. Mackall, Director, Office of Proceedings.

Noreta R. McGee,

Secretary.

[FR Doc. 87–19097 filed 8–19–87; 8:45 am]

BILLING CODE 7035–01–M

[Docket No. AB–3 (Sub-No. 69X)]

Missouri Pacific Railroad Co.; Abandonment Exemption; Lancaster County, NE

The Missouri Pacific Railroad Company (applicant) has filed a notice of exemption under 49 CFR Part 1152, Subpart F—*Exempt Abandonments* to abandon its 3.78-mile line of railroad between milepost 489.10 and milepost 492.88 near Lincoln, NE.

Applicant has certified that (1) no local traffic has moved over the line for at least 2 years and that overhead traffic is not moved over the line or may be rerouted and (2) that no formal complaint filed by a user of rail service on the line (or by a State or local governmental entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Commission or any U.S. District Court, or has been decided in favor of the complainant within the 2-year period. The appropriate State agency has been notified in writing at least 10 days prior to the filing of this notice.

Applicant has filed an environmental report which shows that no significant environmental or energy impacts are likely to result from this abandonment.

As a condition to use of this exemption, any employee affected by

[1] The Railway Labor Executives' Association filed a request for labor protection. Since this transaction involves an exemption from 49 U.S.C. 10903, whereby the imposition of labor protective conditions is mandatory, those conditions have been routinely imposed.

the abandonment shall be protected pursuant to *Oregon Short Line R. Co.-Abandonment-Goshen*, 360 I.C.C. 91 (1979).[1]

The exemption will be effective on September 19, 1987 (unless stayed pending reconsideration). Petitions to stay must be filed by August 31, 1987, and petitions for reconsideration, including environmental, energy, and public use concerns, must be filed by September 9, 1987 with: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423.

A copy of any petition filed with the Commission should be sent to applicant's representative: Joseph D. Anthofer, Law Department, 1416 Dodge St., Omaha, NE 68179.

If the notice of exemption contains false or misleading information, use of the exemption is void *ab initio*.

A notice to the parties will be issued if use of the exemption is conditioned upon environmental or public use conditions.

Decided: August 13, 1987.

By the Commission, Jane F. Mackall, Director, Office of Preceedings.

Noreta R. McGee,

Secretary.

[FR Doc. 87-19098 Filed 8-19-87; 8:45 am]

BILLING CODE 7035-01-M

DEPARTMENT OF JUSTICE

Lodging of Consent Decree Pursuant to the Safe Drinking Water Act; J.E. Tuten et al.

In accordance with Department policy, 28 CFR 50.7, notice is hereby given that on August 3, 1987, a proposed consent decree in *United States v. J.E. Tuten, et al.*, Civil Action No. C86-03l8 was lodged with the United States District Court for the District of Wyoming. The proposed consent decree concerns the supplying of contaminated drinking water by the North Cody Water Company, North Cody, Wyoming to its users in violation of the Safe Drinking Water Act. The proposed consent decree acknowledges payment of a civil penalty, and the construction of a tie-in to the Cody, Wyoming water system to eliminate the contamination in the water supplied to North Cody users. The decree also requires the North Cody Water Company to comply with all requirements of the Safe Drinking Water Act in the future.

The Department of Justice will receive comments relating to the proposed consent decree for a period of thirty (30) days from the date of this publication. Comments should be addressed to the Acting Assistant Attorney General, Land and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. J.E. Tuten. et al.*, DJ Ref. 90-5-1-1-2710.

The proposed consent decree may be examined at the Office of the United States Attorney, District of Wyoming, Room 2139, J.C. O'Mahoney Federal Center, 2141 Capitol Avenue, Cheyenne, Wyominq 82003 and at the Reqion Vlll office of the Environmental Protection Agency, One Denver Place, 999 18th Street, Suite 500, Denver, Colorado 80202-24I3. Copies of the consent decree may be examined at the Environmental Enforcement Section, Land and Natural Resources Division, Department of Justice, Room 1515, Ninth Street and Pennsylvania Avenue NW., Washington, DC 20530. A copy of the consent decree may be obtained in person or by mail from the Environmental Enforcement Section, Land and Natural Resources Division, Department of Justice. In requesting a copy, please enclose a check in the amount of $1.60 (10 cents per page reproduction cost) payable to the Treasurer of the United States.

Dated: August 4, 1987.

Roger J. Marzulla,

Acting Assistant Attorney General, Land and Natural Resources Division.

[FR Doc. 87-19038 Filed 8-19-87; 8:45 am]

BILLING CODE 4410-01-M

NUCLEAR REGULATORY COMMISSION

National State Liaison Officers; Meeting

On September 9 and 10, 1987, the Nuclear Regulatory Commission (NRC) will sponsor a national meeting with the State Liaison Officers to discuss items of mutual regulatory interest. The State Liaison Officers are appointed by each of the fifty Governors and the Commonwealth of Puerto Rico to provide a communications channel between the States and NRC. Topics of discussion will include State and NRC roles in nuclear power facility regulation, economic performance incentives for utilities, low-level and high-level waste activities, and emergency preparedness. The meeting will be conducted at the Hyatt Regency Bethesda, One Bethesda Metro Center, Bethesda, Maryland, 20814. The meeting is open to the public for attendance and observation and will take place from 8:30 a.m. until 5:00 p.m. on Wednesday, September 9, and from 8:30 a.m. until 12:30 p.m. on Thursday, September 10, 1987. Questions regarding the meeting should be directed to Mindy Landau at (301) 492-9880.

Dated at Washington, DC this 14th day of August, 1987.

For the Nuclear Regulatory Commission.

Harold R. Denton,

Director, Office of Governmental and Public Affairs.

[FR Doc. 87-19072 Filed 8-19-87; 8:45 am]

BILLING CODE 7590-01-M

RAILROAD RETIREMENT BOARD

Determination of Quarterly Rate of Excise Tax for Railroad Retirement Supplemental Annuity Program

In accordance with directions in section 3221(c) of the Railroad Retirement Tax Act (26 U.S.C., 3221(c)), the Railroad Retirement Board has determined that the excise tax imposed by such section 3221(c) on every employer, with respect to having individuals in his employ, for each work-hour for which compensation is paid by such employer for services rendered to him during the quarter beginning October 1, 1987, shall be at the rate of 24 cents.

In accordance with directions in section 15(a) of the Railroad Retirement Act of 1974, the Railroad Retirement Board has determined that for the quarter beginning October 1, 1987, 29.9 percent of the taxes collected under sections 3211(b) and 3221(c) of the Railroad Retirement Tax Act shall be credited to the Railroad Retirement Account and 70.1 percent of the taxes collected under such sections 3211(b) and 3221(c) plus one hundred percent of the taxes collected under section 3221(d) of the Railroad Retirement Tax Act shall be credited to the Railroad Retirement Supplemental Account.

By Authority of the Board

Beatrice Ezerski,

Secretary to the Board.

Dated: August 13, 1987.

[FR Doc. 87-19082 Filed 8-19-87; 8:45 am]

BILLING CODE 7905-01-M

[1] The Railway Labor Executives' Association filed a request for labor protection. since this transaction involves an exemption form 49 U.S.C. 10903, whereby the imposition of labor protective conditions is mandatory, those conditions have been routinely imposed.

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-24788; File No. SR-CBOE-87-32]

Self-Regulatory Organizations; Chicago Board Options Exchange, Inc., Accelerated Approval of Proposed Rule Change

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), notice is hereby given that on July 13, 1987, the Chicago Board Options Exchange, Incorporated filed with the Securities and Exchange Commission the proposed rule change as described in Items I, II and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Text of the Proposed Rule Change

The Chicago Board Options Exchange proposes to extend for an additional one year and increase the number of equity options subject to the pilot program, described in SR-CBOE-85-03, providing for four expiration months, including the two near-term months.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below and is set forth in sections (A), (B), and (C) below.

(A) Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

In June 1985, the Exchange, along with other exchanges, implemented a pilot of near-term expiration option cycles. See SR-CBOE-85-03.

The Exchange has twice extended the pilot for six month additional periods. See SR-CBOE-86-21 and SR-CBOE-87-02. Although the pilot as filed did not limit the Exchange as to the options series which could be selected for the pilot program, the Exchange selected only January cycle options (as did other options exchanges). After the June expiration, however, a dually traded option on the March cycle was added in order to conform strike prices.

The Exchange now intends to expand the number of options subject to the pilot program. Therefore, the Exchange proposes to extend the pilot an additional year in order to phase in and assess the effects of trading a larger number of options under the pilot program.

The Exchange believes that the proposed rule change is consistent with the requirements of the Securities Exchange Act of 1934 and the rules and regulations thereunder, to meet investor preferences for stock options with near-term expiration cycles. In particular, the proposed rule change is consistent with section 6(b)(5) of the Exchange Act, which provides, among other things, that the pilot is designed to facilitate transactions in securities and to remove impediments to and perfect the mechanism of a free and open market.

(B) Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that this proposed rule change will impose any burden on competition.

(C) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

Comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange requests that the proposed rule change be given accelerated effectiveness pursuant to section 19(b)(2) of the Act because the rule change is substantively identical to a proposed rule change previously filed by the American, Philadelphia and New York Stock Exchanges and approved by the Commission.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange, and in particular, the requirements of Section 6 and the rules and regulations thereunder, in that it continues and expands an expiration cycle pilot designed to appeal to investors' interests.

The Commission finds good cause for approving the proposed rule change prior to the thirtieth day after the date of publication of notice of filing thereof because the proposed rule change will allow the CBOE to incorporate additional options into the pilot and keep in place a program the Exchange has found to be successful. The proposal also is substantively identical to proposals previously filed by the American, New York and Philadelphia Stock Exchanges and approved by the Commission.[1]

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submission should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, Washington, DC 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying at the Commission's Public Reference Section, 450 Fifth Street NW., Washington, DC. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number in the caption above and should be submitted by September 10, 1987.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

Dated: August 10,1987.

Jonathan G. Katz,

Secretary.

[FR Doc. 87-19051 Filed 8-19-87; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-24789; File No. SR-CBOE-87-31]

Self-Regulatory Organizations; Filing and Immediate Effectiveness of Proposed Rule Change by Chicago Board Options Exchange, Inc.; Exemptions to Position and Exercise Limits

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"), 15 U.S.C. 78s(b)(1), notice is hereby given that on July 14, 1987, the Chicago Board Options Exchange, Incorporated ("CBOE" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described below, which has been prepared by the self-regulatory organization. The Commission is

[1] *See e.g.*, Securities Exchange Act Release No. 24452 (May 14, 1987).

publishing this notice to solicit comments on the proposed rule change from interested persons.

The proposed rule change sets forth a revised, CBOE policy with regard to granting exemptions to position and exercise limits under CBOE Rules 4.11 and 4.12. The Exchange is adopting a policy memorandum that primarily restates existing Exchange policy, previously submitted to the Securities and Exchange Commission. See SR–CBOE–84–08; Release No. 20692, 49 FR 7484; SR–CBOE–84–20 and Exchange Act Release No. 21358, 49 FR 39137. The policy memorandum has only been substantively revised to reflect exchange policy authorizing instant exemptions in appropriate circumstances. In particular, the CBOE notes that an instant exemption would be appropriate in extraordinary circumstances, such as an order imbalance, an off-floor executable order in the crowd or position limit restrictions of market makers who are near the intraday limit. The instant exemption also may specify the extent to which a resulting position may be carried in option series of one or more particular expiration cycles. To facilitate requests for instant exemptions, the Exchange's Exemption Committee has authorized certain individuals who can grant instant exemptions, whose names are included in the policy memorandum.

The statutory basis for this rule change is section 6(b)(5) of the Exchange Act and that it will protect investors, promote just and equitable principles of trade, and enhance market liquidity.

The foregoing rule change has become effective pursuant to section 19(b)(3) of the Act and subparagraph (e) of Rule 19b–4. At any time within 60 days of the filing of such proposed rule change, the Commission may summarily abrogate such change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street NW., Washington, DC 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street NW., Washington, DC. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number in the caption above and should be submitted by September 10, 1987.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Jonathan G. Katz,

Secretary.

Dated: August 11, 1987.

[FR Doc. 87–19049 Filed 8–19–87; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 34–24795; File No. SR–NASD–87–30]

Self-Regulatory Organizations; Filing and Order Granting Immediate Effectiveness to Proposed Rule Change by National Association of Securities Dealers, Inc.; NASD Assessments and Fees

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"), 15 U.S.C. 78s(b)(1), notice is hereby given that on August 3, 1987, the National Association of Securities Dealers, Inc. ("NASD") filed with the Securities and Exchange Commission ("Commission") the proposed rule change described in Items I, II, and III below, which have been prepared by the NASD. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The proposed amendment to section 1(a) of Schedule A to the NASD By-Laws increases the annual basic membership fee from $300.00 to $500.00. The proposed amendment to section 1(c) of Schedule A increases the annual per capita assessment for registered principals and registered representatives from $5.00 to $10.00. The proposed amendment to section 1(d) of Schedule A establishes a credit during fiscal year 1987–88 of fifty-two and one-half (52.5) percent toward certain annual assessment fees set forth in sections 1(b) and 1(c) of Schedule A.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the NASD included statements concerning the purpose of, and statutory basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The NASD has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

The proposed amendment to section 1(a) of Schedule A to the NASD's By-Laws increases the annual basic membership fee from $300.00 to $500.00. The Board of Governors approved the proposed increase to assure that the basic membership fee more closely reflects the costs of membership.

The proposed amendment to Schedule 1(c) of Schedule A increases the annual per capita assessment for registered principals and registered representatives from $5.00 to $10.00. The per capita assessment has not changed since 1971.

The proposed amendment to section 1(d) of Schedule A establishes a special credit during fiscal year 1987–88 of 52.5% toward certain annual assessment fees for each member firm. After preparing manpower projections to determine the number of persons required to perform the NASD's regulatory functions during the coming fiscal year and forecasting required expenditures for operations and for new projects, the Board of Governors concluded that a fiscal year 1988 operating budget increase of approximately $14.9 million and a capital budget of approximately $7.3 million were required. This includes a budgeted personnel increase of 181 positions over Fiscal Year 1987. Since the current assessment rates would yield greater income than necessary to fund such a budget, the Board of Governors believes it appropriate to permit a temporary, proportionate reduction for fiscal year 1987–88 in the rate of certain assessments previously approved by the Commission as being fair and equitable.

For reasons stated above, the proposed rule change is consistent with and in furtherance of section 15A(b)(5) of the Act which requires that the rules

of the NASD provide for the equitable allocation of reasonable dues, fees and other charges among members and issuers and other persons using any facility or system that the NASD operates or controls.

B. Self-Regulatory Organization's Statement on Burden on Competition

The NASD does not anticipate that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

Comments were neither solicited nor received with respect to the proposed rule change contained in this filing.

III. Date of Effectiveness of Proposed Rule Change and Timing for Commission Action

The proposed rule change is effective on filing pursuant to section 19(b)(3)(A)(ii) of the Act in that it affects assessments and fees imposed by the NASD exclusively upon its members. Imposition of the fees will, however, be delayed until the start of the NASD's fiscal year on October 1, 1987.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to the NASD, and, in particular, the requirements of section 15A(b)(5) and the rules and regulations thereunder.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549. Copies of the submissions, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any persons, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of such filing will also be available for inspection and copying at the principal office of the NASD. All submissions should refer to file number SR-NASD-87-30 and should be submitted by September 10, 1987.

It is therefore ordered, pursuant to section 19(b)(3) of the Act, that the proposed rule change referenced above be, and hereby is, approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority, 17 CFR 200.30-3(a)(12).

Jonathan G. Katz,

Secretary.

Dated: August 13, 1987.

[FR Doc. 87-19050 Filed 8-19-87; 8:45 am]

BILLING CODE 8010-01-M

Self-Regulatory Organizations; Application for Unlisted Trading Privileges and of Opportunity for Hearing; Pacific Stock Exchange, Inc.

August 14, 1987.

The above named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the following stock:

UniLever, N.V.

Ordinary Shares (File No. 7-0286)

This security is listed and registered on one or more other national securities exchange and is reported in the consolidated transaction reporting system.

Interested persons are invited to submit on or before September 4, 1987 written data, views and arguments concerning the above-referenced applications. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, Washington, DC 20549. Following this opportunity for hearing, the Commission will approve the applications if it finds, based upon all the information available to it, that the extensions of unlisted trading privileges pursuant to such applications are consistent with the maintenance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Jonathan G. Katz,

Secretary.

[FR Doc. 87-19048 Filed 8-19-87; 8:45 am]

BILLING CODE 8010-01-M

[Rel. No. IC-15931; 812-6706]

Application for Exemption; The Equitable Funds et al.

August 14, 1987.

AGENCY: Securities and Exchange Commission ("SEC").

ACTION: Notice of application for exemption under the Investment Company Act of 1940 ("1940 Act").

Applicants: The Equitable Funds ("Trust"), Equico Securities, Inc. ("Distributor"), Alliance Capital Reserves, Alliance Government Reserves and Alliance Tax-Exempt Reserves ("Alliance Funds"), all Alliance Fund Distributors, Inc. ("Alliance Distributor") on behalf of themselves, future series of the Trust and any other registered investment companies which are money market funds and for which the Alliance Distributor acts as principal underwriter.

Relevant 1940 Act Sections: Exemption requested under section 6(c) from the provisions of sections 2(a)(32), 2(a)(35), 22(c) and 22(d) and Rule 22c-1 thereunder, approval of exchange offers under section 11(a), and permission for joint transactions under section 17(d) and Rule 17d-1 thereunder.

Summary of Application: Applicants seek an order (1) to permit the Trust to assess, defer and waive a contingent deferred sales charge ("CDSC") on its shares in certain circumstances, (2) to permit certain exchange offers among any of the existing and future series of the Trust and any of the Alliance Funds, and (3) to permit certain joint transactions in connection with the collection of the CDSC.

Filing Dates: The application was filed on May 4, 1987, and amended on July 2, July 22, July 29, and August 12, 1987.

Hearing or Notification of Hearing: If no hearing is ordered, the application will be granted. Any interested person may request a hearing on this application, or ask to be notified if a hearing is ordered. Any requests must be received by the SEC by 5:30 p.m., on September 4, 1987. Request a hearing in writing, giving the nature of your interest, the reason for the request, and the issues you contest. Serve the Applicants with the request, either personally or by mail, and also send it to the Secretary of the SEC, along with proof of service by affidavit or, for lawyers, by certificate. Request notification of the date of a hearing by writing to the Secretary of the SEC.

ADDRESSES: Secretary, SEC, 450 5th Street, NW., Washington, DC 20549. The Equitable Funds and Equico Securities, Inc., 135 West 50th Street, New York, New York 10020. Alliance Funds and Alliance Distributor, 1345 Avenue of the Americas, New York, New York 10105.

FOR FURTHER INFORMATION CONTACT: Victor R. Siclari, Staff Attorney (202) 272–2190, or Brion R. Thompson, Special Counsel (202) 272–3016 (Division of Investment Management).

SUPPLEMENTARY INFORMATION: Following is a summary of the application; the complete application is available for a fee from either the SEC's Public Reference Branch in person or the SEC's commercial copier who can be contracted at (800) 231–3282 (in Maryland (301) 258–4300).

Applicants, Representations:

1. The Trust filed a registration statement on Form N–1A to register under the 1940 Act as an open-end, diversified, management investment company. The Trust currently consists of four series, the shares of which will be offered for sale to the public under a distributor's contract with the Distributor. The Trustees of the Trust may authorize additional series. The Trust will be managed by the Equitable Life Assurance Society of the United States (the "Manager") and Equitable Capital Management Corporation (the "Adviser").

2. The Alliance Funds are money market funds registered under the 1940 Act as open-end, diversified, management investment companies and are sold without a front end sales load or a CDSC. Their investment adviser is Alliance Capital Management Corporation ("Alliance Adviser") and their principal underwriter is Alliance Distributor. Although Alliance Adviser and Alliance Distributor are each under common control with the Manager and the Distributor, the Trust and the Alliance Funds are members of a separate mutual fund complex.

3. The Trust proposes to offer its shares without an initial sales charge and proposes to impose a CDSC on the proceeds of certain redemptions of the Trust's shares, and to pay such amounts to the Distributor. The CDSC will be imposed if an investor redeems shares within five years of purchasing them. However, no charge will be imposed when shares are redeemed to the extent that such shares (i) represent unrealized appreciation in the value of shares purchased during the five years preceding the redemption, (ii) represent the value of reinvested dividends or capital gain distributions, or (iii) represent the value of investments made more than five years before they are redeemed. In determining whether a CDSC is applicable, the Trust will redeem shares first from the amounts referred to in clauses (i), (ii) and (iii) above, and then from (iv) shares representing the value of payments for Trust shares made during the last five years.

4. The amount of the CDSC (if any) is calculated by determining the date on which the purchase payment that is the source of the redemption was made, and applying the appropriate percentage to the amount of the redemption subject to the charge. The CDSC imposed will be five percent during the first year following the purchase and will decrease one percent per year through the fifth year with no charge imposed in the sixth and subsequent years. In determining the rate of any CDSC, it will be assumed that a redemption is made of shares held by the investor for the longest period of time within the applicable five-year period. This will result in any such charge being imposed at the lowest possible rate. Solely for purposes of determining the number of years from the time of any payment for the purchase of shares, all payments during a month will be aggregated and deemed to have been made on the first day of the month.

5. The Trust proposes to waive the CDSC on redemptions of certain shares as described more fully in the application. The trust will meet all the conditions set forth in Rule 22d–1 under the 1940 Act when allowing and administering such waivers of the CDSC.

6. Applicants propose of offer exchange privileges and will defer the CDSC in those circumstances where Trust shares are exchanged for those of any other Trust series, Trust shares are exchanged for any of the Alliance Fund shares, and Alliance Fund shares acquired by an exchange from the Trust are exchanged for any of the Alliance Fund shares or Trust shares, all exchanges being at the respective net asset value of the shares being exchanged. In the instance when a Trust shareholder exchanges his investment from one series into another series of the Trust, the shareholder will be subject to a CDSC upon redemption of the Trust shares, unless he qualifies for a waiver of the CDSC, based upon the sum of the time periods in which he was invested in each Trust series. In the case when a Trust shareholder exchanges shares of the Trust into one of the Alliance Funds (and subsequently into another Alliance Fund), the period of time during which the shareholder holds such Alliance Fund shares will not be included for purposes of calculating the Trust's CDSC (i.e., the CDSC period will be "tolled," subject to the notice procedure proposed to be incorporated in a condition to any order granting the requested relief). Thus, if the shareholder subsequently redeems his investment from such Alliance Fund, a CDSC will be imposed, unless he qualifies for a waiver of the CDSC, based only upon the investment period in the Trust up until the exchange into the Alliance Fund. If the shareholder instead exchanges the Alliance Fund investment back into the Trust, a CDSC will be imposed upon redemption of the Trust shares, unless he qualifies for a waiver, based upon the sum of the time periods during which only Trust shares were held. If a shareholder of the Trust transfers his shares to another individual or entity, the transferring shareholder will pay no CDSC upon the transfer. However, if the receiving shareholder subsequently redeems the transferred shares, the Trust will subject him to the CDSC, which will be calculated as if the receiving shareholder had acquired the transferred shares in the same manner and at the same time as the transferring shareholder. Applicants undertake that they will not encourage or promote any transfer of Trust shares, except that the recordation of such transfer on the books of the Trust will not consitute encouraging or promoting any such transfer.

7. Any CDSC assessed upon redemption of an Alliance Fund investment in any of the circumstances described above will be collected by the Alliance Distributor and paid to the Distributor under arrangements among the Applicants. In the event that some or all of these arrangements may be collectively viewed as a joint enterprise in which the Applicants are joint and several participants, Applicants request an order under Rule 17d–1 of the 1940 Act to the extent necessary to enable them to the into the arrangements.

8. The Trust reserves the right to impose a processing charge not exceeding $5.00 on redemptions of Trust shares other than involuntary redemptions and on exchanges among the Trust series or on exchanges to or from the Trust from the Alliance Funds, although it has no present intention to do so. Any such charge would be payable to the Trust (not to the Distributor) and would be intended to compensate the trust for any expenses incurred in connection with such redemptions or exchanges. The Alliance Funds do not charge a fee on exchanges among the Alliance Funds and do not

intend to charge a fee on exchanges between the Alliance Funds and the Trust.

9. The Trust proposes to assist in financing the distribution of its shares under a distribution plan adopted under Rule 12b–1 of the 1940 Act (the "Trust Plan"). Under the proposed Trust Plan, the Trust will pay an annual fee equal to one percent of each series' average daily net asset value to the Distributor as compensation for services it provides. The Distributor's expenses incurred are expected to exceed the amounts received by it under the Trust Plan. In evaluating the continued appropriateness of the Trust Plan and in making a determination whether to continue the Trust Plan, the Trustees of the Trust will consider, among other things, the expenses of the Distributor related to or intended to result in the sale of Trust shares and, in this regard, will also consider the use by the Distributor or revenues raised by the CDSC.

10. The Alliance Funds have distribution plans adopted under Rule 12b–1 of the 1940 Act ("Alliance Plan") which allow the payment of a distribution fee equal to 0.15 percent of the relevant Fund's average daily net assets to the Alliance Adviser. Alliance Plan payments are made only if the Trustees of the relevant Alliance Fund have determined that there is a reasonable likelihood that the relevant Alliance Plan will benefit the Alliance Fund and its shareholders. Alliance Plan payments are not used to finance the distribution of shares of any registered investment company other than the particular Alliance Fund. To the extent payments by an Alliance Fund to the Alliance Adviser are required to be spent on distribution, distribution-assistance or other services the plan is not a so-called "compensation" type plan. To the extent that the Alliance Adviser is authorized to make payments for distribution services out of its own resources, which may include the management fee it receives from the relevant Alliance Fund, the plan is, in effect, a so-called "defesive" plan.

11. In contrast to the Alliance Plan, the Trust Plan does not make payments to the Manager or authorize the Manager to finance distribution indirectly from its own resources. Rather, the fee payable under the Trust Plan is payable to the Distributor as compensation for services rendered in connection with the distribution of Trust shares (without regard to the Distributor's expenses) and is therefore a so-called "compensation" type plan. This divergence demonstrates that the Trust Plan and the Alliance Plan each address different distribution problems and, accordingly, each is structured differently.

Applicants' Legal Conclusions: 1. Applicants submit that the requested exemption under section 6(c) and the approval under section 11(a) are appropriate and in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the 1940 Act. Applicants also assert that the participation of any Applicant in any joint transaction as described in section 17(d) of the 1940 Act and Rule 17d–1 thereunder is on a basis no different from or less advantageous than that of any other Applicant participating in such joint transaction, and is consistent with the provisions, policies, and purposes of the 1940 Act.

2. The CDSC is fair, equitable and in the best interests of the Trust shareholders because, they will have the advantage of greater investment dollars working for them from the time of their purchase of the Trust's shares than with the traditional front-end sales charge. With respect to the proposed waivers of the CDSC for certain classes of Trust shares, these monies will continue to be managed by the Equitable organization in another capacity or there will be an absence of selling expenses incurred in connection with such sales, and any such waivers will comply with the requirements of Rule 22d–1 of the 1940 Act which permits scheduled variations in, or elimination of, front-end sales loads.

3. The proposed exchange privileges enable shareholders of the Trust and the Alliance Funds to exchange their shares at relative net asset value and provide a high degree of flexibility in the shareholder's financial planning. In the absence of such relief permitting deferral of the CDSC, a Trust shareholder who sought to shift his investment into an Alliance Fund would generally be required to pay the CDSC at the time of such exchange. This would mean that the amount invested upon the exchange would be less than the net asset value of the investor's shares immediately prior to the exchange. Also, the tolling of the CDSC period while an investment is made in an Alliance Fund is necessary and appropriate in the public interest and consistent with the protection of investors because (a) redemptions of Alliance Fund shares (other than acquired by transfer from the Trust) are not subject to a CDSC, (b) each Alliance Fund is subject to a distribution related fee under the Alliance Plan which is structured differently from and is substantially less than the distribution fee paid by the Trust under the Trust Plan and (c) the amounts transferred from the Trust to the Alliance Funds are not included in the assets of any series of the Trust for the purposes of determining the amount payable by the Trust's series under the Trust Plan.

4. The imposition and collection of the CDSC by the Alliance Distributor upon redemption of an Alliance Fund investment acquired in an exchange from the Trust and payment of such CDSC by the Alliance Distributor to the Distributor will not be on a basis which benefits any one Applicant to the disadvantage of and other Applicant, including in particular the Alliance Funds and the Trust. The arrangement is intended to compensate the Distributor for its sales efforts in connection with the initial sale of Trust shares, does not leave the Alliance Distributor any worse off than if the CDSC were assessed at the time of exchange from the Trust to the Alliance Fund and paid at that time to the Distributor, and does not, *per se*, result in any profit or financial benefit to the Alliance Distributor or the Distributor. The only effect of the proposed arrangement is to defer the payment of the CDSC, not to change the payee.

Applicants' Conditions:

If the requested order is granted, Applicants agree to the following conditions:

1. Applicants will comply with the provisions of Rule 12b–1 under the 1940 Act as they are now in effect and as they may be revised in the future.

2. Applicants will comply with the provisions of Rule 22d–1 under the 1940 Act.

3. Applicants will comply with the provisions of proposed Rule 11a–3 under the 1940 Act to the extent applicable when, and if, the rule is adopted by the SEC.

4. Applicant agree that if the distribution fees payable directly by any Alliance Fund under any Alliance Plan are increased beyond the annual rate of 0.15 percent of the average daily net asset value of the respective Alliance Fund, the Applicants will notify the staff of the Division of Investment Managment of the SEC and, it the staff believes that such increase raises a significant question as to whether the CDSC should be "tolled" during the period that an investment is made in the Alliance Fund, the Applicants will seek an amended exemptive order to resolve the question.

For the SEC, by the Division of Investment Mangement, under delegated authority.

Jonathan G. Katz,

Secretary.

[FR Doc. 87-19069 Filed 8-19-87; 8:45 am]

BILLING CODE 8010-01-M

[Rel. No. IC-15926; File No. 812-6480]

Applications for Exemption; New England Mutual Life Insurance Co., et al.

August 14, 1987.

AGENCY: Securities and Exchange Commission ("SEC").

ACTION: Notice of application for exemption under the Investment Company Act of 1940 (the "1940 Act").

Applicants: New England Mutual Life Insurance Company, New England Variable Life Insurance Company ("NEVLICO"), New England Variable Life Separate Account ("Account"), The New England Zenith Fund, Inc. ("Fund"), and certain life insurance companies and their separate accounts that may invest in the Fund.

Relevant 1940 Act Sections: Exemption requested *under* section 6(c) *from* sections 9(a), 13(a), 15(a) and 15(b) of the 1940 Act, and Rules 6e-2(b)(15) and 6e-3(T)(b)(15) thereunder.

Summary of Application: Applicants seek an order to permit shares of the Fund to be sold to and held by variable annuity and variable life insurance separate accounts of both affiliated and unaffiliated life insurance companies.

Filing Date: The application was filed on September 18, 1986, and amended on August 5, 1987.

Hearing or Notification of Hearing: If no hearing is ordered, the application will be granted. Any interested person may request a hearing on this application, or ask to be notified if a hearing is ordered. Any requests must be received by the SEC by 5:30 p.m., on September 8, 1987. Request a hearing in writing, giving the nature of your interest, the reason for the request, and the issues you contest. Serve the Applicants with the request, either personally or by mail, and also send it to the Secretary of the SEC, along with proof of service by affidavit, or, for lawyers, by certificate. Request notification of the date of a hearing by writing to the Secretary of the SEC.

ADDRESSES: Secretary, SEC, 450 Fifth Street, NW., Washington, DC 20549. Applicants, c/o Marie C. Swift, Esq., 501 Boylston Street, Boston, MA 02117.

FOR FURTHER INFORMATION CONTACT: Financial Analyst Margaret Warnken (202) 272-2058 or Special Counsel Lewis B. Reich (202) 272-2061 (Division of Investment Management).

SUPPLEMENTARY INFORMATION: Following is a summary of the application; the complete application is available for a fee from either the SEC's Public Reference Branch in person or the SEC's commercial copier (800) 231-3282 (in Maryland (301) 253-4300).

Applicants' Representations:

1. The Fund is an open-end management company of the series type organized under Massachusetts law, and currently is the underlying investment medium for scheduled premium variable life insurance contracts issued by the Account. The Account is a separate account of NEVLICO and is registered under the 1940 Act as a unit investment trust.

2. The Fund proposes to offer its shares to other separate accounts that issue either variable annuity contracts or single premium, scheduled premium or flexible premium variable life insurance contracts. These separate accounts will be separate accounts of affiliated or unaffiliated insurance companies. (The use of a common management company as the investment medium for both variable annuities and variable life insurance is referred to as "mixed funding". The use of a common management company as the investment medium for separate accounts of unaffiliated insurance companies is referred to as "shared funding".)

3. Rules 6e-2 and 6e-3(T) provide certain exemptions to permit insurance company separate accounts to issue variable life insurance. Rule 6e-2(b)(15) precludes mixed and shared funding, and Rule 6e-3(T)(b)(15) precludes shared funding. Applicants propose the requested relief extend to a class consisting of life insurers and variable life separate accounts investing in the Fund (and principal underwriters and depositors of such separate accounts) that would otherwise be precluded from investing in the Fund by virtue of the Fund offering its shares to variable life separate accounts and variable annuity separate accounts of affiliated or unaffiliated life insurance companies.

4. Mixed and shared funding will benefit variable contractowners by: (1) Eliminating a significant portion of the costs of establishing and administering separate funds; (2) allowing for the development of larger pools of assets resulting in greater cost efficiencies; and (3) encouraging more insurance companies to offer variable contracts, which should result in increased competition and lower contract charges. The Fund will not be managed to favor or disfavor any particular insurer or type of insurance product.

5. Applicants propose that the relief granted by paragraphs (b)(15) of Rules 6e-2 and 6e-3(T) from section 9(a) be extended to a class of insurance companies and variable life separate accounts which may use the Fund as an investment medium for variable life insurance contracts, subject to certain conditions regarding conflicts. The same policies that limit the provisions of section 9(a) to those employees of the insurance company engaged in managing the separate account are applicable to insurance companies and their separate accounts that are funded by a fund offering mixed and shared funding. There is no regulatory purpose to apply the provisions of section 9(a) to the many employees of the insurance companies whose separate accounts may utilize the Fund as a funding medium for variable life insurance contracts. Applying the requirements of section 9(a) in such cases would increase the costs of monitoring for compliance with that section, which would reduce the net rates of return realized by contractowners.

6. Applicants propose that the relief granted by paragraphs (b)(15) of Rules 6e-2 and 6e-3(T) from sections 13(a), 15(a) and 15(b) be extended to a class of insurance companies and variable life separate accounts that may use the Fund as an investment medium for variable life contracts, subject to certain conditions regarding conflicts. All variable annuity and variable life contractowners will be provided pass-through voting rights with respect to Fund shares held by registered separate accounts. Because paragraphs (b)(15) of Rules 6e-2 and 6e-3(T) permit the insurance company to disregard these voting instructions in certain limited circumstances, this may cause an irreconcilable conflict to develop among the separate accounts. Applicants propose to resolve these potential conflicts through certain undertakings it proposes as conditions to receipt of the requested exemptive relief. If a particular insurance company's disregard of voting instructions conflicted with a majority of contractowners' voting instructions, or precluded a majority vote, the insurer may be required, at the Fund's election, to withdraw its separate account's investments in the Fund.

Applicants' Conditions: If the requested order is granted, the Applicants agree to the following conditions:

1. A majority of the Board of Directors of the Fund will consist of persons who are not "interested persons" of the Fund, as defined by section 2(a)(19) of the 1940

Act and the rules thereunder, and as modified by any applicable order of the SEC.

2. The Board of the Fund will monitor the Fund for the existence of any material irreconcilable conflict between the interests of the participants of all separate accounts investing in the Fund. A material irreconcilable conflict may (but will not necessarily) arise for a variety of reasons, including: (a) An action by any state insurance regulatory authority; (b) a change in applicable federal or state insurance, tax, or securities laws or regulations, or a public ruling, private letter ruling, or any similar action by insurance, tax or securities regulatory authorities; (c) an administrative or judicial decision in any relevant proceeding; (d) the manner in which the investments of any portfolio are being managed; (e) a difference in voting instructions given by variable annuity and variable life insurance contractowners; or (f) a decision by an insurer to disregard the voting instructions of its contractowners.

(3) The Board of the Fund will require participating insurance companies and the investment adviser to the Fund to report any potential or existing conflicts to the Board. Participating insurance companies and the investment adviser will be responsible for assisting the Board in carrying out its responsibilities under these conditions by providing the Board with all information reasonably necessary for the Board to consider any issues raised. The responsibility to report such information and conflicts, and to assist the Board, will be a contractual obligation of all insurers investing the Fund under their agreements governing participation in the Fund.

4. If it is determined by a majority of the Board of the Fund, or a majority of its disinterested directors, that a material irreconcilable conflict exists, each insurance company designated by the Board will, at its expense, take whatever steps are necessary to remedy or eliminate the irreconcilable conflict, which steps could include: (a) Withdrawing the assets allocable to some or all of the separate accounts from the Fund or any portfolio, and reinvesting such assets in a different investment medium, including another portfolio of the Fund, or submitting the question of whether such segregation should be implemented to a vote all affected participants and, as appropriate, segregating the assets of any particular group (i.e. annuity or life insurance contractowners of one or more insurer) that votes in favor of such segregation or offering to the affected participants the option of making such a change; and (b) establishing a new registered management investment company or management separate account. If a material irreconcilable conflict arises because of an insurer's decision to disregard voting instructions and that decision represents a minority position or would preclude a majority vote, the insurer may be required at the Fund's election to withdraw its separate account's investment in the Fund. No charge or penalty will be imposed against a separate account as a result of a withdrawal due to any material irreconcilable conflict. The responsibility to take remedial action in the event of a Board determination of a material irreconcilable conflict, and to bear the cost of such remedial action, will be a contractual obligation of all insurers under their agreements governing participation in the Fund, and these responsibilities will be carried out with a view only to the interests of participants. A majority of the disinterested members of the Board shall determine whether any proposed action adequately remedies any material irreconcilable conflict, but in no event will the Fund be required to establish a new funding medium for any variable contract. No insurer will be required to establish a new funding medium for any variable annuity or variable life insurance contract if an offer to do so has been declined by vote of a majority of affected participants.

5. In the event of a determination of the existence of a material irreconcilable conflict, the Board may consider whether to cause the Fund to take action, such as establishing one or more additional portfolios, to remedy the conflict. The Board will cause the Fund to take action only if it, in its sole discretion, determines such action to be in the interest of the participants of all separate accounts in the aggregate investing in the Fund in view of all applicable factors, such as cost, feasibility, tax, investment objective and performance, regulatory, and other considerations. In no event will these conditions require the Board or the Fund to take any such action to remedy a material irreconcilable conflict.

6. The Board's determination of the existence of a material irreconcilable conflict and its implications will be made known promptly to all participating insurance companies investing the Fund.

7. As to contracts issued by registered separate accounts, participating insurance companies will provide pass-through voting privileges to all participants so long as and to the extent that the SEC continues to interpret the 1940 Act to require pass-through voting privileges for variable contract-owners. As to contracts issued by unregistered separate accounts, pass-through voting privileges will be extended to participants to the extent granted by the issuing insurance company. Participating insurance companies will be responsible for assuring that each of their separate accounts participating in the Fund calculate voting privileges in a manner consistent with other participating insurance companies. The obligation to calculate voting privileges in a manner consistent with all other separate accounts investing in the Fund will be a contractural obligation of all participating insurance companies under their agreements governing participating in the Fund.

8. All reports received by the Board of potential or existing conflicts, determining the existence of a conflict, notifying participating insurance companies of a conflict, and determining whether any proposed action adequately remedies a conflict, will be properly recorded in the minutes of the Board or other appropriate records and such minutes or other records will be made available to the SEC upon request.

9. If and to the extent that Rule 6e–2 or Rule 6e–3(T) is amended, or Rule 6e–3 is adopted, to provide exemptive relief from any provision of the 1940 Act or the rules promulgated thereunder that materially differs from any exemptive order issued by the SEC in connection with this application, then the appropriate Applicants will take all steps as may be necessary to comply with Rule 6e–2 or Rule 6e–3(T), as amended, or Rule 6e–3, as adopted, to the extent such rules are applicable.

For the SEC, by the Division of Investment Management, under delegated authority.

Jonathan G. Katz,

Secretary.

[FR Doc. 87–19070 Filed 8–19–87; 8:45 am]

BILLING CODE 8010–01–M

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

[(Order 87–8–40), Docket 40208]

Proposed Revocation of the Section 401 Certificate of Wright Air Lines, Inc.

AGENCY: Department of Transportation, Office of the Secretary.

ACTION: Notice of Order to Show Cause.

SUMMARY: The Department of Transportation is directing all interested persons to show cause why it should not issue an order revoking the certificate of Wright Air Lines, Inc., issued under section 401 of the Federal Aviation Act.

DATE: Persons wishing to file objections should do so no later than September 1, 1987.

ADDRESSES: Responses should be filed in Docket 40208 and addressed to the Documentary Services Division, Department of Transportation, 400 7th Street, SW., Room 4107, Washington, DC, 20590, and should be served on the parties listed in Attachment A to the order.

FOR FURTHER INFORMATION CONTACT: Mary Catherine Terry, Air Carrier Fitness Division, U.S. Department of Transportation, 400 7th Street, SW. Washington DC 20590, (202) 366–2343.

Dated: August 17, 1987.

Vance Fort,

Deputy Assistant Secretary for Policy and International Affairs.

[FR Doc. 87–19055 Filed 8–19–87; 8:45 am]

BILLING CODE 4910–62–M

Federal Aviation Administration

[Summary Notice No. PE–87–20]

Petition for Exemption; Summary of Petitions Received and Dispositions of Petitions Issued

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petitions for exemption received and of dispositions of prior petitions.

SUMMARY: Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption (14 CFR Part 11), this notice contains a summary of certain petitions seeking relief from specified requirements of the Federal Aviation Regulations (14 CFR Chapter I), dispositions of certain petitions previously received, and corrections. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

DATE: Comments on petitions received must identify the petition docket number involved and must be received on or before September 9,1987.

ADDRESS: Send comments on any petition in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rules Docket (AGC–204), Petition Docket No._____, 800 Independence Avenue, SW., Washington, DC 20591.

FOR FURTHER INFORMATION CONTACT: The petition, any comments received, and a copy of any final disposition are filed in the assigned regulatory docket and are available for examination in the Rules Docket (AGC–204), Room 915G, FAA Headquarters Building (FOB lOA), 800 Independence Avenue SW., Washington, DC 20591; telephone (202) 267–3132.

This notice is published pursuant to paragraphs (c), (e), and (g) of § 11.27 of Part 11 of the Federal Aviation Regulations (14 CFR Part 11).

Issued in Washington, DC, on August 14, 1987.

Denise Donohue Hall,

Acting Manager, Program Management Staff.

PETITIONS FOR EXEMPTION

Docket No.	Petitioner	Regulations affected	Description of relief sought
25261	National Business Aircraft Association, Inc.	14 CFR 121.312(b)	To allow companies represented by petitioner to operate certain aircraft under Part 135 without complying with the seat cushion flammability requirements of § 121.312(b), for a period of time that would be determined.
19634	Douglas Aircraft Company	14 CFR 121.310(d)(4)	To allow operation of all DC–8 aircraft without a cockpit control device that has an "on," "off," and "armed" position.
25337	ERA Helicopters, Inc.	14 CFR 43.3(g)	To allow petitioner's pilots to remove and replace seats when away from the maintenance base.

PETITIONS FOR EXEMPTION

Docket No.	Petitioner	Regulations affected	Description of relief sought disposition
20090	Sierra Academy of Aeronautics	14 CFR 61.63(d)(2) and (3), 61.157(d)(1)	To allow trainees of petitioner, who are applicants for a type rating to be added to any grade of pilot certificate, to substitute the practical test requirements of § 61.157(a) for those of § 61.63(d)(2) and (3), and, to complete a portion of that practical test in a simulator as authorized by § 61.157(d). *Granted, August 5, 1987.*
25189	Parachute Center	14 CFR 105.43(a)	To allow petitioner's jump master, instructors, and pilots to make parachute training jumps wearing a tandem dual harness, dual parachute pack with at least one main parachute and one approved reserve parachute packed in accordance with § 105.43(a)(2). *Granted, August 5, 1987.*
25159	Bemidji Airlines	14 CFR 135.265(c)(3)	To allow petitioner to assign a flight crewmember and its flight crewmembers to accept duty during flight time without having had at least 9 consecutive hours of rest during the 24-hour period preceding the planned completion of the assignment. *Granted, August 5, 1987.*

[FR Doc. 87–19015 Filed 8–19–87; 8:45 a.m.]

BILLING CODE 4910–13–M

Federal Highway Administration

Environmental Impact Statement; Proposed Widening of Maryland Route 650 in Montgomery County, MD

AGENCY: Federal Highway Administration (FHWA) DOT.

ACTION: Notice of Intent.

SUMMARY: The FHWA is issuing this notice to advice the public that an environmental impact statement is being prepared for the proposed widening of Maryland Route 650 in Montgomery County.

FOR FURTHER INFORMATION CONTACT: Mr. Edward A. Terry, Jr., Field Operations Engineer, Federal Highway Administration, The Rotunda, Suite 220, 711 W. 40th Street, Baltimore, Maryland 21211, telephone 301/962–4010, and/or Mr. Louis Ege, Jr., Deputy Director, Project Development Division, Maryland State Highway Administration, 707 North Calvert Street, Room 310, Baltimore, Maryland 21202, telephone 301/333–1130.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Maryland State Highway Administration, is preparing an environmental impact statement to develop acceptable alternates to provide additional capacity on a 3.8 mile portion of MD Route 650 between Randolph Road and MD Route 198.

Segment I, which lies between Randolph Road and the proposed Intercounty Connector, would be widened to a six-lane divided highway. Segment II, which lies between the proposed Intercounty Connector and Maryland Route 198, would be widended to a four-lane divided highway. In addition, a realignment of Briggs Chaney Road is proposed which would relocate it opposite Norwood Road at the intersection with MD Route 650. Construction of an interchange at the existing MD Route 650/Randolph Road intersection is being studied under a separate project.

Impacts of particular concern will be the residential and business relocations, noise impacts, and impacts to the natural trout population of the Good Hope Tributary of the Paint Branch.

A public meeting to discuss the preliminary alternates has been held. A public hearing will be held after circulation of the DEIS. A public notice will give the time and place of the public hearing, and individual notices will be sent to those agencies, groups, and individuals on the mailing lists. The DEIS will be available for public and agency review and comment prior to the public hearing. To ensure that the full range of issues relating to this proposal are addressed and all significant issues identified, comments and suggestions are invited from all interested parties.

(Catalog of Federal Domestic Assistance Program Number 20.025, Highway Research, Planning and Construction. The provisions of Executive Order 12372 regarding State and Local review of Federal and Federally assisted programs and projects apply to this program).

Emil Elinsky,

Division Administrator, Baltimore, Maryland.

[FR Doc. 87–19081 Filed 8–19–87; 8:45 am]

BILLING CODE 4910–22–M

Urban Mass Transportation Administration

UMTA Section 3 and 9 Grant Obligations; Rochester-Genesee Regional Transportation Authority et al.

AGENCY: Urban Mass Transportation Administration (UMTA), DOT.

ACTION: Notice.

SUMMARY: Public Law 99–500 signed into law by President Reagan on October 18, 1986, contained a provision requiring the Urban Mass Transportation Administration to publish an announcement in the **Federal Register** each time a grant is obligated pursuant to sections 3 and 9 of the Urban Mass Transportation Act of 1964, as amended. The statute requires that the announcement include the grant number, the grant amount, and the transit property receiving each grant. This notice provides the information as required by statute.

FOR FURTHER INFORMATION CONTACT: Edward R. Fleischman, Chief, Resource Management Division, (202) 366–2053, 400 Seventh Street SW., Washington, DC 20590.

SUPPLEMENTARY INFORMATION: The section 3 program was established by the Urban Mass Transportation Act of 1964 to provide capital assistance to eligible recipients in urban areas. Funding for this program is distributed on a discretionary basis. The section 9 formula program was established by the Surface Transportation Assistance Act of 1982. Funds appropriated to this program are allocated on a formula basis to provide capital and operating assistance in urbanized areas. Pursuant to Pub. L. 99–500, UMTA reports the following grant information:

SECTION 3 GRANT

Transit property	Grant No.	Grant amount	Date obligated
Rochester-Genesee Regional Transportation Authority, Rochester, NY	NY–03–0211–01	$3,000,000	7/31/87

SECTION 9 GRANT

Transit property	Grant No.	Grant amount	Date obligated
Kansas City Area Transportation Authority, Kansas City, MO	MO–90–X039	$11,618,486	7/31/87
Oklahoma Department of Transportation, Oklahoma City, OK	OK–90–X020	772,756	7/21/87

Issued On: August 17, 1987.

Alfred A. DelliBovi,

Deputy Administrator.

[FR Doc. 87–19104 Filed 8–19–87; 8:45 am]

BILLING CODE 4910–57–M

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Department Circular—Public Debt Series—No. 22-87]

Treasury Bonds of 2017

August 11, 1987.

1. Invitation for Tenders

1.1. The Secretary of the Treasury, under the authority of Chapter 31 of Title 31, United States Code, invites tenders for approximately $9,000,000 of United States securities, designated Treasury Bonds of 2017 (CUSIP No. 912810 DZ 8), hereafter referred to as Bonds. The Bonds will be sold at auction, with bidding on the basis of yield. Payment will be required at the price equivalent of the yield of each accepted bid. The interest rate on the Bonds and the price equivalent of each accepted bid will be determined in the manner described below. Additional amounts of the Bonds may be issued to Government accounts and Federal Reserve Banks for their own account in exchange for maturing Treasury securities. Additional amounts of the Bonds may also be issued at the average price to Federal Reserve Banks, as agents for foreign and intenational monetary authorities.

2. Description of Securities

2.1. The Bonds will be dated August 15, 1987, and issued August 17, 1987. Payment for the Bonds will be based on the price equivalent to the bid yield determined in accordance with this circular, plus accrued interest from August 15, 1987, to August 17, 1987. Interest on the Bonds is payable on a semiannual basis on February 15, 1988, and each subsequent 6 months on August 15 and February 15 through the date that the principal becomes payable. They will mature August 15, 2017, and will not be subject to call for redemption prior to maturity. In the event any payment date is a Saturday, Sunday, or other nonbusiness day, the amount due will be payable (without additional interest) on the next business day.

2.2. The Bonds are subject to all taxes imposed under the Internal Revenue Code of 1954. The Bonds are exempt from all taxation now or heareafter imposed on the obligation or interest thereof by any State, any possession of the United States, or any local taxing authority, except as provided in 31 U.S.C. 3124.

2.3. The Bonds will be acceptable to secure deposits of Federal public monies. They will not be acceptable in payment of Federal taxes.

2.4. The Bonds will be issued only in book-entry form, and in denominations of $1,000, $5,000, $10,000, $100,000, and $1,000,000, and in multiples of those amounts. They will not be issued in registered definitive or in bearer form.

2.5. A Bond may be held in its fully constituted form or it may be divided into its separate Principal and Interest Components and maintained as such on the book-entry records of the Federal Reserve Banks, acting as fiscal agents of the United States. The provisions specifically applicable to the separation, maintenance, transfer, and reconstitution of Principal and Interest Components are set forth in section 6 of this circular. Subsections 2.1. through 2.4. of this section are descriptive of Bonds in their fully constituted form; the description of the separate Principal and Interest components is set forth in seciton 6 of this circular.

2.6. The Department of the Treasury's general regulations governing United States securities, i.e., Department of the Treasury Circular No. 300, current revision (31 CFR Part 306), as to the extent applicable to marketable securities issued in book-entry form, and the regulations governing book-entry Treasury Bonds, Notes, and Bills, as adopted and published as a final rule to govern securities held in the TRESASURY DIRECT Book-Entry Securities System in 51 FR 18260, *et seq.* (May 16, 1986), apply to the Bonds offered in this circular.

3. Sale Procedures

3.1. Tenders will be received at Federal Reserve Banks and Branches and at the Bureau of the Public Debt, Washington, DC 20239, prior to 1:00 p.m., Eastern Daylight Saving time, Thursday, August 13, 1987. Noncompetitive tenders as defined below will be considered timely if postmarked no later than Wednesday, August 12, 1987, and received no later than Monday, August 17, 1987.

3.2. The par amount of Bonds bid for must be stated on each tender. The minimum bid is $1,000, and larger bids must be in multiples of that amount. Competitive tenders must also show the yield desired, expressed in terms of an annual yield with two decimals, e.g., 7.10%. Fractions may not be used. Noncompetitive tenders must show the term "noncompetitive" on the tender form in lieu of a specified yield.

3.3. A single bidder, as defined in Treasury's single bidder guidelines, shall not submit noncompetitive tenders totaling more than $1,000,000. A noncompetitive bidder may not have entered into an agreement, nor make an agreement to purchase or sell or otherwise dispose of any noncompetitive awards of this issue prior to the deadline for receipt of tenders.

3.4. Commercial banks, which for this purpose are defined as banks accepting demand deposits, and primary dealers, which for this purpose are defined as dealers who make primary markets in Government securities and are on the list of reporting dealers published by the Federal Reserve Bank of New York, may submit tenders for accounts of customers if the names of the customers and the amount for each customer are furnished. Others are permitted to submit tenders only for their own account.

3.5. Tenders for their own account will be received without deposit from commercial banks and other banking institutions; primary dealers, as defined above; Federally-insured savings and loan associations; States, and their political subdivisions or instrumentalities; public pension and retirement and other public funds; intenational organizations in which the United States holds membership; foreign central banks and foreign states; Federal Reserve Banks; and Government accounts. Tenders from all others must be accompanied by full payment for the amount of Bonds applied for, or by a guarantee from a commercial bank or a primary dealer of 5 percent of the par amount applied for.

3.6. Immediately after the deadline for receipt of tenders, tenders will be opened, followed by a public announcement of the amount and yield range of accepted bids. Subject to the reservations expressed in section 4, noncompetitive tenders will be accepted in full, and then competitive tenders will be accepted, starting with those at the lowest yields, through successively higher yields to the extent required to attain the amount offered. Tenders at the highest accepted yield will be prorated if necessary. After the determination is made as to which tenders are accepted price close to 100.000 and a lowest accepted price above the original issue discount limit of 92.500. That stated rate of interest will be paid on all of the Bonds. Based on such interest rate, the price on each competitive tender allotted will be determined and each successful competitive bidder will be required to

pay the price equivalent to the yield bid. Those submitting noncompetitive tenders will pay the price equivalent to the weighted average yield of accepted competitive tenders. Price calculations will be carried to three decimal places on the basis of price per hundred, e.g., 99.923, and the determinations of the Secretary of the Treasury shall be final. If the amount of noncompetitive tenders received would absorb all or most of the offering, competitive tenders will be accepted in an amount sufficient to provide a fair determination of the yield. Tenders received from Government accounts and Federal Reserve Banks will be accepted competitive tenders.

3.7. Competitive bidders will be advised of the acceptance of their bids. Those submitting noncompetitive tenders will be notified only if the tender is not accepted in full, or when the price at the average yield is over par.

4. Reservations

4.1. The Secretary of the Treasury expressly reserves the right to accept or reject any or all tenders in whole or in part, to allot more or less than the amount of Bonds specified in section 1, and to make different percentage allotments to various classes of applicants when the Secretary considers it in the public interest. The Secretary's action under this section is final.

5. Payment and Delivery

5.1. Settlement for the Bonds allotted must be made at the Federal Reserve Bank or Branch or at the Bureau of the Public Debt, wherever the tender was submitted. Settlement must include accrued interest from August 15, 1987, to August 17, 1987. The amount of accrued interest will be determined after the auction, and investors will be notified of the amount. Settlement on Bonds allotted to institutional investors and to others whose tenders are acompanied by a guarantee as provided in section 3.5. must be made or completed on or before Monday, August 17, 1987. Payment in full must accompany tenders submitted by all other investors. Payment must be in cash; in other funds immediately available to the Treasury; in Treasury bills, notes, or bonds maturing on or before the settlement date but which are not overdue as defined in the general regulations governing United States securities; or by check drawn to the order of the institution to which the tender was submitted, which msut be received from institutional investors no later than Thursday, August 13, 1987. In addition, Treasury Tax and Loan Note Option Depositaries may make payment for the Bonds allotted for their own accounts and for accounts of customers by credit to their Treasury Tax and Loan Note Accounts on or before Monday, August 17, 1987. When payment has been submitted with the tender and the purchase price of the Bonds allotted is over par, settlement for the premium must be completed timely, as specified above. When payment has been submitted with the tender and the purchase price is under par, the discount will be remitted to the bidder.

5.2. In every case where full payment has not been completed on time, an amount of up to 5 percent of the par amount of Bonds allotted shall, at the discretion of the Secretary of the Treasury, be forfeited to the United States.

5.3. Registered definitive securities tendered in payment for the Bonds allotted and to be held in TREASURY DIRECT are not required to be assigned if the inscription on the registered defintive security is identical to the registration of the Bond being purchased. In anysuch case, the tender form used to place the Bonds allotted in TREASURY DIRECT must be completed to show all the information required thereon, or the TREASURY DIRECT account number previously obtained.

6. Separability of Principal and Interest

6.1. Under the Treasury's STRIPS Program (Separate Trading of Registered Interest and Principal of Securities), a Bond may be divided into its separate components and maintained as such on the book-entry records of the Federal Reserve Banks, acting as Fiscal Agents of the United States. The separate STRIPS components are: Each future semiannual interest payment (referred to as an Interest Component) and the principal payment (referred to as the Principal Component). Each Interest Component and the Principal Component shall have an identifying designation and CUSIP number, which are set forth in Attachment A to this circular.

6.2. Attachment A also provides the payable dates for the separate components. In the event any payment date is a Saturday, Sunday, or other nonbusiness day, the amount due will be payable (without additional interest) on the next business day.

6.3. For a Bond to be separated into the components described in section 6.1., the par amount of the Bond must be in an amount which, based on the stated interest rate of the Bond, will produce a semi-annual interest payment of $1,000 or a multiple of $1,000. Attachment B to this circular provides the minimum par amounts required to separate a security at various interest rates, as well as the interest payments corresponding to those minimum par amounts. Par amounts greater than the minimum amount must be in multiples of that amount. The minimum par amount for this offering will be provided in the public announcement of the amount and yield range of accepted bids.

6.4. A Bond may be separated into its components at any time from the issue date until maturity. A request for separation must be made to the Federal Reserve Bank maintaining the account for the Bonds. Once a Bond has been separated into its components, the components may be maintained and transferred in multiples of $1,000.

6.5. Interest Components and Principal Components in multiples of $1,000 will be accepted to secure deposits of Federal public monies. They will not be acceptable in payment of Federal taxes.

6.6. Interest and Principal Components of separated securities may be reconstituted, i.e., restored to their fully constituted form, on the book-entry records of the Federal Reserve Banks. A Principal Component and all related unmatured Interest Components, in the appropriate minimum or multiple amounts previously announced, must be submitted together for reconstitution.

6.7. Detached physical interest coupons, coupons held under the CUBES Program, or cash payments may not be substituted for missing Interest or Principal Components. Any reconstitution request which does not comprise all of the necessary STRIPS components in the appropriate amounts will not be accepted.

6.8. The book-entry transfer of each Interest Component and Principal Component included in a reconstitution transaction will be subject to the fee schedule generally applicable to transfers of book-entry Treasury securities.

6.9. Unless otherwise provided in this offering circular, the Department of the Treasury's general regulations governing United States securities apply to the Bonds separated into their components.

7. General Provisions

7.1. As fiscal agents of the United States, Federal Reserve Banks are authorized, as directed by the Secretary of the Treasury, to receive tenders, to make allotments, to issue such notices as may be necessary, to receive payment for, and to issue, maintain, service, and make payment on the Bonds.

7.2. The Secretary of the Treasury may at any time supplement or amend provisions of this circular if such

supplements or amendments do not adversely affect existing rights of holders of the Bonds. Public announcement of such changes will be promptly provided.

7.3. The Bonds issued under this circular shall be obligations of the United States, whether held in the fully constituted form or as separate Interest and Principal Components, and, therefore, the faith of the United States Government is pledged to pay, in legal tender, principal and interest on the Bonds.

7.4. Attachments A and B are incorporated as part of this circular.

Gerald Murphy,

Fiscal Assistant Secretary.

Attachment A.—CUSIP Numbers and Designations for the Principal Component and Interest Components of Treasury Bonds of August 15, 2017, CUSIP No. 912810 DZ 8

The Principal Component is designated (Interest Rate) Treasury Principal (TPRN) 2017 due August 15, 2017, CUSIP No. 912803 AM 5.

INTEREST COMPONENTS

Designation	Cusip No. 912833
Treasury Interest (TINT) due:	
Feb. 15, 1988	BB 5
Aug. 15, 1988	BC 3
Feb. 15, 1989	BD 1
Aug. 15, 1989	BE 9
Feb. 15, 1990	BF 6
Aug. 15, 1990	BG 4
Feb. 15, 1991	BH 2
Aug. 15, 1991	BJ 8
Feb. 15, 1992	BK 5
Aug. 15, 1992	BL 3
Feb. 15, 1993	BM 1
Aug. 15, 1993	BN 9
Feb. 15, 1994	BP 4
Aug. 15, 1994	BQ 2
Feb. 15, 1995	BR 0
Aug. 15, 1995	BS 8
Feb. 15, 1996	BT 6
Aug. 15, 1996	BU 3
Feb. 15, 1997	BV 1
Aug. 15, 1997	BW 9
Feb. 15, 1998	BX 7
Aug. 15, 1998	BY 5
Feb. 15, 1999	BZ 2
Aug. 15, 1999	CA 6
Feb. 15, 2000	CB 4
Aug. 15, 2000	CC 2
Feb. 15, 2001	CD 0
Aug. 15, 2001	CE 8
Feb. 15, 2002	CF 5
Aug. 15, 2002	CG 3
Feb. 15, 2003	CH 1
Aug. 15, 2003	CJ 7
Feb. 15, 2004	CK 4
Aug. 15, 2004	CL 2
Feb. 15, 2005	CM 0
Aug. 15, 2005	CN 8
Feb. 15, 2006	CP 3
Aug. 15, 2006	CQ 1
Feb. 15, 2007	CR 9
Aug. 15, 2007	CS 7
Feb. 15, 2008	CT 5
Aug. 15, 2008	CU 2
Feb. 15, 2009	CV 0
Aug. 15, 2009	CW 8
Feb. 15, 2010	CX 6
Aug. 15, 2010	CY 4
Feb. 15, 2011	CZ 1
Aug. 15, 2011	DA 5

INTEREST COMPONENTS—Continued

Designation	Cusip No. 912833
Feb. 15, 2012	DB 3
Aug. 15, 2012	DC 1
Feb. 15, 2013	DD 9
Aug. 15, 2013	DE 7
Feb. 15, 2014	DF 4
Aug. 15, 2014	DG 2
Feb. 15, 2015	DH 0
Aug. 15, 2015	JT 8
Feb. 15, 2016	KG 4
Aug. 15, 2016	KJ 8
Feb. 15, 2017	KL 3
Aug. 15, 2017	KN 9

Attachment B

MINIMUM FACE AMOUNTS WHICH ARE MULTIPLES OF $1000 REQUIRED IN ORDER TO PRODUCE INTEREST PAYMENTS THAT ARE MULTIPLES OF $1000

Coupon (percent)	Minimum face (dollars)	Interest payment (dollars)
5.000	40000	1000
5.125	1600000	41000
5.250	800000	21000
5.375	1600000	43000
5.500	400000	11000
5.625	320000	9000
5.750	800000	23000
5.875	1600000	47000
6.000	100000	3000
6.125	1600000	49000
6.250	32000	1000
6.375	1600000	51000
6.500	400000	13000
6.625	1600000	53000
6.750	800000	27000
6.875	320000	11000
7.000	200000	7000
7.125	1600000	57000
7.250	800000	29000
7.375	1600000	59000
7.500	80000	3000
7.625	1600000	61000
7.750	800000	31000
7.875	1600000	63000
8.000	25000	1000
8.125	320000	13000
8.250	800000	33000
8.375	1600000	67000
8.500	400000	17000
8.625	1600000	69000
8.750	160000	7000
8.875	1600000	71000
9.000	200000	9000
9.125	1600000	73000
9.250	800000	37000
9.375	64000	3000
9.500	400000	19000
9.625	1600000	77000
9.750	800000	39000
9.875	1600000	79000
10.000	20000	1000
10.125	1600000	81000
10.250	800000	41000
10.375	1600000	83000
10.500	400000	21000
10.625	320000	17000
10.750	800000	43000
10.875	1600000	87000
11.000	200000	11000
11.125	1600000	89000
11.250	160000	9000
11.375	1600000	91000
11.500	400000	23000
11.625	1600000	93000
11.750	800000	47000
11.875	320000	19000
12.000	50000	3000
12.125	1600000	97000
12.250	800000	49000
12.375	1600000	99000
12.500	16000	1000
12.625	1600000	101000
12.750	800000	51000
12.875	1600000	103000

MINIMUM FACE AMOUNTS WHICH ARE MULTIPLES OF $1000 REQUIRED IN ORDER TO PRODUCE INTEREST PAYMENTS THAT ARE MULTIPLES OF $1000—Continued

Coupon (percent)	Minimum face (dollars)	Interest payment (dollars)
13.000	200000	13000
13.125	320000	21000
13.250	800000	53000
13.375	1600000	107000
13.500	400000	27000
13.625	1600000	109000
13.750	160000	11000
13.875	1600000	111000
14.000	100000	7000
14.125	1600000	113000
14.250	800000	57000
14.375	320000	23000
14.500	400000	29000
14.625	1600000	117000
14.750	800000	59000
14.875	1600000	119000
15.000	40000	3000
15.125	1600000	121000
15.250	800000	61000
15.375	1600000	123000
15.500	400000	31000
15.625	64000	5000
15.750	800000	63000
15.875	1600000	127000
16.000	25000	2000
16.125	1600000	129000
16.250	160000	13000
16.375	1600000	131000
16.500	400000	33000
16.625	1600000	133000
16.750	800000	67000
16.875	320000	27000
17.000	200000	17000
17.125	1600000	137000
17.250	800000	69000
17.375	1600000	139000
17.500	80000	7000
17.625	1600000	141000
17.750	800000	71000
17.875	1600000	143000
18.000	100000	9000
18.125	320000	29000
18.250	800000	73000
18.375	1600000	147000
18.500	400000	37000
18.625	1600000	149000
18.750	32000	3000
18.875	1600000	151000
19.000	200000	19000
19.125	1600000	153000
19.250	800000	77000
19.375	320000	31000
19.500	400000	39000
19.625	1600000	157000
19.750	800000	79000
19.875	1600000	159000
20.000	10000	1000
20.125	1600000	161000
20.250	800000	81000

[FR Doc. 87-19111 Filed 8-18-87; 9:44 am]

BILLING CODE 4810-40-M

[Supplement to Department Circular—Public Debt Series—No. 87]

Treasury Bonds of 2017

August 14, 1987.

The Secretary announced on August 13, 1987, that the interest rate on the bonds designated Bonds of 2017, described in Department Circular—Public Debt Series—No. 22-87 dated August 11, 1987, will be 8⅞ percent.

Interest on the bonds will be payable at the rate of 8⅞ percent per annum.

Gerald Murphy,

Fiscal Assistant Secretary.

[FR Doc. 87-19112 Filed 8-18-87; 9:44 am]

BILLING CODE 4810-40-M

[Department Circular—Public Debt Series—No. 21-87]

Treasury Notes of August 15, 1997, Series B-1997

August 11, 1987.

1. Invitation for Tenders

1.1. The Secretary of the Treasury, under the authority of Chapter 31 of Title 31, United States Code, invites tenders for approximately $9,250,000,000 of United States securities, designated Treasury Notes of August 15, 1997, Series B-1997 (CUSIP No. 912827 VE 9), hereafter referred to as Notes. The Notes will be sold at auction, with bidding on the basis of yield. Payment will be required at the price equivalent of the yield of each accepted bid. The interest rate on the Notes and the price equivalent of each accepted bid will be determined in the manner described below. Additional amounts of the Notes may be issued to Government accounts and Federal Reserve Banks for their own account in exchange for maturing Treasury securities. Additional amounts of the Notes may also be issued at the average price to Federal Reserve Banks, as agents for foreign and international monetary authorities.

2. Description of Securities

2.1. The Notes will be dated August 15, 1987, and issued August 17, 1987. Payment for the Notes will be based on the price equivalent to the bid yield determined in accordance with this circular, plus accrued interest from August 15, 1987, to August 17, 1987. Interest on the Notes is payable on a semiannual basis on February 15, 1988, and each subsequent 6 months on August 15 and February 15 through the date that the principal becomes payable. They will mature August 15, 1997, and will not be subject to call for redemption prior to maturity. In the event any payment date is a Saturday, Sunday, or other nonbusiness day, the amount due will be payable (without additional interest) on the next business day.

2.2. The Notes are subject to all taxes imposed under the Internal Revenue Code of 1954. The Notes are exempt from all taxation now or hereafter imposed on the obligation or interest thereof by any State, any possession of the United States, or any local taxing authority, except as provided in 31 U.S.C. 3124.

2.3. The Notes will be acceptable to secure deposits of Federal public monies. They will not be acceptable in payment of Federal taxes.

2.4. The Notes will be issued only in book-entry form in denominations of $1,000, $5,000, $10,000, $100,000, and $1,000,000, and in multiples of those amounts. They will not be issued in registered definitive or in bearer form.

2.5. A Note may be held in its fully constituted form or it may be divided into its separate Principal and Interest Components and maintained as such on the book-entry records of the Federal Reserve Banks, acting as fiscal agents of the United States. The provisions specifically applicable to the separation, maintenance, transfer, and reconstitution of Principal and Interest Components are set forth in section 6 of this circular. Subsections 2.1. through 2.4. of this section are descriptive of Notes in their fully constituted form; the description of the separate Principal and Interest components is set forth in section 6 of this circular.

2.6. The Department of the Treasury's general regulations governing United States securities, i.e., Department of the Treasury Circular No. 300, current revision (31 CFR Part 306), as to the extent applicable to marketable securities issued in book-entry form, and the regulations governing book-entry Treasury Bonds, Notes, and Bills, as adopted and published as a final rule to govern securities held in the TREASURY DIRECT Book-Entry Securities System in 51 FR 18260, *et seq.* (May 16, 1986), apply to the Notes offered in this circular.

3. Sale Procedures

3.1. Tenders will be received at Federal Reserve Banks and Branches and at the Bureau of the Public Debt, Washington, DC 20239, prior to 1:00 p.m., Eastern Daylight Saving time, Wednesday, August 12, 1987. Noncompetitive tenders as defined below will be considered timely if postmarked no later than Tuesday, August 11, 1987, and received no later than Monday, August 17, 1987.

3.2. The par amount of Notes bid for must be stated on each tender. The minimum bid is $1,000, and larger bids must be in multiples of that amount. Competitive tenders must also show the yield desired, expressed in terms of an annual yield with two decimals, e.g., 7.10%. Fractions may not be used. Noncompetitive tenders must show the term "noncompetitive" on the tender form in lieu of a specified yield.

3.3. A single bidder, as defined in Treasury's single bidder guidelines, shall not submit noncompetitive tenders totaling more than $1,000,000. A noncompetitive bidder may not have entered into an agreement, nor make an agreement to purchase or sell or otherwise dispose of any noncompetitive awards of this issue prior to the deadline for receipt of tenders.

3.4. Commercial banks, which for this purpose are defined as banks accepting demand deposits, and primary dealers, which for this purpose are defined as dealers who make primary markets in Government securities and are on the list of reporting dealers published by the Federal Reserve Bank of New York, may submit tenders for accounts of customers if the names of the customers and the amount for each customer are furnished. Others are permitted to submit tenders only for their own account.

3.5. Tenders for their own account will be received without deposit from commercial banks and other banking institutions; primary dealers, as defined above; Federally-insured savings and loan associations; States, and their political subdivisions or instrumentalities; public pension and retirement and other public funds; international organizations in which the United States holds membership; foreign central banks and foreign states; Federal Reserve Banks; and Government accounts. Tenders from all others must be accompanied by full payment for the amount of Notes applied for, or by a guarantee from a commercial bank or a primary dealer of 5 percent of the par amount applied for.

3.6. Immediately after the deadline for receipt of tenders, tenders will be opened, followed by a public announcement of the amount and yield range of accepted bids. Subject to the reservations expressed in section 4, noncompetitive tenders will be accepted in full, and then competitive tenders will be accepted, starting with those at the lowest yields, through successively higher yields to the extent required to attain the amount offered. Tenders at the highest accepted yield will be prorated if necessary. After the determination is made as to which tenders are accepted, an interest rate will be established, at a 1/8 of one percent increment, which results in an equivalent average accepted price close to 100.000 and a lowest accepted price above the original issue discount limit of 97.500. That stated rate of interest will be paid on all of the Notes. Based on such interest rate, the price on each

competitive tender allotted will be determined and each successful competitive bidder will be required to pay the price equivalent to the yield bid. Those submitting noncompetitive tenders will pay the price equivalent to the weighted average yield of accepted competitive tenders. Price calculations will be carried to three decimal places on the basis of price per hundred, e.g., 99.923, and the determinations of the Secretary of the Treasury shall be final. If the amount of noncompetitive tenders received would absorb all or most of the offering, competitive tenders will be accepted in an amount sufficient to provide a fair determination of the yield. Tenders received from Government accounts and Federal Reserve Banks will be accepted at the price equivalent to the weighted average yield of accepted competitive tenders.

3.7. Competitive bidders will be advised of the acceptance of their bids. Those submitting noncompetitive tenders will be notified only if the tender is not accepted in full, or when the price at the average yield is over par.

4. Reservations

4.1 The Secretary of the Treasury expressly reserves the right to accept or reject any or all tenders in whole or in part, to allot more or less than the amount of Notes specified in section 1, and to make different percentage allotments to various classes of applicants when the Secretary considers it in the public interest. The Secretary's action under this section is final.

5. Payment and Delivery

5.1. Settlement for the Notes allotted must be made at the Federal Reserve Bank or Branch or at the Bureau of the Public Debt, wherever the tender was submitted. Settlement must include accrued interest from August 15, 1987, to August 17, 1987. The amount of accrued interest will be determined after the auction, and investors will be notified of the amount. Settlement on Notes allotted to institutional investors and to others whose tenders are accompanied by a guarantee as provided in section 3.5. must be made or completed on or before Monday, August 17, 1987. Payment in full must accompany tenders submitted by all other investors. Payment must be in cash; in other funds immediately available to the Treasury; in Treasury bills, notes, or bonds maturing on or before the settlement date but which are not overdue as defind in the general regulations governing United States securities; or by check drawn to the order of the institution to which the tender was submitted, which must be received from institutional investors no later than Thursday, August 13, 1987. In addition, Treasury Tax and Loan Note Option Depositaries may make payment for the Notes allotted for their own accounts and for accounts of customers by credit to their Treasury Tax and Loan Note Accounts on or before Monday, August 17, 1987. When payment has been submitted with the tender and the purchase price of the Notes allotted is over pay, settlement for the premium must be completed timely, as specified above. When payment has been submitted with the tender and the purchase price is under par, the discount will be remitted to the bidder.

5.2. In every case where full payment has not been completed on time, an amount of up to 5 percent of the par amount of Notes allotted shall, at the discretion of the Secretary of the Treasury, be forfeited to the United States.

5.3. Registered definitive securities tendered in payment for the Notes allotted and to be held in TREASURY DIRECT are not required to be assigned if the inscription on the registered definitive security is identical to the registration of the Note being purchased. In any such case, the tender form used to place the Notes allotted in TREASURY DIRECT must be completed to show all the information required thereon, or the TREASURY DIRECT account number previously obtained.

6. Separability of Principal and Interest

6.1. Under the Treasury's STRIPS Program (Separate Trading of Registered Interest and Principal of Securities), a Note may be divided into its separate components and maintained as such on the book-entry records of the Federal Reserve Banks, acting as Fiscal Agents of the United States. The separate STRIPS components are: each future semiannual interest payment (referred to as an Interest Component) and the principal payment (referred to as the Principal Component). Each Interest Component and the Principal Component shall have an identifying designation and CUSIP number, which are set forth in Attachment A to this circular.

6.2. Attachment A also provides the payable dates for the separate components. In the event any payment date is a Saturday, Sunday, or other nonbusiness day, the amount due will be payable (without additional interest) on the next business day.

6.3. For a Note to be separated into the components described in section 6.1., the par amount of the Note must be in an amount which, based on the stated interest rate of the Note, will produce a semiannual interest payment of $1,000 or a multiple of $1,000. Attachment B to this circular provides the minimum par amounts required to separate a security at various interest rates, as well as the interest payments corresponding to those minimum par amounts. Par amounts greater than the minimum amount must be in multiples of that amount. The minimum par amount for this offering will be provided in the public announcement of the amount and yield range of accepted bids.

6.4. A Note may be separated into its components at any time from the issue date until maturity. A request for separation must be made to the Federal Reserve Bank maintaining the account for the Notes. Once a Note has been separated into its components, the components may be maintained and transferred in multiples of $1,000.

6.5. Interest Componnts and Principal Components in multiples of $1,000 will be acceptable to secure deposits of Federal public monies. They will not be acceptable in payment of Federal taxes.

6.6. Interest and Principal Components of separated securities may be reconstituted, i.e., restored to their fully constituted form, on the book-entry records of the Federal Reserve Banks. A Principal Component and all related unmatured Interest Components, in the appropriate minimum or multiple amounts previously announced, must be submitted together for reconstitution.

6.7. Detached physical interest coupons, coupons held under the CUBES Program, or cash payments may not be substituted for missing Interest or Principal Components. Any reconstitution request which does not comprise all of the necessary STRIPS components in the appropriate amount will not be accepted.

6.8. The book-entry transfer of each Interest Component and Principal Component included in a reconstitution transaction will be subject to the fee schedule generally applicable to transfers of book-entry Treasury securities.

6.9. Unless otherwise provided in this offering circular, the Department of the Treasury's general regulations governing United States securities apply to the Notes separated into their components.

7. General Provisions

7.1. As fiscal agents of the United States, Federal Reserve Banks are authorized, as directed by the Secretary of the Treasury, to receive tenders, to make allotments, to issue such notices as may be necessary, to receive payment for, and to issue, maintain,

service, and make payment on the Notes.

7.2. The Secretary of the Treasury may at any time supplement or amend provisions of this circular if such supplements or amendments do not adversely affect existing rights of holders of the Notes. Public announcement of such changes will be promptly provided.

7.3. The Notes issued under this circular shall be obligations of the United States, whether held in the fully constituted form or as separate Interest and Principal Components, and, therefore, the faith of the United States government is pledged to pay, in legal tender, principal and interest on the Notes.

7.4. Attachments A and B are incorporated as part of this circular.

Gerald Murphy,

Fiscal Assistant Secretary.

Attachment A.—CUSIP Numbers and Designations for the Principal Component and Interest Components of Treasury Notes of August 15, 1997 Series B 1997 CUSIP No. 912827 VE 9

The Principal Component is designated (Interest Rate) Treasury Principal (TPRN) Series B–1997 due August 15, 1997, CUSIP No. 912820 AK 3.

INTEREST COMPONENTS

Designation	CUSIP No. 912833
Treasury Interest (TINT) due:	
Feb. 15, 1988	BB 5
Aug. 15, 1988	BC 3
Feb. 15, 1989	BD 1
Aug. 15, 1989	BE 9
Feb. 15, 1990	BF 6
Aug. 15, 1990	BG 4
Feb. 15, 1991	BH 2
Aug. 15, 1991	BJ 8
Feb. 15, 1992	BK 5
Aug. 15, 1992	BL 3
Feb. 15, 1993	BM 1
Aug. 15, 1993	BN 9
Feb. 15, 1994	BP 4
Aug. 15, 1994	BQ 2
Feb. 15, 1995	BR 0
Aug. 15, 1995	BS 8
Feb. 15, 1996	BT 6
Aug. 15, 1996	BU 3
Feb. 15, 1997	BV 1
Aug. 15, 1997	BW 9

Attachment B

MINIMUM FACE AMOUNTS WHICH ARE MULTIPLES OF $1000 REQUIRED IN ORDER TO PRODUCE INTEREST PAYMENTS THAT ARE MULTIPLES OF $1000

Coupon (percent)	Minimum face (dollars)	Interest payment (dollars)
5.000	40000	1000
5.125	1600000	41000
5.250	800000	21000
5.375	1600000	43000
5.500	400000	11000
5.625	320000	9000

MINIMUM FACE AMOUNTS WHICH ARE MULTIPLES OF $1000 REQUIRED IN ORDER TO PRODUCE INTEREST PAYMENTS THAT ARE MULTIPLES OF $1000—Continued

Coupon (percent)	Minimum face (dollars)	Interest payment (dollars)
5.750	800000	23000
5.875	1600000	47000
6.000	100000	3000
6.125	1600000	49000
6.250	32000	1000
6.375	1600000	51000
6.500	400000	13000
6.625	1600000	53000
6.750	800000	27000
6.875	320000	11000
7.000	200000	7000
7.125	1600000	57000
7.250	800000	29000
7.375	1600000	59000
7.500	80000	3000
7.625	1600000	61000
7.750	800000	31000
7.875	1600000	63000
8.000	25000	1000
8.125	320000	13000
8.250	800000	33000
8.375	1600000	67000
8.500	400000	17000
8.625	1600000	69000
8.750	160000	7000
8.875	1600000	71000
9.000	200000	9000
9.125	1600000	73000
9.250	800000	37000
9.375	64000	3000
9.500	400000	19000
9.625	1600000	77000
9.750	800000	39000
9.875	1600000	79000
10.000	20000	1000
10.125	1600000	81000
10.250	800000	41000
10.375	1600000	83000
10.500	400000	21000
10.625	320000	17000
10.750	800000	43000
10.875	1600000	87000
11.000	200000	11000
11.125	1600000	89000
11.250	160000	9000
11.375	1600000	91000
11.500	400000	23000
11.625	1600000	93000
11.750	800000	47000
11.875	320000	19000
12.000	50000	3000
12.125	1600000	97000
12.250	800000	49000
12.375	1600000	99000
12.500	16000	1000
12.625	1600000	101000
12.750	800000	51000
12.875	1600000	103000
13.000	200000	13000
13.125	320000	21000
13.250	800000	53000
13.375	1600000	107000
13.500	400000	27000
13.625	1600000	109000
13.750	160000	11000
13.875	1600000	111000
14.000	100000	7000
14.125	1600000	113000
14.250	800000	57000
14.375	320000	23000
14.500	400000	29000
14.625	1600000	117000
14.750	800000	59000
14.875	1600000	119000
15.000	40000	3000
15.125	1600000	121000
15.250	800000	61000
15.375	1600000	123000
15.500	400000	31000
15.625	64000	5000
15.750	800000	63000
15.875	1600000	127000
16.000	25000	2000
16.125	1600000	129000
16.250	160000	13000
16.375	1600000	131000
16.500	400000	33000

MINIMUM FACE AMOUNTS WHICH ARE MULTIPLES OF $1000 REQUIRED IN ORDER TO PRODUCE INTEREST PAYMENTS THAT ARE MULTIPLES OF $1000—Continued

Coupon (percent)	Minimum face (dollars)	Interest payment (dollars)
16.625	1600000	133000
16.750	800000	67000
16.875	320000	27000
17.000	200000	17000
17.125	1600000	137000
17.250	800000	69000
17.375	1600000	139000
17.500	80000	7000
17.625	1600000	141000
17.750	800000	71000
17.875	1600000	143000
18.000	100000	9000
18.125	320000	29000
18.250	800000	73000
18.375	1600000	147000
18.500	400000	37000
18.625	1600000	149000
18.750	32000	3000
18.875	1600000	151000
19.000	200000	19000
19.125	1600000	153000
19.250	800000	77000
19.375	320000	31000
19.500	400000	39000
19.625	1600000	157000
19.750	800000	79000
19.875	1600000	159000
20.000	10000	1000
20.125	1600000	161000
20.250	800000	81000

[FR Doc. 87–19113 Filed 8–18–87; 9:45 am]

BILLING CODE 4810-40-M

[Supplement to Department Circular—Public Debt Series—No. 21–87]

Treasury Notes, Series B–1997

August 13, 1987.

The Secretary announced on August 12, 1987, that the interest rate on the notes designated Series B–1997, described in Department Circular—Public Debt Series—No. 21–87 dated August 11, 1987, will be 8⅝ percent. Interest on the notes will be payable at the rate of 8⅝ percent per annum.

Gerald Murphy,

Fiscal Assistant Secretary.

[FR Doc. 87–19114 Filed 8–18–87; 9:45 am]

BILLING CODE 4810-40-M

[Department Circular—Public Debt Series—No. 20–87]

Treasury Notes of August 15, 1990, Series U–1990

August 11, 1987.

1. Invitation for Tenders

1.1. The Secretary of the Treasury, under the authority of Chapter 31 of Title 31, United States Code, invites tenders for approximately $9,750,000,000 of United States securities, designated Treasury Notes of August 15, 1990, Series U–1990 (CUSIP No. 912827 VD 1),

hereafter referred to as Notes. The Notes will be sold at auction, with bidding on the basis of yield. Payment will be required at the price equivalent of the yield of each accepted bid. The interest rate on the Notes and the price equivalent of each accepted bid will be determined in the manner described below. Additional amounts of the Notes may be issued to Government accounts and Federal Reserve Banks for their own account in exchange for maturing Treasury securities. Additional amounts of the Notes may also be issued at the average price to Federal Reserve Banks, as agents for foreign and international monetary authorities.

2. Description of Securities

2.1. The Notes will be dated August 17, 1987, and will accrue interest from that date, payable on a semiannual basis on February 15, 1988, and each subsequent 6 months on August 15 and February 15 through the date that the principal becomes payable. They will mature August 15, 1990, and will not be subject to call for redemption prior to maturity. In the event any payment date is a Saturday, Sunday, or other nonbusiness day, the amount due will be payable (without additional interest) on the next-succeeding business day.

2.2. The Notes are subject to all taxes imposed under the Internal Revenue Code of 1954. The Notes are exempt from all taxation now or hereafter imposed on the obligation or interest thereof by any State, any possession of the United States, or any local taxing authority, except as provided in 31 U.S.C. 3124.

2.3. The Notes will be acceptable to secure deposits of Federal public monies. They will not be acceptable in payment of Federal taxes.

2.4 The Notes will be issued only in book-entry form in denominations of $5,000, $10,000, $100,000, and $1,000,000, and in multiples of those amounts. They will not be issued in registered definitive or in bearer form.

2.5. The Department of the Treasury's general regulations governing United States securities, i.e., Department of the Treasury Circular No. 300, current revision (31 CFR Part 306), as to the extent applicable to marketable securities issued in book-entry form, and the regulations governing book-entry Treasury Bonds, Notes, and Bills, as adopted and published as a final rule to govern securities held in the TREASURY DIRECT Book-Entry Securities System in 51 FR 18260, *et seq.* (May 16, 1986), apply to the Notes offered in this circular.

3. Sale Procedures

3.1. Tenders will be received at Federal Reserve Banks and Branches and at the Bureau of the Public Debt, Washington, DC 20239, prior to 1:00 p.m., Eastern Daylight Saving time, Tuesday, August 11, 1987. Noncompetitive tenders as defined below will be considered timely if postmarked no later than Monday, August 10, 1987, and received no later than Monday, August 17, 1987.

3.2. The par amount of Notes bid for must be stated on each tender. The minimum bid is $5,000, and larger bids must be in multiples of that amount. Competitive tenders must also show the yield desired, expressed in terms of an annual yield with two decimals, e.g., 7.10%. Fractions may not be used. Noncompetitive tenders must show the term "noncompetitive" on the tender form in lieu of a specified yield.

3.3. A single bidder, as defined in Treasury's single bidder guidelines, shall not submit noncompetitive tenders totaling more than $1,000,000. A noncompetitive bidder may not have entered into an agreement, nor make an agreement to purchase or sell or otherwise dispose of any noncompetitive awards of this issue prior to the deadline for receipt of tenders.

3.4. Commercial banks, which for this purpose are defined as banks accepting demand deposits, and primary dealers, which for this purpose are defined as dealers who make primary markets in Government securities and are on the list of reporting dealers published by the Federal Reserve Bank of New York, may submit tenders for accounts of customers if the names of the customers and the amount for each customer are furnished. Others are permitted to submit tenders only for their own account.

3.5. Tenders for their own account will be received without deposit from commercial banks and other banking institutions; primary dealers, as defined above; Federally-insured savings and loan associations; States, and their political subdivisions or instrumentalities; public pension and retirement and other public funds; international organizations in which the United States holds membership; foreign central banks and foreign states; Federal Reserve Banks; and Government accounts. Tenders from all others must be accompanied by full payment for the amount of Notes applied for, or by a guarantee from a commercial bank or a primary dealer of 5 percent of the par amount applied for.

3.6. Immediately after the deadline for receipt of tenders, tenders will be opened, followed by a public announcement of the amount and yield range of accepted bids. Subject to the reservations expressed in section 4, noncompetitive tenders will be accepted in full, and then competitive tenders will be accepted, starting with those at the lowest yields, through successively higher yields to the extent required to attain the amount offered. Tenders at the highest accepted yield will be prorated if necessary. After the determination is made as to which tenders are accepted, an interest rate will be established, at a ⅛ of one percent increment, which results in an equivalent average accepted price close to 100.000 and a lowest accepted price above the original issue discount limit of 99.500. That stated rate of interest will be paid on all of the Notes. Based on such interest rate, the price on each competitive tender allotted will be determined and each successful competitive bidder will be required to pay the price equivalent to the yield bid. Those submitting noncompetitive tenders will pay the price equivalent to the weighted average yield of accepted competitive tenders. Price calculations will be carried to three decimal places on the basis of price per hundred, e.g., 99.923, and the determinations of the Secretary of the Treasury shall be final. If the amount of noncompetitive tenders received would absorb all or most of the offering, competitive tenders will be accepted in an amount sufficient to provide a fair determination of the yield. Tenders received from Government accounts and Federal Reserve Banks will be accepted at the price equivalent to the weighted average yield of accepted competitive tenders.

3.7. Competitive bidders will be advised of the acceptance of their bids. Those submitting noncompetitive tenders will be notified only if the tender is not accepted in full, or when the price at the average yield is over par.

4. Reservations

4.1. The Secretary of the Treasury expressly reserves the right to accept or reject any or all tenders in whole or in part, to allot more or less than the amount of Notes specified in section 1, and to make different percentage allotments to various classes of applicants when the Secretary considers it in the public interest. The Secretary's action under this section is final.

5. Payment and Delivery

5.1. Settlement for the Notes allotted must be made at the Federal Reserve Bank or Branch or at the Bureau of the

Public Debt, wherever the tender was submitted. Settlement on Notes allotted to institutional investors and to others whose tenders are accompanied by a guarantee as provided in section 3.5. must be made or completed on or before Monday, August 17, 1987. Payment in full must accompany tenders submitted by all other investors. Payment must be in cash; in other funds immediately available to the Treasury; in Treasury bills, notes, or bonds maturing on or before the settlement date but which are not overdue as defined in the general regulations governing United States securities; or by check drawn to the order of the institution to which the tender was submitted, which must be received from institutional investors no later than Thursday, August 13, 1987. In addition, Treasury Tax and Loan Note Option Depositaries may make payment for the Notes allotted for their own accounts and for accounts of customers by credit to their Trasury Tax and Loan Note Accounts on or before Monday, August 17, 1987. When payment has been submitted with the tender and the purchase price of the Notes allotted is over par, settlement for the premium must be completed timely, as specified above. When payment has been submitted with the tender and the purchase price is under par, the discount will be remitted to the bidder.

5.2. In every case where full payment has not been completed on time, an amount of up to 5 percent of the par amount of Notes allotted shall, at the discretion of the Secretary of the Treasury, be forfeited to the United States.

5.3. Registered definitive securities tendered in payment for the Notes allotted and to be held in TREASURY DIRECT are not required to be assigned if the inscription on the registered definitive security is identical to the registration of the note being purchased. In any case, the tender form used to place the Notes allotted in TREASURY DIRECT must be completed to show all the information required thereon, or the TREASURY DIRECT account number previously obtained.

6. General Provisions

6.1. As fiscal agents of the United States, Federal Reserve Banks are authorized, as directed by the Secretary of the Treasury, to receive tenders, to make allotments, to issue such notices as may be necessary, to receive payment for, and to issue, maintain, service, and make payment on the Notes.

6.2. The Secretary of the Treasury may at any time supplement or amend provisions of this circular if such supplements or amendments do not adversely affect existing rights of holders of the Notes. Public announcement of such changes will be promptly provided.

6.3. The Notes issued under this circular shall be obligations of the United States, and, therefore, the faith of the United States Government is pledged to pay, in legal tender, principal and interest on the Notes.

Gerald Murphy,

Fiscal Assistant Secretary.

[FR Doc. 87-19115 Filed 8-18-87; 9:46 am]

BILLING CODE 4810-40-M

[Supplement to Department Circular—Public Debt Series—No. 20-87]

Treasury Notes, Series U-1990

August 12, 1987.

The Secretary announced on August 11, 1987, that the interest rate on the notes designated Series U-1990, described in Department Circular—Public Debt Series—No. 20-87 dated August 11, 1987, will be 7⅞ percent. Interest on the notes will be payable at the rate of 7⅞ percent per annum.

Gerald Murphy,

Fiscal Assistant Secretary.

[FR Doc. 87-19116 Filed 8-18-87; 9:46 am]

BILLING CODE 4810-40-M

Fiscal Service

Surety Companies Acceptable on Federal Bonds, Gramercy Insurance Co.; Fraudulent Bond Powers

Federal bond approving officers are advised that Gramercy Insurance Company, Houston, Texas, has informed the Treasury Department that certain Powers of Attorney have been stolen from the company, reproduced, altered, and are being used to write federal bonds. Powers of Attorney that are presented with Gramercy Insurance Company bonds should be closely scrutinized to determine whether irregularities appear to exist.

Gramercy Insurance Company writes Customs bonds, acts as a co-surety on contract bonds written throughout the country with International Fidelity Insurance Company, and writes small appearance, contract, and miscellaneous bonds in the States of Texas and Maryland.

It should be noted that unauthorized bonds written thus far have been bid, performance and payment bonds and have contained the name of Nelson Gasmann as the Attorney-in-Fact. Gramercy Insurance Company does not write surety bonds in excess of its Treasury Underwriting Limitation of $230,000.

Questions related to the authenticity of bond powers should be directed to Mr. Tom West of Gramercy Insurance Company at (214) 404-0022.

Mitchell A. Levine,

Assistant Commissioner, ComptrollerFinancial Management Service.

Dated: August 18, 1987.

[FR Doc. 87-19148 Filed 8-19-87; 8:45 am]

BILLING CODE 4810-35-M

UNITED STATES INFORMATION AGENCY

United States Advisory Commission on Public Diplomacy; Conference

The United States Advisory Commission on Public Diplomacy will sponsor a conference on *"PUBLIC DIPLOMACY IN THE INFORMATION AGE"* on September 16, 1987 at Department of State, Washington, DC. Topics for discussion include Foreign Policy in the Information Age; U.S. Public Diplomacy: Building for the Future; International Communication in the 1990s; Public Diplomacy: The View from Congress; and Public Diplomacy and Changing East-West Relations. Panels for leaders in the foreign policy, legislative, media, business, labor, and academic communities will allow an exchange of views on the importance of ideas, communication, and international information and educational exchange programs.

Please call Gloria Kalamets, (202) 485-2457, if you are interested in attending the conference.

Dated: August 14, 1987.

Charles N. Canestro,

Management Analyst, Federal Register Liaison.

[FR Doc. 87-19080 Filed 8-19-87; 8:45 am]

BILLING CODE 8230-01-M

Sunshine Act Meetings

Federal Register
Vol. 52, No. 161
Thursday, August 20, 1987

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

COPYRIGHT ROYALTY TRIBUNAL

TIME AND DATE: Tuesday, September 1, 1987, 10:00 a.m.

PLACE: 1111 20th Street, NW., Suite 450, Washington, DC 20036.

STATUS: Closed pursuant to a vote taken August 17, 1987.

MATTERS TO BE CONSIDERED:
Adjudication of the 1985 jukebox distribution proceeding.

CONTACT PERSON FOR MORE INFORMATION: Robert Cassler, General Counsel, Copyright Royalty Tribunal, 1111 20th Street, NW., Suite 450, Washington, DC 20036, 202–653–5175.

Dated: August 17, 1987.

Edward W. Ray,

Acting Chairman.

[FR Doc. 87–19177 Filed 8–18–87; 2:10 pm]

BILLING CODE 1410–09–M

FEDERAL MARITIME COMMISSION

TIME AND DATE: 10:00 a.m., August 26, 1987.

PLACE: Hearing Room One, 1100 L Street, NW., Washington, DC 20573.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Freight Brokers and Payment of Brokerage.
2. Docket No. 86–13—Application of Tariff Filing Requirements to the Carriage of Forest Products Under the Shipping Act of 1984—Petition for a Declaratory Order.

CONTACT PERSON FOR MORE INFORMATION: Joseph C. Polking, Secretary (202) 523–5725

Joseph C. Polking,

Secretary.

[FR Doc. 87–19191 Filed 8–18–87; 3:18 pm]

BILLING CODE 6730–01–M

NATIONAL MEDIATION BOARD

TIME AND DATE: 2:00 p.m., Wednesday, September 9, 1987.

PLACE: Board Hearing Room 8th Floor, 1425 K. Street, NW., Washington, DC.

STATUS: Open.

MATTERS TO BE CONSIDERED: .

1. Ratification of the Board actions taken by notation voting during the month of August, 1987.
2. Other priority matters which may come before the Board for which notice will be given at the earliest practicable time.

SUPPLEMENTARY INFORMATION:
Copies of the monthly report of the Board's notating voting actions will be available from the Executive Director's office following the meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Charles R. Barnes, Executive Director, Tel: (202) 523–5920.

Date of notice: August 17, 1987.

Charles R. Barnes,

Executive Director National Mediation Board.

[FR Doc. 87–14152 Filed 8–18–87; 1:30 pm]

BILLING CODE 7550–01–M

SECURITIES AND EXCHANGE COMMISSION

Agency Meetings

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: [52 FR 30995, August 18, 1987].

STATUS: Open meeting.

PLACE: 450 Fifth Street, NW., Washington, DC.

DATE PREVIOUSLY ANNOUNCED: Wednesday, August 12, 1987.

CHANGE IN THE MEETING: Deletion.

The following item will not be considered at an open meeting on Thursday, August 20, 1987, at 10:00 a.m.

Consideration of whether the Commission should agree in principal to the revision of Investment Advisers Act Release No. 770 (August 31, 1981) that would update and clarify the views expressed and to state that the revised release was developed jointly by the staff of the Division of Investment Management and the North American Securities Administrators Association, Inc. in the order to provide uniform interpretations of federal and state investment adviser laws as they apply to financial planners and other persons. For further information, please contact A. Thomas Smith at (202) 272–2810.

Commissioner Grundfest, as duty officer, determined that Commission business required the above change.

At times changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact: Bernard Black at (202) 272–2468.

Jonathan G. Katz,

Secretary.

August 17, 1987.

[FR Doc. 87–19169 Filed 8–18–87; 1:31 pm]

BILLING CODE 8010–01–M

SECURITIES AND EXCHANGE COMMISSION

Agency Meetings

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94–409, that the Securities and Exchange Commission will hold the following meetings during the week of August 24, 1987:

A closed meeting will be held on Tuesday, August 25, 1987, at 2:30 p.m. An open meeting will be held on Thursday, August 27, 1987, at 10:00 a.m., in Room 1C30.

The Commissioners, Counsel to the Commissioners, the Secretary of the Commission, and recording secretaries will attend the closed meeting. Certain staff members who are responsible for the calendared matters may also be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c) (4), (8), (9)(A) and (10) and 17 CFR 200.402(a) (4), (8), (9)(i) and (10), permit consideration of the scheduled matters at a closed meeting.

Commissioner Grundfest, as duty officer, voted to consider the items listed for the closed meeting in closed session.

The subject matter of the closed meeting scheduled for Tuesday, August 25, 1987, at 2:30 p.m., will be:

Settlement of administrative proceedings of an enforcement nature.
Subpoena enforcement actions.
Institution of injunctive actions.

The subject matter of the open meeting scheduled for Thursday, August 27, 1987, at 10:00 a.m., will be:

1. Consideration of whether the Commission should agree in principle to the revision of Investment Advisers Act Release No. 770 (August 31, 1981) that would update and clarify the views expressed and to state that the revised release was developed jointly by the staff of the Division of Investment Management and the North American Securities Administrators Association, Inc. in order to provide uniform interpretations of federal and state investment adviser laws as they apply to

financial planners and other persons. For further information, please contract A. Thomas Smith at (202) 272–2810.

2. Consideration of an application filed by ML-Lee Acquisition Fund, L.P., ("Partnership") a closed-end fund that has elected to be regulated as a business development company, Mezzanine Investments, L.P., ("Managing General Partner") and Thomas H. Lee Advisors, Inc., ("Investment Adviser") (collectively, "Applicants") requesting an order under Sections 6(c), 17(d), 57(c), and 57(i) of the Investment Company Act of 1940 ("IC Act") exempting the Applicants from Section 57 (a)(1) of the IC Act to permit the Partnership to acquire interim investments from the Managing General Partner, and to permit the Partnership to co-invest in joint transactions with its Investment Adviser, up to a maximum of 85% of its assets, in speculative debt securities issued in connection with leveraged buy-out transactions. For further information, please contact Richard Pfordte at (202) 272–2811.

At time changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact: Judith Axe at (202) 272–2092.

Jonathan G. Katz,

Secretary.

August 18, 1987.

[FR Doc. 87–19218 Filed 8–18–87; 4:03 pm]

BILLING CODE 8010-01-M

Corrections

Federal Register
Vol. 52, No. 161
Thursday, August 20, 1987

This section of the FEDERAL REGISTER contains editorial corrections of previously published Presidential, Rule, Proposed Rule, and Notice documents and volumes of the Code of Federal Regulations. These corrections are prepared by the Office of the Federal Register. Agency prepared corrections are issued as signed documents and appear in the appropriate document categories elsewhere in the issue.

DEPARTMENT OF COMMERCE

International Trade Administration

Consolidated Decision on Applications for Duty-Free Entry of Electron Microscopes; University of Nevada School of Medicine et al.

Correction

In notice document 87-17439 beginning on page 28586 in the issue of Friday, July 31, 1987, make the following correction:

On page 28586, in the third column, under "Docket No.: 87-113", in the fourth line, "JEM-100CS" should read "JEM 100-CX"

BILLING CODE 1505-01-D

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Social Security Administration

20 CFR Part 416

[Regulation Nos. 1, 4, and 16]

Revision of Authority Citations

Correction

In rule document 87-16637 beginning on page 27539 in the issue of Wednesday, July 22, 1987, make the following correction:

On page 27541, in the second column, under amendatory instruction 7, in the first line of the Authority, after "1611," insert "1612,".

BILLING CODE 1505-01-D

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[AZ-020-07-4212-13; A-22796]

Realty Action: Public Land Exchange; Coconino, La Paz, Mohave, Maricopa, Pinal, and Yavapai Counties, AZ

Correction

In notice document 87-14397 beginning on page 23893 in the issue of Thursday, June 25, 1987, make the following corrections:

1. On page 23893, in the third column, in the last line, "Sec. 3" should read "Sec. 13".

2. On page 23894, in the third column, in the last paragraph, in the sixth line, "AR-01112" should read "AR-0112".

BILLING CODE 1505-01-D

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[CA-060-07-4212-14; CA 18890]

Realty Action; San Diego County, CA

Correction

In notice document 87-16620 beginning on page 27590 in the issue of Wednesday, July 22, 1987, make the following correction:

On page 27590, in the third column, in the eighth complete paragraph, in the third line, "September 20" should read "September 30".

BILLING CODE 1505-01-D

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[I-23542; ID-030-07-4212-12]

Realty Action; Exchange of Public Lands in Bingham and Bonneville Counties, ID

Correction

In notice document 87-17909 beginning on page 29312 in the issue of Thursday, August 6, 1987, make the following corrections to land descriptions appearing on page 29312, in the third column:

1. The 23rd line should read—
"Sec. 28: NW¼NW¼; T. 1 N., R. 34 E.,".

2. The 26th line should read—
"SW¼, SW¼NW¼SE¼, S½SE¼;".

3. The 27th and 28th lines from the bottom should read—
"NW¼NW¼, SW¼SW¼, N½SE¼SW¼, W½NW¼SE¼, NW¼SW¼SE¼;".

4. The 23rd line from the bottom should read—
"Sec. 32: SW¼NE¼, SW¼NW¼, SW¼,".

5. The 18th line from the bottom should read—
"N½SE¼, SE¼SE¼;".

BILLING CODE 1505-01-D

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[WY-060-07-4212-14]

Realty Action; Modified Competitive Sale of Public Lands in Goshen County, WY

Correction

In notice document 87-17331 beginning on page 28488 in the issue of Thursday, July 30, 1987, make the following correction:

On page 28488, in the third column, in the table, in the second column, in the fourth line, "NE¼" should read "NW¼".

BILLING CODE 1505-01-D

DEPARTMENT OF THE TREASURY

Comptroller of the Currency

12 CFR Part 21

[Docket No. 87-8]

Minimum Security Devices and Procedures, Reports of Crimes and Suspected Crimes and Bank Secrecy Act Compliance

Correction

In rule document 87-17582 beginning on page 28681 in the issue of Monday,

August 3, 1987, make the following corrections:

1. On page 28681, in the second column, in the first complete paragraph, in the fifth line, "standard" should read "standards".

§ 21.5 [Corrected]

2. On page 28682, in § 21.5(a), in the statement, in the second line, "was" should read "has".

BILLING CODE 1505-01-D

DEPARTMENT OF THE TREASURY

Customs Service

Automated Surety Interface; Significant New Information Dissemination Product Pursuant to OMB Circular A-130

Correction

In notice document 87-18653 beginning on page 30762 in the issue of Monday, August 17, 1987, make the following corrections:

1. On page 30762, in the third column, the heading should read as set forth above.

2. On page 30763—

a. In the first column, in the third line from the top, "gauge" was misspelled.

b. In the same column, in the second complete paragraph, in the eighth line, "conceived" was misspelled.

c. In the second column, in the first complete paragraph, in the sixth line, "of" should read "to".

d. In the same column, in the fourth line from the bottom, "disclosure" was misspelled.

3. On page 30764—

a. In the first column, in paragraph *C* 11. "L-Flay" should read "L-Flag".

b. In the second column, in paragraph *A* 31. "Estimate" should read "Estimated".

c. In the third column, in paragraph "*D* 13. "Principal" was misspelled.

BILLING CODE 1505-01-D

federal register

Thursday
August 20, 1987

Part II

Department of Justice

Office of Juvenile Justice and Delinquency Prevention

Announcement of New Program; Youth Drug and Alcohol Abuse: The Introduction of Effective Strategies Systemwide; Notice

DEPARTMENT OF JUSTICE

0Office of Juvenile Justice and Delinquency Prevention

Announcement of New Program; Youth Drug and Alcohol Abuse: The Introduction of Effective Strategies Systemwide

AGENCY: Office of Juvenile Justice and Delinquency Prevention, Justice.

ACTION: Notice of issuance of solicitation for applications to develop and implement a comprehensive demonstration program for the replication of effective anti-drug and alcohol strategies for youth on a systemwide basis.

SUMMARY: The Office of Juvenile Justice and Delinquency Prevention (OJJDP) pursuant to section 224(b)(1) announces a new program entitled "Youth Drug and Alcohol Abuse: The Introduction of Effective Strategies Systemwide." This program is co-funded with the National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

The purpose of this program is to perform three separate but integrated activities. The grantee will conduct a conference of selected national private not-for-profit organizations in order for them to define their constituencies' needs; explain their current and planned programmatic responses; and encourage coordination with each other and cooperation with the Federal government in the present effort. The grantee will also demonstrate a community planning and organization strategy for communities to assess and respond to their current juvenile drug abuse problems and needs, as well as provide information concerning the most promising technologies in drug abuse prevention and treatment through a systemwide response curriculum. Finally, the grantee will develop and test a training program for high school students to assist them in organizing their high schools to prevent drug and alcohol abuse.

OJJDP and NHTSA are aware of the multiplicity of anti-substance abuse programs currently implemented by public, private and not-for-profit organizations. There is a significant body of research and experience to support the expectation that these programs can have a major impact provided that information about these programs is effectively disseminated to communities throughout the nation. OJJDP is involved in this initiative because of a strong statistical link between alcohol and drug abuse and delinquency. Therefore, OJJDP and NHTSA intend to fund a program to demonstrate systemwide community planning and implementation strategies that enable a community to address the problem of juvenile substance abuse. To accomplish the goals of this initiative the grantee will implement a four stage, incremental developmental process consisting of the following:

Identification and assessment of selected planning and programmatic strategies;

Development of descriptive planning and program operations manuals;

Development of training and technical assistance materials to transfer the planning and program information contained in the operations manuals to demonstration sites; and,

Provision of training and technical assistance to demonstration sites.

Eligibility

Public and private not-for-profit organizations which can demonstrate the capability to conduct a demonstration program and deliver training and technical assistance in the area of alcohol and substance abuse are invited to submit applications to enter into a cooperative agreement with OJJDP. OJJDP, in cooperation with NHTSA, will select the applicant which presents the most cost effective approach, and which best demonstrates the organizational capability, knowledge of and experience in the fields of alcohol and substance abuse, juvenile justice, program evaluation and training. The project period for this program is eighteen (18) months. The budget period is for 18 months not to exceed $260,000 and during which all four stages of this demonstration initiative will be implemented. Applicants are encouraged to present cost-competitive proposals.

DATES: The deadline for receipt of applications is September 14, 1987.

FOR FURTHER INFORMATION CONTACT: John E. Dawson, Jr., Special Emphasis Division, Office of Juvenile Justice and Delinquency Prevention, 633 Indiana Avenue NW., Room 748, Washington, DC 20531, Telephone (202)724–8491.

Contents

I. Introduction and Background
II. Program Goals and Objectives
III. Program Strategy
IV. Dollar Amount and Duration
V. Eligibility Criteria
VI. Program Application Requirements
VII. Procedures and Criteria for Selection
VIII. Submission Requirements
IX. Civil Rights Compliance

I. Introduction and Background

This program is the result of the need for effective systemwide strategies to address drug and alcohol abuse among young people in communities throughout the nation. Interest in this endeavor began with the Alcohol Safety Action Workshops for Juvenile Court Judges which were developed by NHTSA with support from the National Council of Juvenile and Family Court Judges. The purpose of these workshops is to train judges about issues related to juvenile substance abuse which often takes place in, or involves, automobiles.

Juveniles under the influence of one or more substances are responsible for twice as many highway fatalities as adults, but are adjudicated for driving under the influence half as frequently. These state workshops give the judges a perspective for analysis of juvenile substance abuse in their communities and enables them to make recommendations for more effective adjudication and disposition of juveniles charged with substance use or possession. Through the Federal Coordinating Council for Juvenile Justice and Delinquency Prevention, NHTSA approached OJJDP with the concept of providing follow-on training and technical assistance to the judges who attend the state workshops in order to address the prevention, intervention, adjudication and supervision needs of their local jurisdictions. OJJDP has an interest in providing such training to juvenile court judges because of the frequency with which young people come in contact with the juvenile justice system for traffic violations. In addition, OJJDP recognized in the NHTSA workshops a significant opportunity to address the critical problem of related juvenile substance abuse. Out of the recognition of the training and technical assistance needs came the development of the present program that proposes to develop a curriculum which will describe the services and program assistance available to communities from a diverse group of organizations oriented to the issues of youth drug and alcohol abuse. This Systemwide Response Curriculum (SRC) will be presented at the NHTSA sponsored state judges workshops in a summary fashion in order to encourage selected jurisdictions to seek the detailed presentation identified in Stage 3 of Section III entitled "Program Strategy."

Concurrent with the decision to supplement the training of the NHTSA judges workshops with follow-on community based seminars was the decision to develop a conference to

bring prominent public and private not-for-profit organizations together to share information about the services they offer and the programs they are planning in the area of drug and alcohol abuse. This conference concept will be integrated into the overall development of the NHTSA/OJJDP systemwide response program. The conference will fulfill the goal of information sharing and promotion of program and resource coordination but will also provide the opportunity to persuade the participating organizations to have their programs represented on the community level through the SRC and subsequently implemented in those communities participating in the follow-on community-based seminars.

Also concurrent with the preceeding was the development of a program at NHTSA that empowers students in communities to initiate drug and alcohol programs in their schools among their fellow students. The approach is based on the assumption that student leaders will be more effective at influencing their peers toward nonuse of drugs and alcohol than adults would be by imposing such programs from the top down. NHTSA intends that this demonstration effort enhance and serve as a youth component to their Techniques for Effective Alcohol Management (TEAM) project operating in communities to curb alcohol and drug use at sporting events. OJJDP views this effort as a new and innovative approach to creating a positive peer influence in schools to counter the negative influence toward substance abuse. This new student training curriculum will be called the Student Training Opportunity Program (STOP).

II. Program Goals and Objectives

A. Goals

1. Conduct a conference of selected national private not-for-profit organizations in order for them to define their constituencies' needs; their current and planned programmatic responses; and encourage their coordination with each other and cooperation with the Federal government in this effort.

2. To demonstrate a community planning and organization strategy for communities to assess and respond to their current juvenile drug abuse problems and needs, as well as provide information concerning the most promising technologies in drug abuse prevention and treatment through a systemwide response curriculum.

3. To develop and test a training program for high school students to assist them in organizing their high schools to prevent drug and alcohol abuse.

B. Objectives

1. Assessment of existing community planning and organization strategies and substance abuse programs for youth and review literature pertaining to effective program activities and organize a conference of public and private not-for-profit organizations implementing promising approaches to drug and alcohol abuse prevention and treatment;

2. Development of descriptive program operation manuals based on the assessment of selected planning and program strategies.

3. Development of a demonstration strategy and related training and technical assistance materials to facilitate the transfer of the operation manuals to communities on a systemwide basis.

4. Provision of training and technical assistance to demonstration sites.

III. Program Strategy

OJJDP planning and program development activities are guided by a framework which specifies four sequential phases of development: research, research and development, demonstration and dissemination. The framework guides the decision-making process regarding the funding of future phases of the program.

This is a demonstration initiative. The purpose of the demonstration phase is to transfer a method of analysis, planning and adoption of effective program strategies to the state and local level. The program will be conducted in four discrete, incremental stages. The stages consist of: (1) An assessment of effective anti-substance abuse programs for community systemwide planning; (2) a comprehensive description of the development, implementation and operation of selected program approaches and a systemwide planning strategy; (3) the development and implementation of a dissemination strategy that includes a development of training and technical assistance materials for communities interested in implementing the selected program and planning strategies; and, (4) the delivery of training and technical assistance at selected sites to demonstrate program models. All technical and subject matter portions of the program will be guided by recommendations of an Advisory Committee established specifically for the program. This advisory committee will provide advise and guidance to the recipient.

Each stage of the incremental program development process detailed below is designed to result in a complete and publishable product (e.g. final assessment report) which can be disseminated to the field. A decision is made at the completion of each stage, based on availability of funds, and the quality and utility of the products, whether to invest additional funds to complete the current stage or terminate the program.

Stage 1—Assessment

The first phase of the program consists of an assessment of the state-of-the-art of operational anti-substance abuse programs for youth and community based, systemwide (i.e. schools, community, law enforcement, courts and supervision) planning strategies. The literature review should address the extent of the problem and define the aspects of a communities' response to substance abuse. It should focus on the types of youth where the problem is most prevalent, risk factors relating to substance abuse and the system's responses to the affected youth. The purpose of the literature review is to identify the most definitive theoretical and empirical research findings in order to apply them to the review of existing programs and planning strategies, and the selection of the most promising approaches.

The grantee will develop criteria for identifying promising programs for prevention, intervention, adjudication and supervision relating to substance abuse and use the criteria to select programs for review and documentation. Information to be collected and assessed should include, at a minimum, the historical development of the program; conceptual framework/theoretical assumptions; number and type of youth served; program costs per unit of service and per client; evaluation findings; sources of funding; staffing requirements; and program approach to management and administration.

The assessment should provide the basis for selecting the programs most appropriate for national dissemination.

A significant part of the assessment will consist of the national conference of private, not-for-profit organizations who will explain their current and planned activities. There will be approximately 30 organizations present that represent the spectrum of anti-substance activity for youth.

An assessment will also be made of community planning strategies to identify techniques to facilitate planning activities on the local level as well as school based drug prevention activities for the STOP curriculum.

Activities

The major activities of this stage are:
1. Establishment of a program advisory committee;
2. Development of the assessment plan;
3. Conduct of the literature review;
4. Development of criteria for identifying promising programs and planning strategies;
5. Conduct the conference of private, not-for-profit organizations;
6. Identification and description of existing promising programs and planning strategies for the SRC and the STOP curriculum; and,
7. Preparation of an assessment report.

Products

The products to be completed during this stage are:
1. Assessment Plan—specifying, in detail, the approach and activities to be undertaken for each step of the assessment stage including a list of organizations which should attend the national conference;
2. Draft and final report on the results of the assessment which includes:
a. The literature review.
b. Description of operation promising program planning strategies for inclusion in the SRC and the STOP curriculum.
c. Recommendations to the Administrator, OJJDP, of programs which should be represented in the SRC.

Stage 2—Operations Manual Development Process

Upon successful completion of Stage 1, the assessment, the grantee will develop descriptive program operation manuals for the SRC and STOP. The activities and products of this stage will be based on the information generated as a result of the assessment. Appropriate technical and subject matter expertise will be utilized to design the operations manuals which detail the promising programs and planning strategies.

The operation manuals will provide guidance regarding identification of the appropriate target population; relationship of the program to other public and private youth and community serving agencies; funding; program organization and management; philosophy and content of the intervention; resource development; program monitoring; and evaluation of program effectiveness.

This information will become part of a training and technical assistance package for dissemination to the appropriate state and local agencies.

These manuals will be continually updated to include new programs as they develop programs such as OJJDP's "Promising Approaches for the Prevention, Intervention and Treatment of Illegal Drug and Alcohol Abuse Among Juveniles" and "Law Enforcement Handling of Drug Offenders."

Activities

The major activities of this stage are:
1. Preparation of a plan for developing the operation manuals;
2. Development of the operation manuals; and,
3. Review of the operation manuals by the Program Advisory Committee and subsequent revision as necessary.

Products

The products to be completed during this stage are:
1. Plan for operation manuals development which specifies, in detail, the approach and activities to be undertaken for each step, and the projected costs on a monthly basis; and,
2. Draft and final operation manuals.

Stage 3—Training and Technical Assistance

Upon successful completion of Stage 2 and with the approval of OJJDP, the grantee will transfer the program operation manual and related material into training and technical assistance manuals. Comprehensive training manuals that outline the major issues in juvenile substance abuse, detail the program design, and operations, must be developed to encourage and facilitate implementation of the promising programs.

The SRC training manual should be the focal point of the entire training and technical assistance dissemination strategy. The major audience will be policy makers on the community level involved in resource allocation and program development related to substance abuse. The manual should be designed for presentation in brief at the state judges workshops and for a more comprehensive presentation within participating communities. The manuals should also be designed for independent use in jurisdictions that do not participate in formal training seminars. Therefore, each manual should include a complete description of the promising programs and incorporate related policies and procedures. The manual should also contain instructions and supplementary materials for trainers to facilitate presentation, and assure understanding and successful adaptation and implementation of the promising programs.

The STOP training manual will be used to conduct the four day, residential training of 100 students from one of the TEAM sites. This manual will also be designed for presentation at the community meetings and for use by jurisdictions that wish to conduct the training on their own.

Activities

The major activities of this stage are:
1. Preparation of a plan for developing the demonstration strategy;
2. Development of the training and technical assistance materials;
3. Recruitment and preparation of the training and technical assistance personnel;
4. Participation and review by the advisory committee;
5. Testing of the SRC at two sites;
6. Implementation of the demonstration strategy:
a. Conduct the SRC summary version at the state judges workshops;
b. Present the SRC at the local level community meetings;
c. Conduct the STOP training at one test site.

Products

The products to be completed during this stage are:
1. Plan for the development of a demonstration strategy;
2. Identification of trainer and technical assistance personnel; and,
3. Draft and final training and technical assistance package—including the training curriculum manuals, and information materials.

Stage 4—Provision of Training and Technical Assistance to Demonstration Sites

During this stage, the grantee will provide site selection assistance to OJJDP to facilitate the selection of demonstration sites. The grantee will provide intensive training and technical assistance through the SRC to the sites to conduct analysis; reorient existing resources; use new resources effectively; seek a systemwide impact; and, employ new strategies. The grantee must develop and implement a dissemination strategy, to disclose information on promising programs and their evaluation results, if available, to policymakers and practioners at the state and local level.

Activities

The major activities of this stage are:
1. Assistance to OJJDP in review and selection of demonstration sites;
2. Provision of intensive training and technical assistance to demonstration sites; and,
3. Implementation of a dissemination strategy.

Products

The products to be completed during this stage are:

1. Plan for providing training and technical assistance to demonstration sites; and,

2. Refinement of the dissemination strategy to inform the field of the development of the program, and the products and results of this stage.

IV. Dollar Amount and Duration

Up to $260,000 has been allocated for the initial award. One cooperative agreement will be awarded competitively, and the initial period will be for 18 months. It is anticipated that this demonstration program will entail 18 months of program activities (i.e. 18 month project period), and consist of four phases (assessment, operational manual development, training and technical assistance development, and training and technical assistance to demonstration sites). The initial award will provide support for stages one through four.

V. Eligibility Criteria

Applications are invited from public and private not-for-profit organizations. The applicant must have experience in the development and delivery of training or technical assistance, in the design and implementation, or the management and operation of national juvenile justice or delinquency prevention programs. The applicant must also have experience in applied research or evaluation of adult or juvenile and delinquency prevention programs and policies. Special consideration will be given to applicants with experience in substance abuse prevention, intervention, treatment programs or research. In addition, the applicant must have the management structure, financial capability and facilities to effectively implement a project of this size and scope.

VI. Program Application Requirements

All applicants must submit a completed Standard Form 424, Application for Federal Assistance (SF 424), including a program narrative, a detailed budget, and a budget narrative. All applicants will be rated based on the information furnished in the program narrative as outlined in this section VI of the solicitation in Part IV, Program Narrative portion of the application. The Program Narrative shall not exceed 70 double-spaced pages in length.

In submitting applications which contain more than one organization, the relationships among the parties must be set forth in the application. As a general rule, organizations which describe their working relationship in the development of products and the delivery of services as primarily cooperative or collaborative in nature will be considered co-applicants. In the event of a co-applicant submission, one co-applicant must be designated as the payee to receive and disburse project funds and be responsible for the supervision and coordination of the activities of the other co-applicants. Under this arrangement each eligible organization would agree to be jointly and severally responsible for all projects funds and services. Each co-applicant must sign the SF–424 and indicate their acceptance of the conditions of joint and several responsibility with the other co-applicants.

Applications which include non-competitive contracts for the provision of specific services must include a sole source justification for any procurement in excess of $10,000.

A. Organizational Capability

Applicants must demonstrate that they are eligible to compete for this cooperative agreement on the basis of eligibility criteria established in Section V of this solicitation.

1. Organizational Experience: Applicants must concisely describe their organizational experience with respect to the eligibility criteria specified in Section V above. Applicants will be judged on how their organizational experience and capabilities will enable them to achieve the goals and objectives of this initiative. Applicants are invited to submit one prior work product of a similar nature.

2. Financial Capability: In addition to the assurances provided in Part V, Assurances (SF–424), applicants will be judged on their organizations ability to adequately manage and account for federal funds. To this end procedures to ensure this must currently exist or be established. Applicants who have not previously received Federal funds will be asked to submit a copy of the Office of Justice Assistance, Research and Statistics (OJARS) Accounting System and financial Capability Questionnaire (OJARS From 7120/1). Copies of the form will be provided in the application kit and must be prepared and submitted along with the application. Other eligible applicants may be requested to submit this form. All questions are to be answered regardless of instructions (section C.1.b. note). The CPA certification is required only of those applicants who have not previously received Federal funding.

B. Program Strategy and Goals

Applicants must describe their strategy and approach to meet the goals and objectives outlined for the program, including a clear and concise description of how they will accomplish each of the distinct phases of the program.

C. Program Implementation Plan

Applicants shall describe how they will allocate the available resources to implement the Systemwide Response program.

1. Applicants must furnish an implementation plan which addresses the activities and functions described in Section III. of the solicitation. The plan must include:

a. An annoted organizational chart depicting the roles and describing the responsibilities of key organizational/functional components;

b. A list of key personnel responsible for managing and implementing the six major elements of the program. Applicants must present detailed position descriptions, qualifications, and selection criteria for each position. This documentation and individuals' resumes may be submitted as appendices to the application; and,

c. A concise discussion of the coordination and administration issues related to the program design and how their program strategy would address these issues.

2. Applicants must present a concise discussion of the major substantive—i.e., training and technical transfer—issues involved in achieving the goals of the program and how these issues will be addressed in the development of products specified in Section III. and indicate the anticipated cost schedule per month for the entire period.

3. Applicants must provide a time-task plan for the 18-month period, clearly identifying major milestones. This must include designation of organizational responsibility and a schedule for the completion of the tasks and products identified in Section III.

D. Program Budget

Applicants shall provide a 18-month budget with a detailed justification for all costs, including the basis for computation of these costs. Applications submitted by co-applicants and those containing contracts must include detailed budgets for each organization's expenses.

VII. Procedures and Criteria for Selection

Applications will be rated based on the extent to which they meet the

following weighted criteria. These criteria fall into four groups: the demonstrated capability to meet the goals of the project on the part of the organization applying; the quality of the staff chosen to direct the project, scored in conjunction with a review of staff position descriptions and a project plan including an organizational plan for project staff; a product development plan; and a budget narrative. The selection criteria will be consistently applied to all applicants.

A. Organizational Capability (40 Points)

1. The extent and quality of organizational experience in the development, delivery, or coordination of adult or juvenile justice related research, training, or technical assistance which have been national in scope or impact. (10)

2. The presence and extent of adequate fiscal controls and accounting procedures to ensure that the applicant can effectively implement a project of this size and scope, and to ensure the proper disbursal and accounting of Federal funds. (10)

3. The calibre of staff identified to manage and implement the program including staff to be hired through contracts. (10)

4. The clarity and appropriateness of position dispositions, required qualifications and selection criteria relative to the specific functions set out in the Implementation Plan. (10)

B. Proposed Strategy (20 points)

Understanding of the nature of the program area and the soundness of the approach to each stage of the program development process for meeting the goals and objectives; and the potential utility of proposed products.

C. Program Implementation Plan (25 Points)

Appropriateness of allocation of resources to accomplish the goals and objectives of the program within the 18-month project period. Particular attention will be paid to the clarity and reasonableness of the time-task plan which identifies organizational, and individual roles and responsibilities for the completion of significant tasks and development of products.

D. Budget (15 Points)

Applicants must include an 18-month budget with a detailed narrative justifying the costs as specified in section VI.D. Applications will be rated based on the cost competitiveness, completeness, reasonableness and appropriateness of the budget in relation to the tasks to be accomplished.

Applications will be evaluated by a peer review panel. The application which receives the highest total score on the above criteria will be recommended for funding to the Administrator, OJJDP, provided that required changes in the application can be successfully negotiated. The final decision will be made by the OJJDP Administrator.

VIII. Submission Requirements

One signed original and three copies of the application must be mailed or delivered to the Office of Juvenile Justice and Delinquency Prevention (OJJDP), Room 742, 633 Indiana Avenue, NW., Washington, DC 20531, by 5:30 p.m. on September 14, 1987. Applications mailed to the above address by certified or registered mail, return receipt, must be postmarked no later than September 14, 1987. Date of receipt is evidenced by the U.S. Postal Services postmark or Express Mail time and date. The necessary forms for applications may be obtained by writing OJJDP. Questions regarding the solicitation may be directed to John E. Dawson, Jr., (202)724–5914, or at the above address.

IX. Civil Rights Compliance

A. All recipients of OJJDP assistance including any contractors, must comply with the non-discrimination requirements of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended: Title VI of the Civil Rights Act of 1964; section 504 of the Rehabilitation Act of 1973 as amended; Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; and the Department of Justice Non-Discrimination Regulations (28 CFR Part 42, Subparts C, D, E, and G).

B. In the event of a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin or sex against a recipient of funds, the recipient will forward a copy of the finding to the Office of Civil Rights Compliance (OCRC) of the Office of Justice Programs.

C. Applicants shall maintain such records and submit to the OJJDP upon request timely, complete and accurate data establishing the fact that no person or persons will be or have denied or prohibited from participation in benefit of, or denied or prohibited from obtaining employment in connection with any program activity funded in whole or part with funds made available under this program because of their race, national origin, sex, religion, handicap or age. In the case of any program under which a primary recipient of Federal funds extends financial assistance to any other recipient or contracts with any other persons or groups, such other recipient, persons or groups shall also submit compliance reports to the primary recipient as may be necessary to enable the primary recipient to assure its civil rights compliance obligations under any grant award.

Verne L. Speirs,

Acting Administrator, Office of Juvenile Justice and Delinquency Prevention.

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Thursday
August 20, 1987

Part III

Department of Transportation

Research and Special Programs Administration

49 CFR Part 172

Emergency Response Communication Standards; Notice of Proposed Rulemaking

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 172

[Docket No. HM-126C; Notice 87-10]

Emergency Response Communication Standards

AGENCY: Research and Special Programs Administration (RSPA), Department of Transportation (DOT).

ACTION: Notice of proposed rulemaking.

SUMMARY: In this notice, RSPA solicits comments on proposed requirements for additional emergency response information on shipping papers and placement of response action information in all places, including vehicles, where hazardous materials are transported in commerce. This action is necessary because RSPA believes there is a need to improve the communication of accurate information concerning hazardous materials when they are involved in incidents during transportation. This proposal is intended to improve emergency response communication and the availability of information concerning the handling of hazardous materials during incidents.

DATE: Comments must be received on or before September 21, 1987.

ADDRESSES: Comments: Address comments to Dockets Branch (DHM-33), Office of Hazardous Materials Transportation, RSPA, U.S. Department of Transportation, Washington, DC 20590. Comments should be submitted, when possible, in five copies. Persons wishing to receive confirmation of receipt of their comments should include a self-addressed stamped postcard. The Dockets Branch is located in Room 8426 of the Nassif Building, 400 Seventh Street SW., Washington, DC. Dockets may be reviewed between the hours of 8:30 a.m. and 5:00 p.m.

FOR FURTHER INFORMATION CONTACT: Lee Jackson (202) 366-4488, Office of Hazardous Materials Transportation, RSPA, Washington, DC 20590.

SUPPLEMENTARY INFORMATION:

I. Background

On March 16, 1984, RSPA published an advance notice of proposed rulemaking [ANPRM; Notice No. 84-2] and a notice of public hearing under Docket No. HM-126C [49 FR 10048]. This ANPRM, entitled "Required Use of Emergency Response Guidebooks and Material Safety Data Sheets" requested comments on the benefits and consequences of requiring the use of the Emergency Response Guidebook (ERG) or Material Safety Data Sheets (MSDS) to communicate information on the hazards of materials while they are moving in commerce. The ANPRM was intended to address communication needs during emergencies which involve the release off hazardous materials as well as what must be known about hazardous materials when they are in transport vehicles or in-transit storage facilities. The ANPRM was prepared as a result of a safety recommendation issued by the National Transportation Safety Board (NTSB) and a petition RSPA received from the American Trucking Association (ATA). Based on an accident involving hazardous materials which occurred near Odessa, Delaware on October 13, 1982, the NTSB recommended that DOT

". . . Determine, by mode of transportation, the feasibility of requiring comprehensive product-specific emergency response information such as Material Safety Data Sheets, to be appended to shipping documents for hazardous materials transported in bulk quantities, giving particular attention to the early emergency response problems posed by n.o.s. commodities in transit." The acronym "n.o.s." is an abbreviation for "not otherwise specified". If the hazardous materials tables, i.e., 49 CFR 172.101 or 172.102, do not specifically list the name of a material and the material satisfies the definition of a hazardous material under the Hazardous Materials Regulations (HMR), the shipper is required to select an appropriate proper shipping name from the general descriptions which appear in those tables. A detailed discussion of the background and conclusions of the NTSB recommendation is contained in the ANPRM.

Prior to NTSB's issuance of the Safety Recommendation, RSPA received a petition from the ATA which requested ". . . DOT to require, by rule, motor carriers involved in the transportation of hazardous materials maintain a copy of the Emergency Response Guidebook (Guidebook), DOT P 5800.3, at each motor carrier facility where hazardous materials shipments are loaded or unloaded from vehicles." The ATA petition (P-922), appeared in its entirety in the ANPRM.

Since the Odessa, Delaware incident, there have been other incidents where emergency response personnel have encountered problems identifying the hazards and composition of the hazardous materials involved. In 1984, the NTSB investigated an incident in Orange County, Florida, where ". . . vapors escaping from a cargo tank containing waste acids caused the evacuation of a 3-square-mile area and the injury of 12 persons." The shipper of this material had used the shipping name "Waste, acid liquid, n.o.s." for the waste material. During this incident, emergency response personnel experienced problems obtaining specific information about the composition of the waste acids being transported. As a result of its investigation of this incident, the NTSB issued Safety Recommendation I-85-10 to RSPA on May 16, 1985:

> Determine the adequacy of general shipping names on shipping papers for hazardous wastes and the need for additional information, such as technical and chemical group names, to better inform emergency response personnel about the composition and the hazards of the material being shipped.

In 1985, a similar incident occurred in Fairfax County, Virginia when a leak was discovered in a cargo tank that was transporting corrosive hazardous waste on the Washington, DC beltway. As a result of this leak, a large section of the beltway was closed for nine hours to all traffic, several thousand vehicles were stranded for hours and an estimated thirty-four thousands vehicles were rerouted. As a precaution, the fire department evacuated about 600 people who were located within a half-mile radius of the leaking vehicle. In response to this incident, the NTSB made some technical recommendations and also reiterated Safety Recommendation I-85-10 which was issued for the Orange County, Florida incident.

The purpose of the ANPRM (Docket No. HM-126C) was to not only solicit comments on the benefits and consequences of requiring the use of the ERG or MSDS to communicate information on the hazards of materials while they are moving in commerce, ". . . but also to ascertain what must be known about them when they are present in transport vehicles (including vessels and aircraft), and facilities associated with transportation such as terminals, piers, warehouses and other places where hazardous materials may be kept during the course of transportation." In addition to requesting comments on these matters, RSPA requested that commenters respond to several questions which are repeated as follows:

> 1. What material specific information is provided by a MSDS that would mitigate the potential consequences of a discharge beyond the type of information provided by the ERG and CHEMTREC, and how quickly would that information be needed? In

commenting, please take into account that the information on file at CHEMTREC is based on MSDS's provided by manufacturers and that CHEMTREC can provide information that is not contained in the ERG e.g., flash-point, boiling point, flammable limits, and vapor density. Also, CHEMTREC has access to shippers and the CIS for more detailed information on hazardous materials. If comments are presented concerning the value of TLV (threshold limit value) data, it is requested that supporting information be provided in support of how such data (TWA—time weighted average; STEL—short-term-exposure limit; C—ceiling) can be effectively applied in the transportation environment. For example, what type of monitoring equipment could be reliably used to make an assessment of a spill area? Should MTP imply that confidence may be placed in use of such equipment? Up to the present time, it has been MTB's opinion that this approach would not be appropriate; therefore, current ERG guidance for any cargo (not only regulated hazardous materials) is "Move And Keep People Away From Incident Scene; Do Not Walk Into Or Touch Any Spilled Material; Avoid Inhaling Fumes, Smoke and Vapors Even If No Hazardous Materials Are Involved; Do Not Assume That Gases Or vapors Are Harmless Because Of Lack Of Smell".

2. (a) Should DOT consider discontinuing distribution of the ERG in favor of MSDS's accompanying shipments of hazardous materials? (b) Should consideration of MSDS's be limited to bulk shipments as suggested by NTSB? In commenting, please consider the possibilty of undesirable results in applying both systems to transportation, e.g., the different language contained in basic health threat information as well as differing response information. In preparing for issuance of this notice, MTB reviewed 29 CFR 1915.97 relative to preparation of U.S. Department of Labor Form OSHA 20 and the Occupational Safety and Health Administration's (OSHA) final rule amending 29 CFR Part 1910 [48 FR 53280; November 25, 1983]. The information specified for inclusion in MSDS's [§ 1910.1200(g)] does not require manufacturers and importers to use standard language for either the communication of risk or the mitigation of risk. To a significant degree this is overcome by training (§ 1910.1200(h)) required to be given by employers in Standard Industrial Classification Codes 20 through 39. (c) To what extent could and should DOT rely on training of emergency response and transportation personnel in use of MSDS information rather than the ERG, taking into account that more than 180,000,000 shipments of hazardous materials are made annually in the United States?

3. If, following review of the comments on this notice, MTB decides to propose a mandatory placement of ERG's in transportation facilities: (a) How should MTB describe (define) those facilities in the regulations? (b) Should ERG's be required in vehicles used to transport hazardous materials, as suggested by IBT? (c) What would be the means of acquisition of the ERG's? (d) How much time should be provided for acquisition and implementation? (e) Could such a requirement be implemented without having an effect on necessary revisions and updates of the ERG? (f) In order for MTB to assess the cost of such a program in a regulatory analysis, how many vehicles (including rail), vessels, aircraft, and terminal facilities would be subject to such a requirement (taking into account the last quoted paragraph of IBT's comments above)?

4. (a) Is there another way to deal with ". . . emergency response problems posed by n.o.s. commodities . . . " as discussed by NTSB in Recommendation I-83-2? On May 22, 1980 MTB published a final rule under Docket HM-126B (preamble page—45 FR 34565) setting forth requirements for more specific identification of poisons, including those covered by n.o.s. entries in § 172.101. The purpose of the rule, which is set forth in § 172.203(k), is to make identification of poisons more specific for immediate response purposes. (b) Should MTB consider expanding the requirements to hazardous materials of all classes? Commenters should note that the present rule does not require the technical names of compounds or principal constituents if the entry on a shipping paper (in association with the n.o.s. entry coming from § 172.101) is a name in the NIOSH Registry (RTECS—Registry of Toxic Effects of Chemical Substances) which contains more than 59,000 substance entries. The reason for providing this option is the problem emergency response personnel could have in dealing with long and complex chemical names (with dozens of letters and numbers in some cases) and the fact that RTECS is a component of the NIH/EPA CIS computer system that may be accessed by CHEMTREC at any time specific identification of a material is necessary. At the time the rule was promulgated, MTB had determined that it was only essential for materials meeting the defintion of a Class B poison (regardless of class precedence). Also, a different rule for identification of hazardous substances in mixtures was issued at the same time under Docket HM-145B. (c) What would be the burden of such a requirement? and (d), Can or should such a requirement be construed as deriving the same benefit as possession of a MSDS during transportation?

Comments Made to the ANPRM

RSPA received more than seventy comments to the advance notice of Docket HM-126C. Comments were received from all segments of the transportation and chemical industries as well as from some Federal and State agencies. Several fire departments and three emergency response organizations also submitted comments. Of the comments received, only two commenters supported the NTSB recommendation that an MSDS accompany every bulk shipment of hazardous materials. Several commenters stated that some of the information contained on a MSDS might be useful; however, they believed that the ERG should be maintained as the primary reference. It was stated that n.o.s. descriptions frequently pose particular problems to emergency response efforts during hazardous materials incidents because difficulties occur in identifying the specific properties of the hazardous materials involved. Discussion of these points, as well as RSPA's response to the comments, follows.

There was widespread support expressed in the comments for use of the ERG. Most of the commenters stated that the ERG is a very effective way of communicating fundamental hazard information to emergency response personnel. Because of this, many commenters thought the ERG should be required in transportation facilities. One commenter pointed out that if RSPA does require the placement of the ERG in transportation facilities, these facilities should be narrowly defined so that copies of the ERG are only required in motor carrier facilities where freight is processed through the terminal as part of the delivery function and in terminals of bulk and package carriers.

RSPA received comments concerning the MSDS from the Occupational Safety and Health Administration (OSHA) of the U.S. Department of Labor. In their comments to the ANPRM, OSHA made the following statement about the MSDS:

> . . . while material safety data sheets are frequently available, practices are not uniform, and the quality of the information on the MSDS varies significantly.

The ATA supported use of the ERG rather than the MSDS. In a statement presented a public hearing held on HM-126C, ATA stated:

> . . . In the normal course of transportation services, our terminal people are not exposed directly to hazardous materials being transported. Their contact is at most indirect and for many materials occurs infrequently and sporadically. Their situation is significantly distinct, therefore, from workers in most other industries who, in using such commodities in the performance of their occupational tasks, come into actual contact with the hazardous materials. Because of this, the routine informational needs of the respective worker groups regarding hazardous materials are also distinct.

The International Brotherhood of Teamsters has submitted a letter to DOT, dated January 12, 1984, which was made a part of this Advance Notice of Proposed Rulemaking. In their letter, the Teamsters extended their support of ATA's petition, for which we are most grateful. However, the Teamsters have called upon DOT to refrain from preempting state and local requirements which call for Material Safety Data Sheets, or similar documents, to be made available to terminal workers who handle hazardous materials as part of a transportation movement. While the Teamsters expressly acknowledge that acute health hazard

information is provided in the Emergency Response Guidebook, they state that unlike the DOT Guidebook, "MSDS provide information on chronic and long latency health effects from exposure to a hazardous material." Several comments in response are warranted here.

First, it should be understood that our terminal workers are not, as some would believe, involved in the business of emergency response. Whenever an incident involving hazardous materials does occur, our workers have been instructed to secure the accident scene, to identify the material involved, to notify the appropriate emergency response personnel and, most importantly, to avoid all direct contact with the materials.

Direct contact does, however, occasionally occur. In such instances, information concerning the acute hazards posed by the materials is what is required. The Emergency Response Guidebook provides this information in a format which is much more effective and efficient than any Material Safety Data Sheet, and this is what is critical to the facilitation of prompt and effective first-aid . . .

. . . The question posed by our petition is not whether the worker is entitled to receive such information—our industry agrees that such information should be available—but whether it should be provided routinely with every shipment. For exposure to spills, only acute hazard information needs to be immediately available. Subsequent contact directly with the shipper or with any of the several support services of industry and government will generate information regarding the chronic health effects, which can then be provided to the worker in the form of a Material Safety Data Sheet or any other means the shipper elects to make it available. This can occur today. Thus to suggest that Material Safety Data Sheets be present at each motor carrier terminal for any hazardous materials that may pass through in the course of a year is costly, burdensome and completely unnecessary.

Additionally, the Teamsters have asked DOT to require motor carriers to provide an Emergency Response Guidebook on board each vehicle transporting hazardous materials. Aside from the excessive costs this would impose upon motor carriers, we do not believe that the availability of an Emergency Response Guidebook on board each vehicle is conducive to safety. Our drivers receive the same instructions governing accidents as do our terminal workers: secure the accident scene; identify the hazardous materials being transported; notify the emergency response personnel; and avoid contact with the materials. By making the Guidebook readily available, a driver may be encouraged to initiate some sort of direct emergency response rather than wait for the trained experts.

With respect to Safety Recommendation I–83–2, issued November 29, 1983 by the National Transportation Safety Board, we do not see any justification for it.

We agree with DOT that the acute health hazard information contained in the Emergency Response Guidebook and the Materials Safety Data Sheet are virtually the same. Therefore, we cannot see how the presence of the Materials Safety Data Sheet would be of any greater assistance than the Emergency Response Guidebook for dealing with this accident. If any fault can be attributed to the handling of the onscene response in Odessa, Delaware, it must be directed at the emergency responders rather than a failing of the DOT system or the lack of a Material Safety Data Sheet.

Each guide in the Emergency Response Guidebook directs attention to the Chemical Transportation Emergency Response Center—CHEMTREC. This service of the Chemical Manufacturers Association provides emergency response information developed by the chemical industry and also establishes a direct link between the responders at the accident scene and the manufacturer of the product involved in the accident. This approach is far more effective than depending on the presence of Material Safety Data Sheets . . .

In their comments to Docket No. HM–126C, the Chemical Manufacturers Association stated:

. . . The use of an MSDS as an emergency response guide is inappropriate for four reasons. First, the MSDS was not developed for that purpose and does not contain all the information necessary for the first responder. (The hazard communication standard recently promulgated by the Occupational Safety and Health Administration specifies the information manufacturers must provide on the MSDS—29 CFR 1910.1200(g), 48 **Federal Register** 53343). For example, recommendations to cool containers or knock down vapors are rarely found on an MSDS. Second, much of the information on a typical MSDS is not used in emergency response. It would complicate the responder's job at the scene if he had to determine which part of an MSDS to use. Third, the MSDS requires knowledgeable interpretation of technical data, which could increase the possibility of misinterpretation under stress conditions—such as during an incident. Fourth, the probability of using the wrong MSDS in an emergency is high because there may be a number of them in the cab (perhaps from previous loads or from a multiproduct load), and because the MSDS uses a trade or chemical name for the product instead of the Department of Transportation (DOT) shipping description.

We acknowledge that in some cases personnel at the scene of an incident need more information than is provided in the ERG. That is precisely why CHEMTREC was established and why DOT recommends a call to CHEMTREC for detailed information and assistance. The information provided by CHEMTREC to the caller includes the essential information extracted from the MSDS, put in consistent terminology and language. Since CHEMTREC synthesizes the best information from a number of similar MSDS's it may receive from several producers of the same product, the responder obtains the best combined information from the individual sheets by calling CHEMTREC. Since CHEMTREC provides detailed, synthesized information, the use of this service should be encouraged rather than seeking to establish a new system that would require the transporter or first responder to cull the information from the MSDS's (which sometimes do not contain sufficient response advice).

In summary, we do not believe that an MSDS is a good or efficient substitute for the ERG. We do believe that the ERG, used in conjunction with the CHEMTREC system, can provide properly trained personnel with necessary information to handle an emergency. CMA is committed to that approach and is actively working to improve the understanding of the emergency response community about the CHEMTREC service.

Comments received in response to the question of whether RSPA should require mandatory placement of the ERG in transportation facilities were mixed. Some commenters expressed support for requiring the ERG in vehicles as well as in transportation facilities. A few commenters thought it was unnecessary to require copies of the ERG in vehicles (see ATA comments quoted herein) or in facilities that handle hazardous materials. These commenters stated that proper utilization of CHEMTREC and well trained emergency response personnel should suffice when responding to emergency situations involving hazardous materials. Some commenters stated that the ERG should only be required in facilities and that requiring the placement of the ERG in each vehicle would be cost-prohibitive and contrary to safety. One of these commenters stated that unless advance instruction on use of the ERG was provided to each driver, the possibility exists that a driver may take improper actions during a hazardous material incident. RSPA intends to address the training of transportation workers in a separate rulemaking.

Most of the comments received regarding the source of acquisition for the ERG stated that the ERG should be available through Government Printing Office Bookstores and commercial suppliers. These commenters also stated that if use of the ERG was required by RSPA, it would take approximately twelve months to acquire ERG's and comply with this requirement.

Most commenters believed that RSPA could require use of the ERG without affecting the necessary revisions which have to be made continually to the guide to keep it current. Two commenters stated that if the ERG becomes a regulatory document, problems may occur revising it because all revisions would have to be accomplished under the purview of the Administrative Procedure Act. This might hamper RSPA's current ability to make timely revisions and amendments to the ERG. Another commenter suggested that

RSPA consider establishing a two-volume ERG. The first volume of the ERG would contain a cross-reference of ID numbers, shipping names and guide numbers, and the second volume would contain the detailed procedures which should be followed during emergencies.

Concerning the number of facilities that would require copies of the ERG if such a requirement were implemented, the ATA stated in their comments that ". . . It would be impossible to identify the exact costs of compliance with a requirement for maintaining ERGs at each transportation facility. The Bureau of Motor Carrier Safety estimates that there are approximately 190,000 motor carriers . . .". ATA estimates that if a copy of the ERG were required in each facility involved in hazardous materials transportation, half of the carriers and many of their terminals would have to purchase the ERG. They stated that the cost to comply with such a requirement could approach one million dollars. ATA opposed RSPA requiring a copy of the ERG in each vehicle.

Several comments were received concerning the NTSB recommendation that particular attention be given to the emergency response problems posed by n.o.s. commodities in transit. For those commodities, more than half of the comments received to this question supported RSPA requiring that the technical name of a material be shown in parentheses on the shipping paper in association with the proper shipping name. Many commenters thought that showing the technical name on shipping papers was better than an MSDS accompanying the shipment. One commenter, who opposed RSPA requiring the technical name be shown on the shipping paper for n.o.s. commodities, stated that imposing such a requirement would result in a significant increase in paperwork burdens and that taking such action could actually decrease the level of safety because it may increase the number of errors and omissions on shipping papers.

II. Proposed Rule

Based on RSPA's review of the comments received to the ANPRM of Docket No. HM-126C and its own initiative, RSPA proposes improved emergency response communication requirements in three general areas. First, RSPA proposes to require that certain emergency response information be available concerning hazardous materials during their transportation. This information must be provided to all persons involved with the hazardous materials during their transportation. As a minimum, a copy of the ERG, or other appropriate guidance, must be maintained which communicates what immediate emergency action should be taken in the event of an incident. RSPA believes that providing this information should increase the level of safety of persons involved in hazardous materials transportation and will enhance emergency response efforts during hazardous material incidents. Second, RSPA is proposing to require that shipping papers for hazardous materials include display of a 24-hour emergency response telephone number. The number provided could be the number of an individual or an organization that is fully cognizant of the hazards of the particular hazardous materials being transported. Under certain conditions, displaying the CHEMTREC number on the shipping paper may satisfy this requirement. Third, RSPA is also proposing that "n.o.s." discriptions on shipping papers for hazardous materials include the technical name of the material in parentheses immediately following the proper shipping name. Currently, a technical name must be shown on the shipping paper immediately following the proper shipping name if (1) the material is being offered for transportation by vessel to any country outside the United States (see § 172.203(i)(2)), (2) the material is a hazardous substance (see § 172.203(c)) or, (3) the material is a poison (see § 172.203(k)). In addition, corresponding markings would be required on all non-bulk packagings.

RSPA believes that each of the proposals for improved identification of materials will enhance emergency response efforts during hazardous material incidents. A discussion of each proposal follows.

A. Emergency Response Information

RSPA proposes to establish a new Subpart G in Part 172. The rules in this Subpart will be entitled "EMERGENCY RESPONSE INFORMATION" and will specify who is required to maintain emergency response information and what type of emergency response information will be required.

Based on the comments RSPA received to the ANPRM, which emphasized how important it is to have first-hand, up-to-date, technical and emergency response information during hazardous material incidents, RSPA is proposing that written emergency response information be maintained in vehicles and facilities by all carriers and other businesses that handle hazardous materials during the course of transportation. During the first few minutes following a hazardous material accident or incident, the presence of information on the hazards of the material and the immediate precautions and actions to be taken could make the difference between a minor and a major event.

B. Telephone Contact for Emergency Response Information

RSPA proposes to include in the new Subpart G to Part 172 a requirement that the person offering hazardous material for transportation provide a twenty-four hour telephone number of a person having detailed knowledge, or having immediate access to a person with detailed knowledge, of the hazardous characteristics of the hazardous material being shipped. This person must have the knowledge and ability to communicate and assist in mitigation of an incident to a much greater degree than could be expected of the immediate information carried in a vehicle or placed in a facility. As proposed, a telephone number such as that of CHEMTREC could be used on the shipping paper to satisfy this requirement if the shipper has previously provided CHEMTREC with information on the properties and hazards of the hazardous materials being shipped. RSPA believes that allowing the use of an alternate telephone number to satisfy the requirement should not detract from the intended purpose of this proposed requirement, since the alternate number provided must also be manned at all times by an individual with detailed knowledge, or having immediate access to a person with detailed knowledge, of the hazard characteristics of the hazardous material being offered for transportation.

C. N.O.S. Descriptions/Generic Descriptions

RSPA also proposes to require that shipping papers for hazardous materials which are described under n.o.s. descriptions include the technical name of the material in parentheses immediately following the proper shipping name. For mixtures which are described under n.o.s. descriptions and which contain two or more hazardous materials, it is proposed to require that shipping papers display the technical names of the two components most predominantly contributing to the hazard or hazards of the mixture. These technical names would have to be shown in parentheses immediately following the proper shipping name. RSPA believes that requiring identification of no more than two components on the shipping paper for materials described under n.o.s.

descriptions will be effective in virtually all transportation incidents and will not be a substantial burden on shippers when compared with the recommendation that each constituent and its percentage of concentration be shown on the shipping paper.

It should be noted that RSPA published an NPRM under Docket HM–181 on May 5, 1987 [52 FR 16482]. In Docket HM–181, RSPA also proposes to require that shipping papers contain the name of the constituent or constituents of the material when an n.o.s. description is used. Readers should note the similarity between what is proposed in this rulemaking regarding display of technical names for materials described under n.o.s. descriptions and what is being proposed for these materials in Docket HM–181. RSPA intends to take action via this rulemaking, due to the subject matter specifically addressed herein.

The hazardous materials tables in §§ 172.101 and 172.102 do not contain the specific names of all hazardous materials. Therefore, many hazardous materials are described on shipping papers under generic or n.o.s. descriptions. Although use of a generic or an n.o.s. description is necessary, for practical reasons, RSPA recognizes that there may be problems during emergencies identifying the composition and special hazards of materials which are shown on the shipping paper under these descriptions. Recognizing this, RSPA believes that requiring the technical name of the material to be shown on the shipping paper for a hazardous material described under an n.o.s. description will improve emergency response communication when a hazardous material incident occurs. RSPA also proposes to require that the technical name of the material be marked on non-bulk packagings which contain hazardous material described under n.o.s. descriptions. Currently, this marking is required on packages of hazardous materials which are offered for transportation by vessel.

III. Relationship to SARA

Relationship to SARA

RSPA believes that use of the emergency response information proposed in this NPRM, in association with shipping paper information presently required, will provide a means for compliance in part with Titles I and III of the Superfund Amendments and Reauthorization Act (SARA) of 1986.

There is no doubt that large numbers of persons in the transportation industry are, or will be, involved in activities subject to section 126 of SARA (Title I) and OSHA implementing regulations found in 29 CFR, Part 1910. Section 1910.1200 of the OSHA interim final rule (51 FR 45654; December 19, 1986) states, inter alia, "This section covers employers and employees engaged in the following operations . . . (v) Emergency response operations for releases of or substantial threats of releases of hazardous substances and post-emergency response operations for such releases." Included in the definition of hazardous substance in the same section is ". . . any substance listed by the U.S. Department of Transportation and regulated as hazardous materials under 49 CFR 172.101 and appendices . . ." It should be noted that OSHA refers to the ERG and CMA's CHEMTREC as resources for the development of emergency response plans in Appendix C to § 1910.120.

The emergency notification requirements of section 304 of SARA Title III apply to transportation, and storage incident to such transportation (e.g. at terminals, warehouses, pier facilities, railyards and sidings, and airport terminals), as well as fixed or stationary facilities that are not (all or in part) transportation facilities. Since the listing of materials subject to section 304 notification requirements is going to be amended to include all hazardous substances presently (and in the future) subject to the HMR, RSPA is not providing a detailed discussion of the materials subject to the notification requirements. Interested persons should review the final rule issued by EPA on April 22, 1987 (52 FR 13391) for this information.

Concerning transportation, and storage incident to transportation, EPA's rule implemneting section 304 of SARA for all facilities (transportation and non-transportation) is quoted from 40 CFR 355.40 (52 FR 13396) in part as follows:

(b) *Notice requirements.* (1) The owner or operator of a facility subject to this section shall immediately notify the community emergency coordinator for the local emergency planning committee of any area likely to be affected by the release and the State emergency response commission of any State likely to be affected by the release. If there is no local emergency planning committee, notification shall be provided under this section to relevant local emergency response personnel.

(2) The notice required under this section shall include the following to the extent known at the time of notice and so long as no delay in notice or emergency response results:

(i) The chemical name or identity of any substance involved in the release.

(ii) An indication of whether the substance is an extremely hazardous substance.

(iii) An estimate of the quantity of any such substance that was released into the environment.

(iv) The time and duration of the release.

(v) The medium or media into which the release occurred.

(vi) Any known or anticipated acute or chronic health risks associated with the emergency and, where appropriate, advice regarding medical attention necessary for exposed individuals.

(vii) Proper precautions to take as a result of the release, including evacuation (unless such information is readily available to the community emergency coordination (sic) pursuant to the emergency plan).

(viii) The name and telephone number of the person or persons to be contacted for further information.

(3) As soon as practicable after a release which requires notice under (b)(1) of this section, such owner or operator shall provide a written follow-up emergency notice (or notices, as more information becomes available) setting forth and updating the information required under paragraph (b)(2) of this section, and including additional information with respect to:

(i) Actions taken to respond to and contain the release.

(ii) Any known or anticipated acute or chronic health risks associated with the release, and,

(iii) Where appropriate, advice regarding medical attention necessary for exposed individuals.

(4) Exceptions. (i) Until April 30, 1988, in lieu of the notice specified in paragraph (b)(2) of this section, any owner or operator of a facility subject to this section from which there is a release of a CERCLA hazardous substance which is not an extremely hazardous substance and has a statutory reportable quantity may provide the same notice required under CERCLA section 103(a) to the local emergency planning committee.

(ii) An owner or operator of a facility from which there is a transportation-related release may meet the requirements of this section by providing the information indicated in paragraph (b)(2) to the 911 operator, or in the absence of a 911 emergency telephone number, to the operator. For purposes of this paragraph, a "transportation-related release" means a release during transportation, or storage incident to transportation if the stored substance is moving under active shipping papers and has not reached the ultimate consignee. [RSPA Note: the 40 CFR 355.20 definition of facility states "For purpose of emergency release notification, the term includes motor vehicles, rolling stock and aircraft." pursuant to SARA Section 329.]

The rules proposed in this NPRM will, if adopted, greatly assist carriers in complying with the notification requirements of section 304 of SARA. While the various information elements proposed herein are not identical to those in section 304 of SARA and the EPA rule quoted above, for all practicable purposes compliance can be achieved taking into account that

several of the SARA reporting elements are qualified to require information based on a person's knowledge at the time of, and following, a release. Some knowledge is required to accomplish the intent of section 304 of SARA (e.g. the chemical name or identity of any substance involved in the release, the names and telephone numbers of persons to be contacted for further information) and some will only be acquired during the notification process (e.g. the time and duration of the release).

Since section 304 of SARA requires notification be made to the "community emergency coordinator", RSPA firmly believes that the approach it is taking in this NPRM will be effective in carrying out the intent of the requirement as it relates to transportation. An alternative would be to require carriage of Material Safety Data Sheets (MSDS) with all shipments, thereby removing the flexibility provided in this proposal. Considering the complex and dynamic nature of our transportation system, such a requirement would not only be extremely burdensome but would likely fail in accomplishing the main purpose of this rulemaking action (i.e., providing immediate emergency response information and quick access to more detailed information), and the main purpose of section 304 of SARA (i.e., reporting). The basis for this view is (1) the divergence of information that may be presented in a MSDS for the same material, which may mislead or confuse transportation workers when they handle the same material for different consignors, (2) the resulting generation of millions of MSDS copies that would be necessary for an estimated 200 million hazardous materials shipments per year raising serious doubt as to their utility in individual cases when really needed, and (3) the fact that MSDS are primarily intended for use in fixed facilities (in association with required training as required by OSHA; 29 CFR 1910.1200(h)). In a fixed facility, an employer may exercise some discretion as to the appropriate MSDS to use when more than one is available for the same material. In addition, while RSPA is not in a position to comment on the difficulties some employers at fixed facilities have experience in providing material-specific training pertaining to the materials consumed, produced or processed in their facilities, it is inconceivable that equivalent training could be provided to transportation workers since it is estimated that more than 30,000 different hazardous materials are offered in commercial quantities for transportation in commerce. For these reasons, in addition to those presented in the CMA comments quoted earlier in this preamble, RSPA is not proposing adoption of the MSDS as the mechanism for immediate emergency response communication.

IV. Burden of Proposal

RSPA is aware of the potential burdens of this proposal and believes there are a number of opportunities available to offset those burdens. For example, primary producers of hazardous materials (and their trade associations) could provide significant assistance to their customers (e.g., distributors) in providing them with the appropriate emergency response information, including identification of a 24-hour telephone number of an organization that has detailed information on a particular material. Carrier associations could assist their members by making the information available in the form of DOT's Emergency Response Guidebook or in any other form suitable for compliance with the proposed requirements.

Another aspect relates to the thousands of small entities that transport single products such as gasoline, propane, ammonia, refrigerant gas, ammonium nitrate fertilizer, and explosives in private motor vehicle transportation. Several years ago, RSPA advised a trade association that a permanent (plastic coated) shipping paper may be carried in propane delivery vehicles to satisfy the requirement for having a shipping paper. RSPA intends to follow this same policy for the emergency response information proposed in this notice (§ 172.602). For example, rather than requiring carriage of DOT's Emergency Response Guidebook, you could satisfy this requirement by displaying a reprint of Guide 22 from DOT's Emergency Response Guidebook on the reverse side of a shipping paper for propane to accomplish compliance with the proposed rule. However, reference to this method of compliance assumes conformance with the requirement to provide telephone numbers, as proposed in § 172.604.

V. Review by Sections

Section 172.203. It is proposed to revise this section by removing paragraph (i)(2) and redesignating paragraph (i)(3) as paragraph (i)(2). Paragraph (i)(3) of this section would be reserved. The requirements of paragraph (i)(2) would be incorporated into a revised paragraph (k) which would require that n.o.s. descriptions and generic descriptions for certain poisonous materials, show the technical name of the hazardous material in parentheses on shipping papers. A new paragraph (m) would be added to this section, incorporating some of the requirements for poisonous materials which previsously appeared in paragraph (k) of this section.

Section 172.301. It is proposed to revise this section by redesignating paragraph (c) as paragraph (d). A new paragraph (c) would be added to this section to require the marking of the technical name of the hazardous material on non-bulk packages which contain hazardous materials described under n.o.s. descriptions and on non-bulk packages of certain poisonous materials described under generic descriptions. In both cases, the technical name would be shown in parentheses, immediately following the proper shipping name.

Section 172.302 This section would be rendered obsolete by the changes proposed for § 172.301. Therefore, this section would be removed and reserved.

Subpart G to Part 172. It is proposed to establish a new Subpart G in Part 172. This Subpart would be entitled "Emergency Response Information" and would contain the following three sections:

Section 172.600. This section would set forth the applicabililty and general requirements for emergency response information. Paragraph (a) contains the applicability of the requirement to provide and maintain emergency response information. Paragraph (b) specifies that emergency response information must be available whenever hazardous materials are present and specifies to whom this information must be provided. Paragraph (c) states that the requirement to have emergency response information does not apply to materials which are excepted from the requirements which pertain to shipping papers.

Section 172.602. Paragraph (a) of this section states the type of emergency response information that must be provided. Paragraph (b) of this section specifies the form of this information and where it must appear. Paragraph (c) of this section specifies who must maintain the emergency response information required by paragraph (a) and where this information must be maintained.

Section 172.604. Paragraph (a) of this section states that an emergency response telephone number must be provided when offering a hazardous material for transportation. This paragraph also specifies the qualifications required of the persons

monitoring the telephone and contains certain exceptions to the requirements of entering a telephone number on the shipping paper. Paragraph (b) of this section states that the telephone number provided in accordance with paragraph (a) of this section must be the number of the person offering the hazardous materials for transportation or the number of an agency or organization capable of, and accepting responsibility for, accomplishing the requirements of this section.

VI. Administrative Notices

A. Paperwork Reduction Act

The information collection requirements contained in this proposal will be submitted to the Office of Management and Budget (OMB) for approval under the provisions of the Paperwork Reduction. Act of 1980 (Pub. L. 96–511).

B. Executive Order 12291

RSPA has determined that this proposed rule does not meet the criteria specified in section 1(b) of the Executive Order 12291 and is therefore, not a major rule or considered to be a "significant" rule under DOT Regulatory Policies and Procedures [44 FR 11034; February 26, 1979]. This proposal does not require a Regulatory Impact Analysis or an environmental impact statement under the National Environmental Policy Act (42 U.S.C. 4321 et seq.). A regulatory evaluation is available for review in the Docket.

C. Impact on Small Entities

Based on limited information concerning size and nature of entities likely affected by this proposed rule, I certify this proposal will not, if promulgated, have a significant economic impact on a substantial number of small entities. This certification is subject to modification after review of comments received in response to this proposal.

List of Subjects in 49 CFR Part 172

Hazardous materials transportation, Shipping papers, Emergency response information.

In consideration of the foregoing, it is proposed to amend Part 172 of Title 49 of the Code of Federal Regulations as follows:

1. The authority citation for Part 172 would be revised to read as follows:

Authority: 49 U.S.C. App. 1803, 1804, 1806, 1808; 49 CFR 1.53(e), 1.53, App. A to Part 1.

2. The title of Part 172 would be revised to read as follows:

PART 172—HAZARDOUS MATERIALS TABLES, HAZARDOUS MATERIALS COMMUNICATIONS REGULATIONS AND EMERGENCY RESPONSE INFORMATION REQUIREMENTS

3. In § 172.203, paragraph (i)(2) would be deleted and paragraph (i)(3) would be redesignated as paragraph (i)(2).

4. In § 172.203, paragraph (k) would be revised and paragraph (m) would be added to read as follows:

§ 172.203 Additional description requirements.

* * * * *

(k) *Technical names for n.o.s. descriptions.* If a material is described on the shipping paper by an n.o.s. description in § 172.101 or § 172.102 of this subchapter, the technical name of the hazardous material must be entered in parentheses immediately following the proper shipping name. For example, "Corrosive liquid, n.o.s. (Caprylyl chloride), UN 1760." In addition to n.o.s. descriptions, the requirements of this section apply to generic entries for poisonous materials which are subject to the requirements of paragraph (m) of the section, and for which the shipping name does not specifically identify the poisonous constituent by technical name. For example: "Motor fuel antiknock compound (tetra-ethyl-lead), Poison B, UN 1649". If the hazardous material is a mixture of two or more hazardous materials, the names of at least two components most predominantly contributing to the hazard or hazards of the mixture most be entered in parentheses. For example, "Flammable liquid, corrosive, n.o.s. (Methanol, Potassium hydroxide), UN 2924." The provisions of this paragraph do not apply—

(1) If the n.o.s. description for the hazardous material (other than a mixture of hazardous materials of different classes meeting the definition of more than one hazard class) contains the name of the chemical element or group which is primarily responsible for the hazardous material being included in the hazard class indicated. For example: "Mercury compound, solid, n.o.s., Poison B, UN 2025"; or

(2) If the n.o.s. description for the hazardous material (which is a mixture of hazardous materials of different classes meeting the definition of more than one hazard class) contains the name of the chemical element or group responsible for the material meeting the definition of one of these classes. In such cases, only the technical name of the component that is not appropriately identified in the n.o.s. description must be entered in parentheses. For example: "Carbamate pesticide, liquid, n.o.s. (contains Xylene), Poison B, UN 2757".

* * * * *

(m) *Poisonous materials.* Notwithstanding the class to which a materials is assigned—

(1) If a liquid or solid material in a package meets the definition of a poison according to this subchapter, and the fact that it is a poison is not disclosed in the shipping name or class entry, the word "Poison" shall be entered on the shipping paper in association with the shipping description.

(2) If the technical name of the compound or principal constituent that causes a material to meet the definition of a poison (according to this subchapter) is not included in the proper shipping name for the material, the technical name shall be entered on the shipping paper in the manner prescribed in paragraph (k) of this section.

(3) If the inhalation toxicity of any material falls within the criteria specified in § 173.3a(b)(2) of this subchapter (subject to definitions and implementation conditions of (c) and (d) of the same section), the words "Poison—Inhalation Hazard" shall be entered on the shipping paper in association with the shipping description. However, the word "Poison" need not be repeated if it is entered as part of the basic description or in conformance with paragraph (m)(1) of this section. This paragraph does not apply to packagings having primary containment units of one liter capacity or less.

5. In § 172.301, paragraph (c) would be redesignated as paragraph (d) and paragraph (c) would be added to this section to read as follows:

§ 172.301 General marking requirements.

* * * * *

(c) *Technical names.* In addition to the marking required by paragraph (a) of this section, for a non-bulk package that contains a hazardous material described under an n.o.s description in § 172.101 or § 172.102 of this subchapter, the technical name of the hazardous material shall be marked in parentheses on the package immediately following the proper shipping name. For example: "Corrosive liquid, n.o.s. (Caprylyl chloride)". In addition to n.o.s. descriptions, the requirements of this section also apply to generic entries for posionous materials when the shipping name does not specifically identify the poisonous constituent by technical name. For example: "Motor fuel antiknock compound (tetra-ethyl-lead)"

If the hazardous material is a mixture of two or more hazardous materials, the technical name of at least two or more hazardous materials, the technical name of at least two components most predominantly contributing to the hazard or hazards of the mixture must be marked in parentheses immediately following the proper shipping name. For example: "Flammable liquid, corrosive, n.o.s. (Methanol, Potassium hydroxide)." The provisions of this paragraph do not apply:

(1) If the "n.o.s." description for the hazardous material (other than a mixture of hazardous materials of different classes meeting the definition of more than one hazard class) contains the name of the chemical element or group which is primarily responsible for the hazardous material being included in the hazard class indicated. For example: "Mercury compound, solid, n.o.s., Poison B."

(2) If the "n.o.s." description for the hazardous material (which is a mixture of hazardous material of different classes meeting the definition of more than one hazard class) contains the name of the chemical element or group responsible for the material meeting the definition of one of these classes. In such cases, only the technical name of the component that is not appropriately identified in the "n.o.s." description must be entered in parentheses. For example: "Carbamate pesticide, liquid, n.o.s. (contains Xylene), Poision B, UN 2757."

* * * * *

§ 172.302 [Removed and Reserved]

6. Section 172.302 would be removed and reserved.

7. A new Subpart G would be added to Part 172 to read as follows:

Subpart G—Emergency Response Information

Sec.

172.600 Applicability and general requirements.
172.602 Immediate emergency response information.
172.604 Emergency response telephone number.

Subpart G—Emergency Response Information

§ 172.600 Applicability and general requirements.

(a) *Applicability.* This subpart prescribes requirements for providing and maintaining emergency response information—

(1) In transport vehicles, aircraft and vessels used for the carriage of hazardous materials; and

(2) In facilities where hazardous materials are loaded for transportation, stored incidental to transportation or otherwise handled during any phase of transportation.

(b) *General.* A person performing any function subject to the provisions of this subchapter—

(1) May not offer, transport, or transfer (or otherwise handle during transportation), a hazardous material unless emergency response information conforming to this subpart is immediately available for use at all times the hazardous material is present; and

(2) Shall make emergency response information required by this subpart immediately available to any person who, in an official capacity, responds to anincident involving the hazarsous material or is conducting an inspection investigation which involves the hazardous material.

(c) *Exceptions.* the requirements of this subpart do not apply to hazardous materials which are excepted from the requirements of this subchapter which pertain to shipping papers.

§ 172.602 Immediate emergency response information.

(a) *Information required.* Emergency response information for a hazardous material must, as a minimum, contain the following information:

(1) The description of the hazardous material required by § 172.202 and 172.203;

(2) Immediate hazards to health;

(3) Risks of fire or explosion;

(4) Immediate precautions to be taken in the event of an accident or incident;

(5) Immediate methods for handling small or large fires;

(6) Initial methods for handling spills or leaks in the absence of fire; and

(7) Preliminary first aid measures.

(b) *Form of information.* The information required for a hazardous material by paragraph (a) of this section must be printed legibly in English, available for use away from the package containing the hazardous material, and—

(1) Presented in a document that includes the basic description of the hazardous material as specified in § 172.101; or

(2) Presented in a document in a manner that permits association of that information with the basic description for the hazardous material on the shipping paper as required by § 172.202, and the shipping paper must be present at all times as part of the emergency response information required by this subpart. The DOT Emergency Response Guidebook may be used in association with the shipping paper to satisfy the requirements of this paragraph.

(c) *Maintenance of information.* Emergency response information shall be maintained as follows:

(1) *Carriers.* Each carrier who transports a hazardous material shall maintain the information specified in paragraph (a) of this section on the transport vehicle, aircraft or vessel in which the hazardous material is loaded. This information must be in a location that is immediately accessible to the vehicle operator or crew in the event of an accident or incident involving the hazardous material.

(2) *Facility operators.* Each operator of a facility where a hazardous material is received, stored or handled during transportation, shall maintain the information required by paragraph (a) of this section whenever the hazardous material is present. This information must be in a location that is immediately accessible to facility personnel in the event of an accident or incident involving the hazardous material.

(d) *Aircraft exception.* ICAO Document 9481–AN/928 entitled "Emergency Response Guidance For Aircraft Incidents Involving Dangerous Goods" (March 1987) may be carried aboard an aircraft in place of the information specified in this section.

§ 172.604 Emergency response telephone number.

(a) A person who offers a hazardous material for transportation must provide a telephone number (including the area code), for use in the event of an emergency involving the hazardous material, as follows:

(1) The telephone number provided must be the number of a telephone which is monitored at all times by a person who has knowledge, or has immediate access to a person with knowledge, of the hazards of the material and the detailed emergency response and accident mitigation information for that material.

(2) The telephone number must be entered on a shipping paper in association with the description of the hazardous material required by Subpart C of this part, except as follows:

(i) If more than one hazardous material is described on a shipping paper and only one emergency response telephone number is used, the telephone number may be entered once on the shipping paper, if it is clearly indicated that the number is for emergency response information (for example: "EMERGENCY CONTACT: ***").

(ii) For a package having a gross weight of 30 kilograms or less, the

telephone number may be displayed on the outside of a package in association with the proper shipping name rather than on the shipping paper.

(b) The telephone number required by paragraph (a) of this section must be the number of the person offering the hazardous material for transportation or the number of an agency or organization capable of, and accepting responsibility for, providing detailed information concerning the hazardous material.

Issued in Washington, DC. on August 14, 1987 under authority delegated in 49 CFR Part 106, Appendix A.

Alan I. Roberts,

Director, Office of Hazardous Materials Transportation.

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August 20, 1987

Part IV

Department of Commerce

National Telecommunications and Information Administration

15 CFR Part 2301

Public Telecommunications Facilities Program; Final Rules

DEPARTMENT OF COMMERCE

National Telecommunications and Information Administration

15 CFR Part 2301

[Docket No. 6084-7100]

Public Telecommunications Facilities Program

AGENCY: National Telecommunications and Information Administration (NTIA), Commerce.

ACTION: Final rules.

SUMMARY: This rule revises and amends the regulations of the Public Telecommunications Facilities Program (PTFP) to simplify the application process. The National Telecommunications and Information Administration (NTIA) also restates its policies with regard to local matching requirements. In 51 FR 43804 published on December 4, 1986, NTIA announced proposed revisions of the rules which govern the PTFP and requested public comment on those revisions. NTIA has reviewed the comments submitted as a result of the Notice and is now responding to the comments and issuing Final Rules.

EFFECTIVE DATE: October 1, 1987.

FOR FURTHER INFORMATION CONTACT: Dennis R. Connors, Acting Director, or Burnham S. Morse, Telecommunications Policy Analyst, (202) 377-1835.

SUPPLEMENTARY INFORMATION: In response to the Notice of Proposed Rulemaking (51 FR 43804, December 4, 1986), NTIA received comments from 12 different organizations.[1] In the Notice, NTIA proposed revisions of the PTFP rules to reduce the burden of application preparation and to clarify the requirements of the application process. The Notice announced a policy to encourage greater Federal/local partnership in the funding of equipment replacement. It expressed also NTIA's opinion that public broadcasters should be encouraged to reduce their dependence on the program in the future. Comments with regard to simplification of the rules and the application process were generally favorable.

Policy Initiatives to Reduce Reliance on PTFP

There were less favorable comments regarding NTIA's announced intention to encourage noncommercial telecommunications entities to reduce their reliance on PTFP funding in future years and some of the specific rules and policies proposed to carry out that intent. The National Association of Public Television Stations and Rocky Mountain Public Radio, in particular, expressed concern that the overall thrust of the Rulemaking would serve to eliminate PTFP or change its purpose.[2] These and other parties stated their view that NTIA was attempting to establish policies in conflict with Congressional mandates. They specifically took issue with NTIA's position that replacement of equipment should be considered an operational expense to be handled at the local level. Several commenting parties cited recent Authorization and Appropriation Report language which noted the need for increased funding for replacement of equipment.[3]

The first PTFP priority remains provision of service to unserved audiences as emphasized by the authorizing legislation.[4] The most recent changes to that legislation emphasized increasing NTIA's flexibility to administer the program by removing the previous directive to expend a specific amount only for extending coverage.[5] That change, however, did not affect the Declaration of Purpose stated in the Communications Act which lists PTFP's purposes as extension of service, increasing the participation of minorities and women, and strengthening the capabilities of existing stations.

The Notice identified some measures which NTIA believed would allow stations to gradually become less dependent on Federal equipment funding. Dependence by any organization on the Federal government for major capital replacement is not desirable because it places the organization in competition with hundreds of other applicants for the ability to carry out what should be a planned and orderly operational process. NTIA had hoped to influence public broadcasters to institute new practices for raising capital, but the comments submitted in response to the Notice indicated that there was potential for unfairness to organizations prohibited by law or regulation from adopting some capital formation methods NTIA might favor. Taken together, we expect the capital formation and matching policies for replacement applications in the Notice of Proposed Rulemaking actually would have allowed a stronger Federal/local partnership to address a greater number of equipment replacement requests in the short-term. NTIA believes the policy encouraging greater levels of match will still help toward that end, but has reconsidered the proposed regulations on capital replacement plans.

Funding of Future Replacements

A number of commenting parties asserted that NTIA's proposed requirement that applicants describe what methods they would use to replace equipment without reliance on PTFP funds was actually a requirement for depreciation accounting.[6] Many of these same comments pointed out the imbalance which could result if some applicant organizations could fully qualify for preference by adopting a depreciation plan and others were prohibited from such measures. Even if those prohibited from using specific depreciation accounting measures were to devise other types of plans, some commenting parties stated the opinion that any plans proposed for implementation more than ten years into the future would be little more than wishful thinking and unreliable for PTFP to use as a criterion for funding decisions.[7]

NTIA does not intend to disadvantage any group of applicants by enacting a specific funding criterion. Accordingly, the Final Rules do not include the language proposed in the Notice which asked applicants to describe the methods which would be used in the future to replace requested equipment without reliance on PTFP funding (§ 2301.5 (d)(2)(viii), now ending at "if less than three years"). The parallel provision in § 2301.13(b) is also eliminated.

NTIA continues to believe that public broadcasters should establish business-like operational methods and should be responsible for capital replacement as a part of normal operations. There is a trend on the part of public and non-

[1] Comments were submitted by the following organizations: Corporation for Public Broadcasting; National Association of Public Television Stations; National Public Radio; National Federation of Community Broadcasters; Southern Educational Communications Association; Rocky Mountain Public Radio; Rocky Mountain Corporation for Public Broadcasting; Kansas Audio-Reader Network; Kentucky Educational Television; South Dakota Public Broadcasting; WBGU-TV, Bowling Green, Ohio; KLVX-TV, Las Vegas, Nevada.

[2] Comments of Rocky Mountain Public Radio, pg. 4; National Association of Public Television Stations, pg. 1.

[3] Comments of National Public Radio, pg. 4; National Association of Public Television Stations, pg. 3; Rocky Mountain Corporation for Public Broadcasting, pp. 4-5; Southern Educational Communications Association, pp. 3-4.

[4] 47 U.S.C. sections 390, 393(b).

[5] Consolidated Omnibus Budget Reconciliation Act of 1985, section 5001, Pub. L. 99-272.

[6] Comments of Southern Educational Communications Association, pg. 5.

[7] Comments of Rocky Mountain Corporation for Public Broadcasting, pg. 3.

profit institutions to recognize that planning for major capital replacement is necessary. NTIA hopes that more flexibility will be allowed to the institutional and state agency-based public broadcasting entities in the future to properly plan for the predictable obsolescence of major equipment.[8]

Policy on Matching Requirements

In the Notice, NTIA announced a policy which does not require any rule change, but which is intended to encourage stations reporting substantial non-Federal revenues to increase the matching percentage in their proposals for replacement of equipment from 25% to 50%. NTIA will then be able to distribute Federal funds more widely and to fund a larger number of applications.

The Notice emphasized that applicants proposing to provide first service to a geographic area encounter considerable ineligible costs, including construction or renovation of buildings or other similar expenses. NTIA, therefore, expects to continue funding projects to extend service at up to 75% of the total project cost. Applicants from small community-licensed stations, or those who can show that a station licensed to a large institution cannot obtain direct or in-kind support from the larger institution, also will not be subject to this preference. Otherwise, a showing of extraordinary need or emergency situation will be taken into consideration as justification for grants of up to 75% of the project cost, but the presumption of 50% funding will be the general rule for replacement applications.

A number of commenting parties were opposed to this policy on the grounds that states with depressed economies or other stations with financial problems would be disadvantaged. South Dakota Public Broadcasting commented that rural broadcasting systems have greater expenses imposed by the need to cover audiences in sparsely populated areas. They stated their belief that NTIA's desire to see higher matching percentages from systems such as state networks would increase the divergence between the well-funded urban systems and the rural systems.[9]

NTIA has clearly stated that the agency will accept showings of extraordinary need (such as regional economic problems in agriculture or other industries) or emergency situations as justification for submission of a replacement funding application with less than a 50% match. Applications for funding up to 75% of a construction project total will be eligible under the PTFP rules.

Some commentors expressed an opinion that this policy contradicts recent Congressional emphasis on funding replacement of equipment at existing stations. NTIA expects that, far from limiting replacement funding or contradicting Congress, the policy will allow NTIA to participate in a greater number of replacement projects. In fiscal year 1986, this policy was applied on an experimental basis in negotiations with possible grantees. The savings experienced from funding some projects at less than 75% of their total cost allowed an additional $6 million to be distributed to other projects. NTIA believes that encouraging greater Federal/local partnership in this way, along with an allowance for hardships and special circumstances as previously announced, is an efficient means of administering the PTFP.

PTFP Priorities

NTIA proposed very limited changes for PTFP's Priorities in the Notice. Some editing for clarification was done and the category of "Other Cases" was changed to "Special Applications."

A number of commenting parties suggested, however, that extensive changes should have been proposed to increase the priority ranking for applications to replace equipment at existing stations. The Corporation for Public Broadcasting (CPB) suggested adoption of different priorities for public TV and public radio stations. For radio, CPB suggested the service to unserved areas should continue as the highest priority, but for television, they suggested that the first priority should be replacement of existing obsolete and worn-out equipment.[10] Other parties objected to the differentiation between essential public broadcasting stations (Priority II) and stations in markets served by several stations (Priority IV).[11]

As long as NTIA continues to receive applications asking for more funds than are appropriated, there will need to be a system to rank, categorize and otherwise differentiate among applications. NTIA believes that the Priorities in the Notice still reflect the basic goals of the legislation authorizing the PTFP.[12] Urgent replacement applications in both Priorities II and IV are funded in every grant cycle, along with requests from most of the other Priorities.

Some parties thought that the language of the "Special Applications" priority did not make clear whether this was a substantial policy change and/or whether greater amounts of funds would now be earmarked for innovative projects.[13] The "Special Applications" category will be used by NTIA to encourage public telecommunications projects which propose innovative methods to provide service effectively and cost-efficiently. This priority will continue to encompass applications which do not fall into the other PTFP Priorities. Contrary to the interpretation given the "Special Applications" description by the comments of KLVX-TV,[14] NTIA does not intend to set aside any funds restricted to use for this priority nor is it expected that any appropriated funds would be either held back or granted more quickly for this priority in comparison with the other priorities. NTIA expects to administer the "Special Applications" in the context of the other established priorities and Congress' stated policy of providing new service.

New Administrative Requirements

The additions to the rules required by the Department of Commerce (DOC) Departmental Administrative Order regarding grant administration (DAO 203-26) were of concern to commenting parties, particularly the Corporation for Public Broadcasting and National Federation of Community Broadcasters. Both those organizations expressed a concern that the Name Check and Credit Check rules could result in undue governmental intrusion on the public broadcasting stations.[15]

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[8] As a corollary to the concern over future funding of replacement both Rocky Mountain Public Radio, Inc., and the Rocky Mountain Corporation for Public Broadcasting requested a revision of the definition of "operational costs" in the PTFP rules at § 2301.1 to exclude both capital outlay and debt service from the definition. NTIA did not make any change in the definition of "operational costs" as part of the Notice. The definition is identical to the wording in effect since 1984. The use of this definition historically has been to clarify the portion of the rules which lists costs ineligible for Federal funding and specifically denotes as ineligible: "Salaries of personnel employed by an operating public telecommunications entity and other operational costs . . ." 15 CFR 2301.24(b)(3) (1986). No new meaning is intended by NTIA.

[9] Comments of South Dakota Public Broadcasting, pg. 1.

[10] Comments of the Corporation for Public Broadcasting, pp. 2-5.

[11] Comments of National Association of Public Television Stations, pg. 4.

[12] 47 U.S.C. 390, 393(b).

[13] Comments of National Public Radio, pg. 7; KLVX-TV, Las Vegas, Nevada, pg. 2.

[14] Comments of KLVX-TV, Las Vegas, NV, pg. 2.

[15] Comments of the Corporation for Public Broadcasting, pp. 5-6; National Federation of Community Broadcasters, pg. 3.

Much of the concern centered on which individuals would be the subject of Name Check investigations. NTIA wishes to clarify that the only categories of PTFP applicants to whom the Name Check and Credit Check rules apply are non-profit organizations and private colleges.

They are not required of State and local governmental officials, state university officials, members of Indian tribal governments, and municipal officials.[16] Within an organization, the Name Checks apply to those who could exercise control over the expenditure of PTFP funds or the local funds used to match the grant. These individuals are usually the officers, the executive director/general manager and/or station manager (project manager), and the chief financial officer.[17] The returned forms are handled with the utmost confidentiality by the DOC. The DOC believes that it is important to safeguard the Federal funds granted by obtaining background information on any individuals who may directly handle those funds. No intrusion into the operations of the station is contemplated or expected under Departmental rules.

Several commenting parties, including National Public Radio and Rocky Mountain Public Radio, asked for clarification of the DOC rule whereby organizations with outstanding debts to any agency of the Department of Commerce will not be able to receive PTFP grants until the debt is paid or arrangements to repay, which are satisfactory to the Department, are made, even if some other sub-unit of the organization is responsible for the debt and the debt is to a program other than the PTFP.[18] Some questioned whether grants could be offered, but funds not released, while an outstanding debt is cleared up.

To clarify, the rule means that no grant will be offered to a PTFP applicant while there is an unresolved debt situation, even one with another sub-unit of the institution.[19] NTIA will endeavor to notify any applicants whose institutions appear on the DOC Accounts Receivable list early in the grant cycle. Those applicants should investigate the debt situation within their own organization. NTIA cannot become involved with the resolution of the problem within DOC if it is not related to a PTFP grant, but the applicant may have recourse within its organization. NTIA processing of the application will continue in the normal manner, however, it is possible that an organization could be placed on the list a week or even a few days before grant award decisions are finalized. In such situations, NTIA would be unable to make a grant offer to the affected institution, even if prior notice was not given to the applicant. Because the list is out of the control of NTIA, applicants must realize that NTIA's ability to provide any assistance is extremely limited. If the applicant sub-unit is not able to persuade its institution to settle the matter before PTFP is ready to award grants, PTFP will be unable to make a grant offer to the applicant.

Editing and Reorganization of the Rules

The general reaction to NTIA's editing of the rules for simplification was positive. The idea of flexibility in determining the specifics of the ineligible equipment list from year to year was viewed as appropriate given the rapidly changing nature of broadcast technology. National Public Radio, however, commented that removing both the ineligible equipment list and the administrative procedures from the rules deprived applicants of a convenient method to obtain all information about the program, and recommended that the sections be retained.[20] Both Rocky Mountain Public Radio and the Rocky Mountain Corporation for Public Broadcasting suggested that NTIA set up specific consultation mechanisms in the development of the list or independent evaluation of the list.[21]

NTIA regularly consults with the national public broadcasting organizations about many aspects of the program. PTFP management and engineering personnel attend both public broadcasting engineering meetings and meetings of a variety of professional societies and technical organizations to stay abreast of the changes in technology. The agency always welcomes suggestions to improve the program and will fully discuss any ideas presented with those making the suggestion. However, NTIA does not feel the limited changes which are expected to be made in the ineligible equipment list from one year to the next warrant a complex or permanent advisory or review structure.

The portion of the Notice which explained that eligibility for replacement funding was limited to "existing broadcast stations" brought a response which noted that many stations combine broadcast and non-broadcast operations together to perform their service to the community.[22] The Kansas Audio-Reader Network noted that they and other radio reading services have traditionally received PTFP grants for both SCA receivers and broadcast equipment.[23] NTIA intends to continue to provide radio reading services with the types of funding they have received in the past. This is consistent with precedents established since 1981 and will not result in an expansion of the applicant pool.

Public Notice Requirement

Most commenting organizations applauded the removal of a separate PTFP public notice requirement as part of the general simplification of the application process, but the National Federation of Community Broadcasters recommended the retention of the public notice. They were concerned that the local population would otherwise not know what was being proposed for their area and they asserted that the FCC is lax in their enforcement of FCC public notice requirements.[24]

The final rules continue to rely on the Notice of Acceptance for Filing published by NTIA as legally sufficient notice. The reduction of burden on individual applicants was a principal aim of this rulemaking and this was one concrete proposal enabling that reduction.

Under Executive Order (E.O.) 12291, the Department must determine whether a regulation is a "major" rule within the meaning of section 1 of E.O. 12291 and therefore subject to the requirement that a Regulatory Impact Analysis be performed. This regulation is not a major rule because it is not "likely to result in: (1) An annual effect on the economy of $100 million or more; (2) a major increase in costs or prices for consumers, individual industries . . .; or (3) significant adverse effects on competition, employment, investment, productivity or innovation. . . ." Therefore, preparation of a Regulatory Impact Analysis is not required.

The Regulatory Flexibility Act (5 U.S.C. 601–611) does not apply to these rules, because, as explained above, the rules were not required to be

[16] DAO 203–26, Section 6.04c.

[17] DAO 203–26, Section 6.04(c).

[18] Comments of National Public Radio, pp. 8–9; Rocky Mountain Public Radio, pg. 2; Rocky Mountain Corporation for Public Broadcasting, pg. 2.

[19] DAO 203–26, Section 7.06d.2.

[20] Comments of National Public Radio, pg. 7.

[21] Comments of Rocky Mountain Public Radio, pp. 2–3; Rocky Mountain Corporation for Public Broadcasting, pg. 3.

[22] Comments of Rocky Mountain Corporation for Public Broadcasting, pg. 3.

[23] Comments of Kansas Audio-Reader Network, pg. 2.

[24] Comments of National Federation of Community Broadcasters, pg. 2.

promulgated as proposed rules before issuance as final rules by section 553 of the Administrative Procedures Act (5 U.S.C. 553) or by any other law. Neither an initial nor final Regulatory Flexibility Analysis was prepared.

This rule contains a collection of information requirement subject to the Paperwork Reduction Act. A request to collect this information has been submitted to the Office of Management and Budget for review under section 3504(h) of the Paperwork Reduction Act (44 U.S.C. 3504(h)). Comments from the public on the collection of information requirement contained in this rule should be addressed to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20530, Attention Desk Officer for NTIA.

List of Subjects in 15 CFR Part 2301

Administrative procedure, Grant programs—communications, telecommunications.

(Catalog of Federal Domestic Assistance Number: 11.550)

Alfred C. Sikes,

Administrator.

For the reasons set out in the preamble, Title 15, Chapter XXIII, Part 2301 of the Code of Federal Regulations is revised as set forth below:

PART 2301—PUBLIC TELECOMMUNICATIONS FACILITIES PROGRAM

Subpart A—Definitions, Program Purposes and Special Consideration

Sec.

2301.1 Definitions.
2301.2 Program purposes.
2301.3 Special consideration.

Subpart B—Eligibility and Application Procedures

2301.4 Eligible organizations and projects.
2301.5 Application procedures.
2301.6 Amendments to applications.
2301.7 Service of applications.
2301.8 Federal Communications Commission authorization.
2301.9 Acceptance for filing.
2301.10 Appeals.
2301.11 Public comments.
2301.12 Coordination with interested agencies and organizations.
2301.13 Funding criteria for construction applications.
2301.14 Funding criteria for planning applications.
2301.15 Action on all applications.

Subpart C—Federal Financial Participation

2301.16 Amount of the Federal grant.
2301.17 Items and costs ineligible for Federal funding.
2301.18 Waiver.

Subparts D–F—[Reserved]

Appendix to Part 2301—Priorities

Authority: Public Telecommunications Financing Act of 1978, Pub. L. 95–567, 92 Stat. 2405, codified at 47 U.S.C. 390–394, 397–399b; and the Public Broadcasting Amendments Act of 1981, Pub. L. 97–35, 95 Stat. 725, and the Consolidated Omnibus Budget Reconciliation Act of 1985, Pub. L. 99–272, section 5001, 100 Stat. 82, 117 (1986).

Subpart A—Definitions, Program Purposes and Special Consideration

§ 2301.1 Definitions.

"Act" means Part IV of Title III of the Communications Act of 1934, 47 U.S.C. 390–394 and 397–399b, as amended.

"Administrator" means the Assistant Secretary for Communications and Information of the United States Department of Commerce.

"Agency" means the National Telecommunications and Information Administration of the United States Department of Commerce.

"Broadcast" means the distribution of electronic signals to the public at large using television (VHF or UHF) or radio (AM or FM) technologies.

"Construction" (as applied to public telecommunications facilities) means acquisition (including acquisition by lease), installation, and improvement of public telecommunications facilities and preparatory steps incidental to any such acquisition, installation or improvement.

"FCC" means the Federal Communications Commission.

"Federal interest period" means the period of time during which the Federal Government retains a reversionary interest in all facilities constructed with Federal grant funds. This period begins with the purchase of the facilities and continues for ten (10) years after the official completion date of the project.

"Nonbroadcast" means the distribution of electronic signals by a means other than broadcast technologies. Examples of nonbroadcast are ITFS, teletext, and cable.

"Noncommercial educational broadcast station" or a "public broadcast station" means a television or radio broadcast station which is eligible to be licensed by the FCC as a noncommercial educational radio or television broadcast station and which is owned (controlled) and operated by a state, a political or special purpose subdivision of a state, public agency or nonprofit private foundation, corporation, institution, or association, or owned (controlled) and operated by a municipality and transmits only noncommercial educational, cultural or instructional programs.

"Noncommercial telecommunications entity" means any enterprise which is owned (controlled) and operated by a state, a political or special purpose subdivision of a state, a public agency, or a nonprofit private foundation, corporation, institution, or association; and which has been organized primarily for the purpose of disseminating audio or video noncommercial educational, cultural or instructional programs to the public by means other than a primary television or radio broadcast station, including, but not limited to, coaxial cable, optical fiber, broadcast translators, cassettes, discs, satellite, microwave or laser transmission.

"Non-Federal financial support" means the total value of cash and the fair market value of property and services received—

(a) As gifts, grants, bequests, donations, or other contributions for the construction or operation of noncommercial educational broadcast stations, or for the production, acquisition, distribution, or dissemination of educational, cultural or instructional television or radio programs, and related activities, from any source other than (1) the United States or any agency or instrumentality of the United States; or (2) any public broadcasting entity; or

(b) As gifts, grants, donations, contributions, or payments from any State, or any educational institution, for the construction or operation of noncommercial educational broadcast stations or for the production, acquisition, distribution, or dissemination of educational, cultural or instructional television or radio programs, or payments in exchange for services or materials with respect to the provision of educational, cultural or instructional television or radio programs.

"Nonprofit" (as applied to any foundation, corporation, institution or association) means a foundation, corporation, institution, or association, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

"Operational cost" means those approved costs incurred in the operation of an entity or station such as overhead labor, material, contracted services (such as building or equipment maintenance), including capital outlay and debt service.

"Preoperational expenses" means all nonconstruction costs incurred by new public telecommunications entities before the date on which they began providing service to the public, and all

nonconstruction costs associated with the expansion of existing stations before the date on which such expanded capacity is activated, except that such expenses shall not include any portion of the salaries of any personnel employed by an operating public telecommunications entity.

"PTFP" means the Public Telecommunications Facilities Program, which is administered by the Agency.

"PTFP Director" means the Agency employee who recommends final action on public telecommunications facilities applications and grants to the Administrator.

"Public telecommunications facilities" means apparatus necessary for production, interconnection, captioning, broadcast, or other distribution of programming, including but not limited to studio equipment, cameras, microphones, audio and video storage or processors and switchers, terminal equipment, towers, antennas, transmitters, remote control equipment, transmission line, translators, microwave equipment, mobile equipment, satellite communications equipment, instructional television fixed service equipment, subsidiary communications authorization transmitting and receiving equipment, cable television equipment, optical fiber communications equipment and other means of transmitting, emitting, storing, and receiving images and sounds or information, except that such term does not include the buildings to house such apparatus (other than small equipment shelters which are part of satellite earth stations, translators, microwave interconnection facilities, and similar facilities).

"Public telecommunications services" means noncommercial educational and cultural radio and television programs, and related noncommercial instructional or informational material that may be transmitted by means of electronic communications. It does not include essentially sectarian programming.

"Sectarian" means that which has the purpose or function of advancing or propagating a religious belief.

"State" includes each of the fifty states, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and the Trust Territory of the Pacific Islands.

"System of public telecommunications entities" means any combination of public telecommunications entities acting cooperatively to produce, acquire or distribute programs, or to undertake related activities.

§ 2301.2 Program purposes.

(a) The Agency's determination to fund an application and the amount of the grant awarded shall be governed by whether the application will, in the following order of priority, result in:

(1) The establishment of new public telecommunications facilities to extend services to areas not currently receiving such services;

(2) The expansion of the service areas of existing public telecommunications entities; or,

(3) The improvement of the capabilities of existing licensed public broadcasting stations to provide public telecommunications services.

(b) Notwithstanding paragraph (a) of this section, the Agency may award a grant to an applicant which is otherwise eligible for funding, but whose proposal does not specifically meet any of the purposes enumerated above. Such grant, however, must fulfill the overall objectives of the Act.

§ 2301.3 Special consideration.

In accordance with section 392(f) of the Act, the Agency will give special consideration to applications which foster ownership or control of, operation of, and participation in public telecommunications entities by minorities and women. The Agency interprets "ownership" and "owned" as meaning control of an entity through the possession or exercise of the normal incidents of ownership, such as participation on the governing board or holding corporate offices. The Agency will accord special consideration only where women and/or minorities hold more than fifty (50) percent control of the applicant. The Agency will consider the composition of the applicant's governing body, management levels, or policy-making positions.

Subpart B—Eligibility and Application Procedures

§ 2301.4 Eligible organizations and projects.

(a) *Eligible applicants (Construction Grants).* In order to apply for and receive a PTFP Construction Grant, an applicant must be:

(1) A public or noncommercial educational broadcast station;

(2) A noncommercial telecommunications entity;

(3) A system of public telecommunications entities;

(4) A nonprofit foundation, corporation, institution, or association organized primarily for educational or cultural purposes; or,

(5) A state or local government or agency, or a political or special purpose subdivision of a state.

(b) *Eligible applicants (Planning Grants).* In order to apply for and receive a PTFP Planning Grant, an applicant must be:

(1) Any of the organizations described in paragraph (a) of this section; or,

(2) A nonprofit foundation, corporation, institution, or association organized for any purpose except primarily religious.

(c) *Eligible projects.* An applicant which is eligible under paragraph (a) or (b) of this section may file an application with the Agency for a planning or construction grant to achieve the following:

(1) The provision of new public telecommunications facilities to extend service to areas currently not receiving public telecommunications services;

(2) The expansion of the service areas of existing public telecommunications entities;

(3) The establishment of new public telecommunications entities serving areas currently receiving public telecommunications services; or,

(4) The improvement of the capabilities of existing licensed public broadcast stations to provide public telecommunications services.

(d) An applicant with outstanding accounts receivable with any agency of the Department of Commerce will not receive a PTFP grant until the debt is paid or arrangements to repay, which are satisfactory to the Department, are made. This includes debts incurred by sub-units of an organization other than the sub-unit which is applying to the PTFP, and includes debts owed to any agency of the Department of Commerce, not just the PTFP.

(e) An applicant whose proposal requires an authorization from the FCC must be eligible to receive such authorization.

(f) *Preliminary determination of eligibility.* In order to obtain a preliminary determination of applicant or proposal eligibility, a prospective applicant must send a letter requesting such determination to the Agency.

(1) The request letter should be addressed to: PTFP Director, NTIA/DOC, 14th and Constitution Avenue, NW., Room 4625, Washington, DC 20230.

(2) In the request letter the prospective applicant must:

(i) Describe the proposed project;

(ii) Include a copy of the organization's articles of incorporation and by-laws, or other similar documentation, which specifies the nature and powers of the prospective

applicant (unless the prospective applicant has received a PTFP grant within the last ten (10) years, in which case only a copy of the most recent Annual Report or Quarterly Progress Report and any changes in the articles of incorporation and by-laws since the last grant must be provided); and,

(iii) If the prospective applicant is a nonprofit foundation, corporation, institution, or association which has not received a PTFP grant within the previous ten (10) years, provide a copy of a letter from the Internal Revenue Service granting the prospective applicant tax exempt status under section 501(c)(3) of the Internal Revenue Code, or other legal documentation of nonprofit status.

(3) A favorable preliminary determination of eligibility does not guarantee that the Agency will accept a future application for filing or award a subsequent grant.

(4) A prospective applicant may appeal an unfavorable preliminary determination of eligibility to the Administrator under § 2301.10.

§ 2301.5 Application procedures.

(a) *Address.* The following address should be used for all communications with the Agency: Public Telecommunications Facilities Program, NTIA/DOC, 14th and Constitution Avenue, NW., Room 4625, Washington, DC 20230.

(b) Application materials may be obtained from the address listed in paragraph (a) of this section.

(c) *Closing date.* The Administrator shall select and publish in the Federal Register a date by which applications for funding in a current fiscal year are to be filed.

(d) *New applications.* (1) All applications, whether mailed or hand delivered, must be received by the Agency at the address listed in paragraph (a) of this section at or before 5:00 p.m. by

(2) A complete application must include an original and one copy of the Agency application form with the signature of an officer of the applicant, who is legally authorized to sign for the applicant, and all the information required by the Agency application materials, which shall include:

(i) A brief narrative statement (of not more than four (4) pages) describing the proposed project with particular attention to satisfying the funding criteria listed in §§ 2301.13 and 2301.14 of these rules;

(ii) If the applicant has not received a PTFP grant within the past ten (10) years, a copy of the applicant's articles of incorporation, by-laws, board of directors, and other similar documentation specifying the nature and powers of the applicant, except that state or local government entities need only provide a reference to the statutory or other authority under which they operate;

(iii) If the applicant is a nonprofit foundation, corporation, institution or association which has not received a PTFP grant within the previous ten (10) years, a copy of a letter from the Internal Revenue Service granting the applicant tax exempt status under section 501(c)(3) of the Internal Revenue Code, or other legal documentation of nonprofit status.

(iv) If the applicant received a PTFP grant within the previous ten (10) years, then it must reference the number of the previous grant, provide a copy of the most recent Annual Report or Quarterly Progress Report submitted to the PTFP, and submit a copy of any changes in the applicant's articles of incorporation or by-laws which have taken effect since the last grant was awarded;

(v) If the applicant applied for a preliminary determination of eligibility and received a positive determination, it may submit a copy of the official notification from the PTFP in lieu of the eligibility requirements of this section;

(vi) Documentation that the applicant will have, when needed, the funds to match any grant the Agency may provide;

(vii) Documentation that the applicant will have the funds necessary to operate and maintain those facilities once constructed.

(viii) Documentation of the amount of Federal and non-Federal financial support received by the applicant organization during each of the preceding three fiscal years or for the length of time the organization has been in existence if less than three years;

(ix) An opinion letter from the applicant's attorney stating that the applicant will have free simple title or a long-term lease (*e.g.*, a ten-year lease) or an option to obtain the same to any real or personal property necessary for the installation of major fixed equipment (such as a broadcast transmitter or tower);

(x) An inventory of all equipment (if any) currently owned by the applicant which corresponds to the type of equipment requested in the current application or which would be closely associated with the proposed project. The inventory should include manufacturers' names, model numbers, production years, and the dates of acquisition;

(xi) Within the narrative or as an optional exhibit no longer than two pages, a five-year plan outlining the applicant's projected facilities requirements and the projected costs of such requirements;

(xii) If special consideration is requested under § 2301.3, information detailing the basis for the request on the exhibit form provided by the Agency;

(xiii) Copies of letters transmitting a copy of the application to each of the entities required under § 2301.7;

(xiv) Significant documentation supporting the applicant's request for equipment, including as necessary the proper FCC authorization(s) cited in §§ 2301.8 and 2301.9, and if applicable, documentation indicating high incidence of repair or periods of inoperability;

(xv) Evidence that the applicant has participated (or, in the case of a planning grant, will participate) in comprehensive planning for the proposed project, including community involvement, an evaluation of alternate technologies and coordination with state telecommunications agencies, if any;

(xvi) Assurance that during the period in which the applicant possesses or uses the Federally funded facilities (whether or not this period extends beyond the Federal interest period), the applicant will not use or allow the use of the Federally funded equipment for essentially sectarian purposes;

(xvii) A detailed explanation of any complaints of discrimination currently pending or decided against the applicant before any court or governmental agency; and,

(xviii) A copy of any Environmental Impact Statement or other environmental assessment document prepared in conjunction with the proposed project as may be required by any Federal, state, or local law or regulation.

(xix) Assurance of compliance with all applicable Federal laws, rules or regulations relating to the project, as described on the application form provided by the Agency.

(e) *Deferred applicant.* (1) An applicant may reactivate an application deferred by the Agency during the prior year under § 2301.15, if the applicant has not substantially changed the stated purpose of the application.

(2) To reactivate a deferred application, the applicant must file the information described below, whether mailed or hand delivered, at or before 5:00 p.m. by the closing date.

(3) To file a complete reactivation request, the applicant must submit an original and one copy of the following:

(i) Sections I, II, and IV of Part I of the approved Agency application form with the original signature of an officer of the

applicant, who is legally authorized to sign for the applicant, with a notation of the file number of the earlier application;

(ii) A brief narrative statement (not more than four (4) pages) describing the project proposed in the current application;

(iii) An update of availability of operating funds and the necessary non-Federal share of the project;

(iv) An update of the financial information required by paragraph (d)(viii) of this section;

(v) A revised listing of current eligible project costs, if necessary;

(vi) A revised inventory as described in paragraph (d)(x) of this section. Applicants having previously submitted an inventory need only submit updated information;

(vii) A revised five-year plan as described in paragraph (d)(xi) of this section outlining the applicant's projected facilities requirements and the projected costs of such requirements;

(viii) If special consideration is requested under § 2301.3, current information detailing the basis for the request on the exhibit form provided by the Agency;

(ix) Copies of letters transmitting a copy of the current application to each of the entities required under § 2301.7;

(x) An updated explanation of any complaints of discrimination currently pending or decided against the applicant before any court or governmental agency; and,

(xi) Assurance of compliance with all applicable Federal laws, rules or regulations relating to the project, as described on the application form provided by the Agency.

(f) Deferred applications which are resubmitted under paragraph (e) of this section and contain substantial changes will be considered as new applications and must comply with the requirements of § 2301.5(d). All deferred applications may be subject to a second determination of eligibility.

(g) *Additional information.* (1) The Agency may request from the applicant any additional information which the Agency deems necessary or pertinent.

(2) Potential grant recipients may be subject to the following Department of Commerce Pre-Award Administrative Requirements and Policies:

(i) Name Check forms (Form CD–346) may be used to ascertain background information on key individuals associated with potential grantees. The Name Check requests information to determine if any key individuals in the organization have been convicted of, or are under indictment or have been charged with criminal offenses such as fraud, theft, perjury, or other matters pertinent to management honesty or financial integrity;

(ii) Potential grantee organizations may also be subject to reviews of Dun and Bradstreet data or other similar credit checks.

(3) Applicants must promptly provide any additional information which the Agency requests as being necessary or pertinent.

§ 2301.6 Amendments to applications.

(a) An applicant which has filed a timely and complete application or a request seeking reactivation of a deferred application may submit minor changes to its application or submit additional information at any time up to 45 calendar days after the closing date.

(b) To make minor changes to its application, an applicant must submit an original and one copy of the following to the address listed in § 2301.5(a):

(1) A letter describing in detail the information or documentation which the applicant is changing or adding to its application;

(2) Any new material or altered material; and,

(3) A certification that it has filed a copy of the change(s) with each of the entities required under § 2301.7.

(c) Applicants may not submit substantial amendments to their applications after the closing date. Substantial amendments are any which change the applicant or substantially alter the nature or scope of the proposed project.

§ 2301.7 Service of applications.

(a) On or before the closing date all new or deferred applicants must serve a copy of the application on the following agencies:

(1) In the case of an application for a construction grant for which FCC authorization is necessary, the Secretary, Federal Communications Commission, 1919 M Street, NW., Washington, DC 20554;

(2) The state or local agency(-ies), if any, having jurisdiction over the development of broadcast and/or nonbroadcast telecommunications in the state(s) and the community(-ies) to be served by the proposed project; and,

(3) The state office established to review applications under Executive Order 12372 as amended by Executive Order 12416, if the state has established such an office and wishes to review these applications.

(b) Those amending applications under § 2301.6 must serve a copy of the amendment on all relevant agencies as listed in paragraph (a) of this section.

§ 2301.8 Federal Communications Commission authorization.

(a) Each applicant whose project requires FCC authorization must file an application for that authorization on or before the closing date. Recommended submission date for applications to the FCC is at least 60 days prior to the closing date. The applicant should clearly identify itself as a PTFP applicant.

(b) Any FCC authorization required for the project must be in the name of the applicant for the PTFP grant.

(c) If the project is to be associated with an existing station, FCC operating authority for that station must be current and valid.

(d) For any project requiring new authorization(s) from the FCC, the applicant must file a copy of each FCC application and any amendments with the Agency.

(e) If the applicant fails to file the required FCC application(s) by the closing date, or if the FCC returns, dismisses, or denies an application required for the project or any part thereof, or for the operation of the station with which the project is associated, the Agency may return the application.

(f) No grant will be awarded until confirmation has been received from the FCC that any necessary authorization will be issued.

§ 2301.9 Acceptance for filing.

After the closing date, the Agency will examine each application for timeliness, completeness, eligibility, and FCC authorization.

(a) The Agency will publish a notice in the **Federal Register** listing all applications accepted for filing. Acceptance of an application for filing does not preclude subsequent return or disapproval of the application, nor does it assure that the application will be funded. Publication merely operates to qualify the application to compete for funding with other applications accepted for filing.

(b) The notice of acceptance for filing will also include a request for comments on the applications from any interested party. The procedural requirements of § 2301.11 will be set forth in the notice.

(c) Incomplete applications will be returned by the Agency.

(d) Any application, substantial amendment to an application, or request to reactivate a deferred application which is filed after the closing date will be returned by the Agency.

(e) When the Agency finds that either the applicant or the project is ineligible under the Act and/or these Rules, it will

return the application and inform the applicant of the denial of eligibility.

(f) If the Agency finds that a proposed project requires authorization from the FCC and that the applicant did not tender its application for such authorization, the Agency will return the application.

§ 2301.10 Appeals.

(a) Within 15 calendar days after the date on which the Agency sends a written notice to an applicant denying the eligibility of the applicant or the proposed project, or notifying an applicant that its application is incomplete, the applicant may file a written notice of appeal with the Administrator at the address listed in § 2301.5(a). Applicants may not appeal the return of applications filed after the closing date.

(b) The notice of appeal must show that the denial of eligibility or determination of incompleteness is factually or legally incorrect. If the applicant relies on any written documents or other materials to dispute the Agency's action, the applicant should list and attach a copy of each item or indicate that the Agency has a copy of the item in its possession.

(c) Upon receipt of the notice of appeal, the Administrator will review the appeal in consultation with the Chief Counsel and the PTFP Director and will render a written decision within 30 calendar days.

(d) If the Administrator sustains the denial of eligibility or the determination of incompleteness, the Agency will return the application to the applicant.

(e) All decisions of the Administrator made under paragraph (c) of this section are final.

§ 2301.11 Public comments.

(a) Any interested party may file comments with the Agency supporting or opposing an application and setting forth the grounds for support or opposition. Such comments must contain a certification that a copy of the comments has been delivered to the applicant. Comments must be sent to the address listed in § 2301.5(a).

(b) The Agency will incorporate all comments from the public and any replies from the applicant in the applicant's official file.

§ 2301.12 Coordination with interested agencies and organizations.

In acting on applications and carrying out other responsibilities under the Act, the Agency shall consult with:

(a) The FCC, with respect to functions which are of interest to, or affect other functions of the FCC;

(b) The Corporation for Public Broadcasting, public broadcasting agencies, organizations, other agencies, and institutions administering programs which may be coordinated effectively with Federal assistance provided under the Act; and,

(c) The state office established to review applications under Executive Order 12372 as amended by Executive Order 12416, if the state has established such an office and wishes to review these applications.

§ 2301.13 Funding criteria for construction applications.

In determining whether to approve or defer a construction grant application, in whole or in part, and the amount of such grant, the Agency will evaluate all the information in the application file and consider, in no order of priority, the following factors:

(a) The extent to which the project meets the program purposes set forth in § 2301.2 as well as the specific program priorities set forth in the Appendix of these Rules;

(b) The adequacy and continuity of financial resources for long-term operational support;

(c) The extent to which non-Federal funds will be used to meet the total cost of the project;

(d) The extent to which the applicant has:

(1) Assessed specific educational, informational, and cultural needs of the community(-ies) to be served, and the extent to which the proposed service will not duplicate service already available;

(2) Evaluated alternative technologies and the bases upon which the technology was selected;

(3) Provided significant documentation of its equipment requirements, and the urgency of acquisition or replacement;

(4) Provided documentation of an increasing pattern of substantial non-Federal financial support;

(5) Provided other evidence of community support, such as letters from elected or appointed policy-making officials, and from agencies for whom the applicant produces or will produce programs or other materials;

(e) The extent to which the evidence supplied in the application reasonably assures an increase in public telecommunications services and facilities available to, operated by, and owned or controlled by minorities and women;

(f) The extent to which various items of eligible apparatus proposed are necessary to, and capable of, achieving the objectives of the project and will permit the most efficient use of the grant funds;

(g) The extent to which the eligible equipment requested meets current broadcast industry performance standards;

(h) The extent to which the applicant will have available sufficient qualified staff to operate and maintain the facility and provide services of professional quality;

(i) The extent to which the applicant has planned and coordinated the proposed services with other telecommunications entities in the service area;

(j) The extent to which the project implements local, statewide or regional public telecommunications systems plans, if any; and,

(k) The readiness of the FCC to grant any necessary authorization.

§ 2301.14 Funding criteria for planning applications.

In determining whether to approve or defer a planning grant application, in whole or in part, and the amount of such grant, the Agency will evaluate all the information in the application file and consider, in no order of priority, the following factors:

(a) The extent to which the applicant's interests and purposes are consistent with the purposes of the Act and the priorities of the Agency;

(b) The qualifications of the proposed project planner;

(c) The extent to which the project's proposed procedural design assures that the applicant would adequately:

(1) Obtain financial, human and support resources necessary to conduct the plan;

(2) Coordinate with other telecommunications entities at the local, state, regional and national levels;

(3) Evaluate alternative technologies and existing services; and

(4) Receive participation by the public to be served (and by minorities and women in particular) in the project planning;

(d) Any pre-planning studies conducted by the applicant showing the technical feasibility of the proposed planning project (such as the availability of a frequency assignment, if necessary, for the project); and,

(e) The feasibility of the proposed procedure and timetable for achieving the expected results.

§ 2301.15 Action on all applications.

(a) After consideration of an application which the Agency has accepted for filing, any comments filed by interested parties and replies thereto,

and any other relevant information, the Agency will take one of the following actions:

(1) Select the application for funding, in whole or in part;

(2) Defer the application for subsequent consideration; or,

(3) Return the application as ineligible pursuant to § 2301.9 with a notice of the grounds and reasons.

(b) Upon the approval or deferral, in whole or in part, of an application, the Agency will inform:

(1) The applicant;

(2) Each state educational television, radio, or telecommunications agency, if any, in any state any part of which lies within the service area of the applicant's facility;

(3) The FCC; and,

(4) The Corporation for Public Broadcasting and, as appropriate, other public telecommunications entities.

(c) If the Agency decides to fund an application, the award documents will include grant terms and conditions and whatever other provisions are required by Federal law or regulations, or which may be deemed necessary or desirable for the achievement of program purposes.

(d) An applicant or an objecting party may not appeal to the Administrator the Agency's determination to fund or not fund a particular application.

(e) Information about grant terms and conditions or other applicable laws and regulations is available from PTFP at the address listed in § 2301.5(a).

Subpart C—Federal Financial Participation

§ 2301.16 Amount of the Federal grant.

(a) *Construction grants.* (1) A Federal grant for the construction of a public telecommunications facility shall be in an amount determined by the Agency and set forth in the award document. Such amount may not exceed seventy-five (75) percent of the amount determined by the Agency to be the reasonable and necessary cost of such project.

(2) No part of the grantee's matching share of the eligible project costs may be met with funds paid by the Federal government, except where the use of such funds to meet a Federal matching requirement is specifically and expressly authorized by the relevant Federal statute.

(3) After the filing of its application, the applicant may, at its own risk, obligate non-Federal matching funds for the acquisition of proposed equipment. Should the applicant exceed the non-Federal share as established in the final award agreement, the Federal share of the total project cost will be reduced by a corresponding amount.

(4) Funds supplied to an applicant by the Corporation for Public Broadcasting may not be used for the required non-Federal matching purposes, except upon a clear compelling showing of need.

(b) *Planning grants.* A Federal grant for the planning of a public telecommunications facility shall be in an amount determined by the Agency and set forth in the award document and the attachments thereto. The Agency may provide up to one hundred (100) percent of the funds necessary for the planning of a public telecommunications construction project.

(c) Project costs do not include the value of eligible apparatus owned or acquired by the applicant prior to the closing date.

§ 2301.17 Items and costs ineligible for Federal funding.

The following items and costs are ineligible for funding under the Act:

(a) *Equipment and supplies.* Each year, the Agency will review its list of ineligible equipment and supplies. A copy of the currently applicable list of ineligible equipment will be provided with every application package for PTFP grants.

(b) *Other expenses ineligible for funding.* (1) Buildings and modifications to buildings to house eligible equipment and fences surrounding them are not themselves eligible for funding under this program, except that small equipment shelters which are part of satellite earth stations, translators, microwave interconnection facilities, and similar facilities are eligible for funding;

(2) Land and land improvements;

(3) Salaries of personnel employed by an operating public telecommunications entity and other operational costs (except for planning projects under section 392(c) of the Act);

(4) Moving costs required by relocations;

(5) Such other expenses as the Agency may determine prior to the award of a grant.

§ 2301.18 Waiver.

For good cause shown, the Administrator may waive the regulations adopted pursuant to section 392(e) of the Act.

Subparts D-F—[Reserved]

Appendix to Part 2301—Priorities

Priority I—Provision of Public Telecommunications Facilities for First Radio and Television Signals to a Geographic Area

Within this category, NTIA establishes two subcategories:

A. *Projects which include local origination capacity.* This subcategory includes the planning or construction of new facilities which can provide a full range of radio and/or television programs including material that is locally produced. Eligible projects include new radio or television broadcast stations, new cable systems, or first public telecommunications service to existing cable systems, provided that such projects include local origination capacity.

B. *Projects which do not include local origination capacity.* This subcategory includes projects such as increases in tower height and/or power of existing stations and construction of translators, cable networks and repeater transmitters which will result in providing public telecommunications services to previously unserved areas.

Priority I and its subcategories only apply to grant applicants proposing to plan or construct new facilities to bring public telecommunications services to geographic areas which are presently unserved, *i.e.*, areas which do not receive any public telecommunications services whatsoever. (It should be noted that television and radio are considered separately for the purposes of determining coverage.)

Under Priority IB, NTIA will consider an area served when it receives a public television signal from a distant source through a cable system which has a penetration rate of fifty (50) percent. (An applicant proposing to plan or construct a facility to serve a geographical area which is presently unserved, should indicate the number of persons who would receive a first public telecommunications signal as a result of the proposed project.)

Priority II—Replacement of Basic Equipment of Existing Essential Broadcast Stations. Projects eligible for consideration under this category include the replacement of obsolete or worn out equipment in existing broadcast stations which provide either the only public telecommunications signal or the only locally originated public telecommunications signal to a geographical area.

In order to show that the replacement of equipment is necessary, applicants must provide documentation indicating excessive downtime, or a high incidence of repair (*i.e.*, copies of repair records, or letters documenting non-availability of parts.) Additionally, applicants must show that the station is the only public telecommunications station providing a signal to a geographical area or the only station with local origination capacity in a geographical area.

The distinction between Priority II and Priority IV is that Priority II is for the replacement of basic equipment for essential stations. Where an applicant seeks to "improve" basic equipment in its station (*i.e.*, where the equipment is not "worn out"), or where the applicant is not an essential station, NTIA would consider the applicant's project under Priority IV.

Priority III—Establishment of a First Local Origination Capacity in a Geographical Area. Projects in this category include the

planning or construction of facilities to bring the first local origination capacity to an area already receiving public telecommunications services from distant sources through translators, repeaters or cable systems.

Applicants seeking funds to bring the first local origination capacity to an area already receiving some public telecommunications services may do so, either by establishing a new (and additional) public telecommunications facility, or by adding local origination capacity to an existing facility. (A source of a public telecommunications signal is distant when the geographical area to which the source is brought is beyond the grade B contour of the origination facility.)

Priority IV—Replacement and Improvement of Basic Equipment for Existing Broadcast Stations. Projects eligible for consideration under this category include the replacement of obsolete or worn out equipment and the upgrading of existing origination or delivery capacity to current industry performance standards (*e.g.*, improvements to signal quality, and significant improvements in equipment flexibility or reliability). As under Priority II, applicants seeking to replace or improve basic equipment under Priority IV should show that the replacement of the equipment is necessary by including in their applications data indicating excessive downtime, or a high incidence of repair (such as documented in repair records).

Priority V—Augmentation of Existing Broadcast Stations. Projects in this category would equip an existing station beyond a basic capacity to broadcast programming from distant sources and to originate local programming.

A. *Projects to equip auxiliary studios at remote locations, or to provide mobile origination facilities.* An applicant must demonstrate that significant expansion in public participation in programming will result. This subcategory includes mobile units, neighborhood production studios or facilities in other locations within a station's service area which would make participation in local programming accessible to additional segments of the population.

B. *Projects to augment production capacity beyond basic level in order to provide programming or related materials for other than local distribution.* This subcategory would provide equipment for the production of programming for regional or national use. Need beyond existing capacity must be justified.

Special Applications.—NTIA possesses the discretionary authority to award grants to eligible applicants whose proposals are so unique or innovative that they do not clearly fall within the listed priorities. Innovative projects submitted under this category must address demonstrated and substantial community needs (*e.g.*, service to identifiable ethnic or linguistic minority audiences, services to the blind or deaf, instructional services or electronic text).

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Thursday
August 20, 1987

Part V

Department of Energy

Civilian Radioactive Waste Management; Calculating Nuclear Waste Fund Disposal Fees for Department of Energy Defense Program Waste; Notice

DEPARTMENT OF ENERGY

Civilian Radioactive Waste Management; Calculating Nuclear Waste Fund Disposal Fees for Department of Energy Defense Program Waste

AGENCY: Department of Energy.

ACTION: Notice.

SUMMARY: The Department of Energy (DOE), Office of Civilian Radioactive Waste Management (OCRWM) gives public notice of its approach to interpreting the requirement under the Nuclear Waste Policy Act of 1982 for allocating the costs of developing, constructing, and operating repositories under that Act between atomic energy defense wastes and commercial high-level spent fuel (42 U.S.C. 10107(b)(2)). The costs resulting from permanent disposal of high-level radioactive wastes from atomic energy defense activities are to be paid by the Department into the Nuclear Waste Fund. This notice presents the Department's method for calculating the appropriate allocation of costs for the disposal of Defense High-Level Waste (DHLW). Actual monies to pay such costs into the Nuclear Waste Fund must be appropriated by the Congress. The Department intends to incorporate the method adopted here in the DHLW disposal agreement between OCRWM and the Department's Office of Defense Programs, and to use this method to formulate future requests for appropriations for funds to pay into the Nuclear Waste Fund to cover the costs of disposal of wastes from atomic energy defense activities. This notice also includes the Department's response to comments received on the Notice of Inquiry published in the **Federal Register** on December 2, 1986, "Calculating Nuclear Waste Fund Disposal Fees for DOE Defense Program Waste; Inquiry and Request for Public Comment" (41 FR 43566). Sample calculations of DHLW cost shares using the new method are included. The Department will refine these calculations as the program matures.

DATE: August 20, 1987.

FOR FURTHER INFORMATION CONTACT: Ronald A. Milner, Director, Financial Management and Analytical Services Division, Office of Civilian Radioactive Waste Management, Department of Energy, Room GB-270, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586-9173.

SUPPLEMENTARY INFORMATION: The Department of Energy (DOE), Office of Civilian Radioactive Waste Management (OCRWM), today gives public notice of its approach to interpreting the requirement under the Nuclear Waste Policy Act of 1982 (NWPA) (Pub. L. 97-425) to allocate the costs of developing, constructing, and operating repositories under the Act between disposal of high-level radioactive waste from atomic energy defense activities and disposal of high-level radioactive waste and spent fuel from civilian nuclear activities. The purpose of this notice is to set forth the methodology that the Department intends to implement for such allocation of costs to permit calculation of defense high-level waste (DHLW) disposal fees that are to be paid by the Department from appropriations from general revenues to the Nuclear Waste Fund (NWF) established under the NWPA. Sample DHLW cost share calculations using this methodology are included in this notice. This notice also responds to public comments provided on the **Federal Register** notice of December 2, 1986, "Calculating Nuclear Waste Fund Disposal Fees for DOE Defense Program Waste; Inquiry and Request for Public Comment." A schedule for payment of fees by the Department is not set forth in this notice. A Memorandum of Agreement between the Department's Office of Defense Programs (DP) and OCRWM is currently under preparation. This agreement will provide the basis for the amount of funds to be requested in DP's budget requests, as well as other details related to the DHLW fee. Funds to pay fees for disposal of DHLW must be appropriated by Congress.

I. Background

Just prior to the passage of the NWPA in 1983, Congress directed the President to prepare a report which would describe plans for the permanent disposal of high-level and transuranic wastes (TRU) resulting from atomic energy defense activities. The report (The Defense Waste Management Plan, DOE/DP-0015) was submitted to Congress in June 1983. This report communicated the Department's strong commitment to the objective of ending interim storage and achieving permanent disposal by immobilizing and preparing DHLW and TRU for disposal in a geologic repository. Since FY 1983, Congress has provided approximately $1.5 billion for these DP activities. Construction of waste immobilization facilities is now under way at the Defense Waste Processing Facility located at the Department's Savannah River site. Construction is also under way of the Waste Isolation Pilot Plant in New Mexico for the demonstration of the disposal of TRU.

The NWPA establishes a schedule for the siting, construction, and operation of repositories to permanently dispose of high-level radioactive waste and spent nuclear fuel (SNF). As required by section 8(b)(2) of the NWPA, the use of disposal capacity of the facilities to be developed under the NWPA for the disposal of high-level radioactive wastes from atomic energy defense activities was evaluated. Based upon this evaluation and the Department's recommendation, the President found no basis for the establishment of a separate repository for the permanent disposal of DHLW. Upon notification of this determination on April 30, 1985, the Secretary of Energy became obligated under section 8(b)(2) of the NWPA to "proceed promptly with arrangement for the use of one or more of the repositories to be developed under subtitle A of title I for the disposal of such waste. Such arrangements shall include the allocation of costs of developing, constructing, and operating this repository or repositories." The costs resulting from permanent disposal of DHLW are to be paid by the Federal Government into the NWF established under section 302 of the NWPA.

Although Congress directed that payments for the disposal of DHLW be made by the Federal Government into the NWF, it did not provide for a specific fee such as the 1 mill/kilowatt-hour mandated for civilian spent fuel nor did it appropriate money for payment into the NWF. From 1983 to the end of FY 1986, utilities under contract with the Department have paid over $1.2 billion in ongoing fees into the NWF for SNF disposal. In addition, more than $1.4 billion has been paid as a one-time fee for SNF that had been generated prior to April 7, 1983.

On December 2, 1986, the Department published in the **Federal Register** a Notice of Inquiry and Request for Public Comment entitled "Calculating Nuclear Waste Fund Disposal Fees for DOE Defense Program Waste." In this Notice of Inquiry (NOI), the Department analyzed the following options for calculating the DHLW disposal fee: (1) Option I, a fee that equals the total cost of disposing of DHLW by OCRWM ("full cost recovery using sharing formulas"), (2) Option II, a fee based upon 1 mill per kilowatt-hour electric-generation equivalent for the defense reactor operations that produce these wastes ("1-mill electric-generation equivalent fee"), and (3) Option III, under which defense and civilian fees equal a fraction of the combined-repository program costs which is the same as that sector's fraction of the sum

of the evaluated costs for separate repository programs ("cost shares proportional to avoided costs"). The Department identified as a preferred approach Option I, "full cost recovery using sharing formulas," since it would provide the best assurance that both civilian and defense waste generators would pay their full fair shares of costs for the OCRWM disposal system, thereby avoiding subsidies from one group of waste generators to another. Members of the public were requested to submit written comments, including suggestions for modification of the preferred approach, to assist the Department in developing a sound approach to interpreting provisions of the NWPA applicable to calculating fees for disposal of DHLW.

In summary, the purpose of this notice is to satisfy the requirement in section 8(b)(2) of the NWPA to establish a method for allocating costs for disposal of DHLW. The Department intends to apply this method in the future when concluding the intra-agency arrangements and when formulating appropriations requests for funds to cover the costs of disposal of DHLW. The Department concluded that public participation in its formulation of the method was desirable and incorporated public involvement into this process by:

1. Publishing a Notice of Inquiry in the Federal Register soliciting public comments;
2. Considering the comments submitted on the NOI;
3. Publishing a Notice describing a revised method in the Federal Register together with responses to comments received on the NOI; and
4. Committing to public notice and solicitation of public comments on any significant discretionary changes to the methodology.

II. Reponse to Comments on the Federal Register Notice of December 2, 1986

In response to the Department's Notice of Inquiry and Request for Comments, twenty-six letters were received from individual electric utilities, utility groups, Governmental agencies, and members of the public. All comments received have been carefully reviewed. These comments can be summarized under five general issues. The following sections contain summaries of the comments related to each of the five issuers and the Department's responses to these comments.

A. Fairness Issues: Equity and Potential Cross-subsidization

Many of the commenters expressed concern about equity in the sharing of costs between defense and civilian waste disposers, given the potential for cross-subsidization between the civilian and defense waste generators. The Department is also concerned with this potential. The method the Department intends to use to calculate the cost share for DHLW is designed to assure that each class of waste generator bears the full cost of disposal of its wastes so that there is no cross-subsidization between civilian and defense waste generators. The Department is responsible for protecting the interests of both the ratepayer paying for disposal of civilian high-level radioactive waste and spent nuclear fuel and the taxpayer paying for DHLW disposal. The Department believes that the general approach embodied in the full-cost recovery method (Option I proposed in the earlier notice) does allocate the cost of the OCRWM program between civilian and defense high-level waste generators so that these generators pay only for their respective estimated shares of total program costs. Option I, as modified and presented in this notice, allocates total OCRWM cost on the basis of direct costs for each waste type and estimates of the fair shares of common costs as explained in Section III of this notice. The Department has examined the cost elements and has identified factors that reflect appropriate shares of each cost element for each waste type requiring disposal. The Department believes that this approach is the best way to ensure that costs are shared fairly.

B. Procedural Issues

1. *Lack of Substantive Rulemaking.* Many of those who responded to the NOI argued that the Department should initiate a substantive rulemaking to establish the DHLW fee calculation method by a procedure which would comply with the Administrative Procedure Act (5 U.S.C. 553). The comments also urged the Department to go beyond the fee calculation methodology and cover a variety of issues related to formulation of the intra-agency agreement between OCRWM and DP.

The preference of some who responded with a call for substantive rulemaking is partly attributable to the omission by the Department of an explicit commitment in the NOI to respond to the comments and to explain refinements to the calculation methodology. Today's notice does respond to relevant comments and clearly sets forth the method that the Department intends to use in fulfilling the statutory requirement to allocate the costs resulting from the disposal of DHLW. Although the method is subject to further development, the Department will not make significant discretionary changes without seeking and responding to relevant public comments. The NOI, the comments, and today's notice from a record of the development of the Department's interpretation.

In issuing an NOI and responding to public comment in the Federal Register the Department has gone beyond what is legally required. The procedures that the Department has followed are generally consistent with its previously expressed belief that rulemaking-type procedures are the best method of involving the public in the development of program policies (48 FR 16597, April 18, 1983). However, they were devised to take account of the fact that, under section 8(b)(2), the Department is not engaged in an activity which has a direct, binding, regulatory impact on the public and there is no need for the more involved procedures of substantive rulemaking under 5 U.S.C. 553 which are time-consuming and constrain communication with the public. Like interagency agreeements, agreements between offices of the same agency are ordinarily concluded without soliciting public comment or substantive rulemaking under 5 U.S.C. 553.

Some reviewers felt that the Department failed to furnish sufficient information on the proposed method to permit a determination that an equitable sharing of costs can take place. In the NOI, an address and phone number were provided for those members of the public that wanted additional information. Additional information, including cost estimates more detailed than those published in the NOI, was put on file in the Public Documents room of the Department's Headquarters (Forrestal) building. This notice is structured to include a significantly higher level of detail, especially on the method for determining the DHLW cost share, than was available at the time of publication of the referenced NOI. The Department intends to incorporate future estimates of the DHLW cost share in future issues of the annual fee adequacy report, *Nuclear Waste Fund Fee Adequacy: An Assessment*, and total systems life cycle cost studies, *Analysis of the Total System Life Cycle Cost for the Civilian Radioactive Waste Management Program.*

2. *Use of an Independent Contractor.* Several respondents suggested the use of an independent contractor, i.e., a contractor agreeable to both the Department and the affected utilities, to develop the cost estimates and calculation method to be used in DHLW fee payment determinations. Congress

assigned the responsibility for allocating costs of repositories to the Department in the NWPA. The Department has elected to involve the public in determining a methodology for allocating such cost. This public involvement is similar to that of the rulemaking process (see discussion under B.1., above). The Department has fully considered public comments in the preparation of this notice and feels that the substantial delay in establishing the fee that would result if an independent contractor were involved is not justified. The contractor would only be able to develop basic information on options for calculating and paying the fee with which the Department is already familiar. The remaining activities of implementing the fee and recommending the appropriation of funds can only be performed by the Department.

C. Fee Payment Issues

1. *Timing.* Some commenters were concerned with the fact that no DHLW disposal fee payment has been made to the NWF and that no payment schedule, with attendant penalties, was included in the NOI. Funding of the costs of disposal of DHLW by payment into the NWF must be addressed by Congress during the normal budgetary and appropriation process. An intra-agency agreement (e.g., a Memorandum of Agreement) between DP and OCRWM is in preparation. This agreement will provide the basis for the amount of funds to be requested in the future DP budget requests, as well as other details related to the DHLW fee. The Department recognizes that the process of establishing the DHLW cost share and payments is lengthy. The Department intends that the time value of money will be included in calculating budget requests for the DHLW fee payments to compensate for delays in DHLW fee payments beyond the time when OCRWM incurs costs, shared or direct, for DHLW disposal. It is recognized that OCRWM has already made substantial outlays for development and evaluation (D&E) activities for which DP has a proportional obligation. The Department intends to consider the adequacy of the civilian and defense fees independently so the delay in defense waste disposal payments will have absolutely no impact on the civilian fee.

Several commenters recommended that the timing of DHLW payments should closely parallel civilian payments, thereby closely tying the payment of the DHLW fee to the generation of fission products. It is believed that strict parallelism between the terms of the civilian waste disposal contracts and the payments made for disposal of DHLW is unnecessary because of the NWPA requirement that the Federal Government pay the full cost of DHLW disposal. The purpose of assessing a fee based on nuclear electric generation was to ensure that the beneficiaries of nuclear electricity would pay for any resulting waste disposal. This fee was also easily included in a consistent manner in the existing rate structures of utilities. As stated, the Department intends to calculate the cost of DHLW disposal by the full-cost recovery method. The timing of payment of DHLW fees will have no effect on the civilian fee since the adequacy of the two fees is determined independently. If, for example, the cost for civilian waste disposal were shown to be greater than (or less than) expected civilian fee revenues plus the earnings on the resulting funds, the civilian fee would be increased (or decreased) regardless of the balance in the NWF for the disposal of DHLW.

2. *Potential Premium of Disposal Fees Over Fees Required to Cover Waste Generators' Costs.* Some respondents expressed the opinion that, since the current civilian waste disposal fee may provide a margin of fee collections in excess of those required to cover civilian waste disposal costs over the life of the program, such a margin should be collected for the disposal of DHLW.

In view of the current preconceptual design phase of OCRWM planning, uncertainty over the locations and design of the major OCRWM facilities, and the resulting large range of uncertainty in the resulting cost projections, it is by no means clear that such a premium exists in the current civilian fee structure. In addition, there is a major difference between the terms under which civilian and defense waste disposal costs are to be financed. The standard contract for spent nuclear fuel disposal contains a provision that, once the fee is paid for specific spent fuel, the utility paying the fee has no further financial responsibility for the disposal of this fuel. Ultimate costs of the potentially century-long OCRWM program are currently unknown, and significantly better cost estimates may be unavailable until the actual locations of the repositories are known—which may be late in the life of many of the current nuclear electric generating units. Under the NWPA, the Department is to pay the full costs of DHLW disposal into the NWF. This is interpreted to mean that retroactive charges can be used, if required, to fully cover the costs of DHLW disposal. The charging of a premium in excess of the amount now estimated to be required to cover potential escalating costs of DHLW disposal is not necessary since the full costs of DHLW disposal must eventually be paid into the NWF by the Federal Government.

In summary, the terms of the standard contract for disposal of spent fuel could potentially shift significant financial risk to OCRWM and/or future nuclear powerplant operators if large cost overruns occur after much of the existing nuclear generating capacity is retired. This is not the case for DHLW because it is clear that financial responsibility for DHLW disposal rests with the Department.

D. Waste Quantity and Delivery Schedule Issues

1. *Waste Quantities.* Some reviewers expressed concern that the forecast assumptions used for spent fuel bias the calculation toward a lower DHLW fee. Reviewers suggested that the Department should use a lower projection of spent fuel generation in estimating DHLW costs since the Energy Information Administration upper reference case generation forecast may be high and DHLW estimates may be low. Lower SNF projections would result in a larger DHLW cost share.

OCRWM has historically used the upper reference case (mid-case) SNF forecast because of its effect on the design of facilities and on operational logistics. The Department will continue to use these estimates for design purposes, but it has and will continue to evaluate the effects of other forecasts on fee adequacy. The ultimate DP cost share will be based upon the actual quantities emplaced. Current estimates of quantities are for planning purposes only. The method that the Department intends to use for determining the defense and civilian cost shares incorporates the effects of varying civilian waste and DHLW quantities and delivery schedules. (The effects of alternative SNF forecasts are illustrated in section III of this notice.) OCRWM will continue to conduct waste volume studies and will recommend adjustments during the annual fee adequacy assessment when necessary. The Department intends to make retroactive charges or rebates to reflect any resulting changes in the DP cost share.

The Department recognizes that there are also uncertainties in the DHLW forecast. The base case, described in "A Perspective on Methods to Calculate A Fee for Disposal of Defense High-Level Waste in Combined (Civilian/Defense)

Repositories," DOE/RL–86–10, is used for the cost estimates included in this notice. (The base case includes: Savannah River DHLW in 7,000 canisters; Hanford DHLW (without single-shell-tank waste) in 1,500 canisters; Idaho DHLW (with extra volume reduction) in 6,000 canisters; and non-site-specific DHLW from future production in 1,500 canisters.) Two documents currently in preparation will provide an improved basis for future forecasts. These documents are the "Hanford Defense Waste—Environmental Impact Statement" and "Idaho Chemical Processing Plant High-Level Waste Management Strategy Plan," both scheduled for completion in 1987. Using these and other documents, the Department will update the DHLW estimate in Integrated Data Base, DOE/RW–0006.

This update will be the formal reference for the DHLW quantity used in OCRWM's 1988 total system life cycle cost and fee adequacy reports. All three documents will be updated annually. Because the waste volume forecasts and DHLW fee calculations will be updated annually, and estimates of retroactive charges will be included as a basis for the request for appropriations, if needed, the DHLW cost share will reflect its full fair share of OCRWM costs.

2. *Delivery Schedule for DHLW.* A few reviewers were concerned that there was no DHLW delivery schedule included in the NOI. For planning purposes, OCRWM publishes illustrative delivery schedules in the OCRWM Mission Plan and amendments. The most recent one is an illustrative waste acceptance schedule contained in the OCRWM Mission Plan Amendment, DOE/RW–0128, published in June 1987. This schedule shows DHLW deliveries starting at 400 metric tons of uranium equivalent per year in 2008.

E. Fee Calculation Method Issues

1. *Options in the Previous Notice of Inquiry.* As noted above, the NOI published by the Department in the Federal Register on December 2, 1986, "Calculating Nuclear Waste Fund Disposal Fees for DOE Defense Program Waste; Notice of Inquiry and Request for Public Comment," DOE presented three alternative approaches to determining the DHLW disposal fee: (I) a fee that equals the total cost of disposing of DHLW by OCRWM ("full cost recovery using sharing formulas"), (II) a fee based upon 1 mill per kilowatt-hour electric-generation equivalent for the defense reactor operations that produce these wastes ("1-mill electric-generation equivalent fee"), and (III) defense and civilian fees equal to a fraction of the combined-repository program costs which is the same as each sector's fraction of the sum of the estimated costs for separate repository programs ("cost shares proportional to avoided costs").

The Department proposed using Option I because it seemed most consistent with the intent of the NWPA that both civilian and defense waste generators would pay their full shares of actual costs for the OCRWM disposal system so that there would be no subsidy from or to the waste generators that use OCRWM facilities. In addition, it was expected that this method of fee assessment would provide an additional incentive for overall nuclear waste disposal efficiency since DP would consider the likely impacts of DHLW preparation and handling on OCRWM costs and, therefore, on the costs of disposing of DHLW. Many reviewers supported the selection of Option I or a modification thereof.

Option II was rejected by the Department as likely to produce revenues that would be insufficient to cover DHLW disposal costs. Most reviewers agreed that Option II was not appropriate. Option III was rejected by the Department because it would allocate costs on the basis of the estimated costs of facilities that would not be constructed and might lead to a systematic overassessment of fees on a waste generator that is responsible for smaller amounts of high-level nuclear wastes. A few reviewers indicated a preference for Option III or for an incorporation of its principle of avoided costs into Option I.

2. *Alternative Method.* A number of respondents, including the Edison Electric Institute, suggested a method that is similar to Option I, but uses different cost sharing factors. This method of cost allocation would assign costs to three categories: (1) Direct costs, those specific to either DHLW or SNF, (2) common costs that are shared using physical factors such as piece count or mined volume, and (3) common fixed costs that are shared on the basis of the number of separate repositories avoided, that is, charged ⅓ to DHLW and ⅔ to SNF. This split of fixed costs is based on the assumption that if separate repositories were constructed, one of them would accommodate DHLW and two would handle civilian high-level waste and SNF.

The principal differences between this proposal and the proposal favored in the NOI are in the method for sharing common fixed costs (which are mostly D&E costs) and in the classification of some repository costs as common costs to be shared in the same manner as D&E costs. However, the proposal for a three-way classification of costs has considerable merit. The Department believes that cost elements which cannot be shown to be direct costs should be allocated to the extent possible, based upon the physical parameters that cause the cost variation. However, there are certain cost items, primarily D&E items, for which no such relationship to physical parameters has been identified. The Department believes that these costs, referred to as "common unassigned costs," should be allocated on the same basis as the relative shares of assignable costs. To assign such costs based upon any one physical parameter would require an arbitrary selection of one of those parameters. To assign such costs on the basis of the number of avoided repositories would ignore information that more accurately reflects the relative levels of activity supported by the facilities and activities that are paid for with common fixed costs. By using the ratio of assignable costs for one class of waste generator to total assignable costs as a basis for cost sharing, the allocation of this major portion of costs is really "cost based" since assignable costs already reflect sharing on the basis of direct costs and several physical parameters that are related to costs. This method is further discussed in Section III of this notice.

3. *Other Issues.* A few reviewers were concerned about the provisions for credits that might be made for work done by DP. The issue of credits was first addressed in 10 CFR Part 961, which describes the standard contract for civilian fee. Relative to the civilian fee, the Department stated that it will "recognize that other types of credits may become appropriate" and will consider them in the future. To parallel the civilian fee, the NOI noted that "If appropriate, the DHLW fee will reflect credit for activities carried out or contributions made by the Department's Office of Defense Programs (DP) to the extent that they reduce the cost of OCRWM activities." Potential credits may be discussed in more detail in the Memorandum of Agreement between OCRWM and DP that is now in preparation. The Department is willing to consider credits for both civilian and defense activities, where appropriate, under a fair and equitable arrangement.

A few reviewers stated that repository-specific allocation factors should be used in determining cost shares. The Department agrees with this comment and has used this suggestion in

the modified method described in Section III of this notice and in its estimates of DHLW cost shares for the different disposal program scenarios that are presented as examples in this notice. In addition, the cost estimates used in this notice are based on the assumption that the total quantities of civilian wastes and DHLW are split proportionally between the first and second repositories. For example, if 60 percent of the civilian wastes is disposed of in the first repository, then 60 percent of DHLW is also disposed of in the first repository. This assumption assures that neither waste generator is penalized with a larger common unassigned cost share due to disproportionate waste splits between the two repositories. All the allocation factors will be examined during future fee adequacy assessments for any changes.

A few respondents expressed the opinion that DHLW should be allocated a higher share of costs at the basalt site because of the possibility of rising marginal costs for disposal at this potential repository site. Unless there is evidence otherwise, it seems apparent that, if a repository site were subject to marginal costs that increase as waste quantities increase, the rising marginal costs would be present regardless of the type of waste added to the repository. If DHLW were not placed in the basalt repository, an equivalent amount of civilian waste would replace it. Since it would be impossible to assign higher marginal costs solely to either class of waste, there is no reason that either DHLW or SNF should be charged a differentially higher cost share.

Some reviewers expressed concern that the repository pairs used in the NOI were indicative of the preselection of these sites as final choices for the OCRWN repositories. As noted on p. 43567 in the NOI, the pairs of repositories used in the cost estimates were chosen for illustrative purposes only. In particular, the second repository cost estimates for crystalline rock repositories were not used in the NOI because they were not considered to be as accurate as the estimates for a salt repository. Thus, the examples used in the NOI were selected because they made use of the cost estimates that were believed to be the most reliable at the time of the preparation of the NOI. They reflect no prejudgment as to site selection. To avoid this misconception in this notice, examples have been selected based on modifications to cases taken from the 1987 Total System Life Cycle Cost report. These examples represent the high-cost and low-cost repository pair.

III. Cost Allocation Method

This section describes the Department's planned method for allocating the life-cycle costs of the radioactive waste management system to civilian and defense waste generators. This method is a revision of the preferred alternative (Option I) outlined in the **Federal Register** notice of December 2, 1986.

This revision incorporates changes made to the TSLCC accounting structure and changes made as a result of public comments in response to the NOI. The following changes in the cost accounting structure were required to utilize the TSLCC cost estimates:

1. The latest estimates of program repository costs are much more detailed than estimates used in the NOI. The cost allocation scheme is applied to the detailed accounts, rather than to summary accounts considered earlier. This change increases the precision of the cost allocation.

2. The latest estimates of program D&E costs were divided into several categories to more precisely predict the defense cost share. Different formulae are used to allocate the Monitored Retrievable Storage Facility D&E, waste package D&E, transportation D&E, Government administration, and all other D&E costs. The previous method, in the NOI, allocated the difference of the total D&E cost less the MRS D&E cost.

Similarly, other revisions in the method were adopted in response to comments received from NOI reviewers:

1. There is a choice of three cost account designations now as opposed to two in the NOI. The three categories are direct costs, common variable costs, and common unassigned costs, thus permitting a more equitable cost allocation.

2. The current method utilizes the program MRS facility cost estimate, which, in total, is a civilian cost, as a part of the civilian assigned costs used to compute the cost factor for sharing unassigned Government administration D&E costs.

The cost allocation methodology uses a combination of directly assignable costs and cost-sharing formulae applied to cost accounts contained in OCRWM's annual analysis of total system life-cycle costs. Each life-cycle cost account is grouped in one of three cost categories: direct costs (assignable), common variable costs (assignable), and common unassigned costs. Within each of these categories, costs are allocated to DHLW and civilian wastes on different bases.

Total cost is partitioned into assignable cost and unassigned cost. The total assignable cost is the sum of the direct costs and common variable costs.

The direct costs are incurred solely for the disposal of either DHLW or civilian wastes and are allocated in total to defense or civilian waste generators. For example, DHLW transportation and DHLW waste package fabrication are allocated to defense waste generators as direct costs, while costs for facilities and activities attributed solely to civilian waste disposal are also allocated as direct costs to the civilian waste generators.

For the repository cost components of the TSLCC, common variable costs are allocated to both DHLW and civilian waste generators on the basis of cost sharing factors developed from relevant physical parameters, such as repository excavation required and number of waste packages for each type of waste.

The following cost sharing factors are used for allocation of common variable repository costs:

Piece count: The ratio of the number of DHLW disposal packages in the repository to the total number of disposal packages in the repository.

WHB#1 piece count: The ratio of the number of DHLW disposal packages processed in waste handling building #1 to the total number of disposal packages processed in waste handling building #1.

WHB#2 piece count: The ratio of the number of DHLW disposal packages processed in waste handling building #2 to the total number of disposal packages processed in waste handling building #2.

Areal Dispersion: The ratio of the repository disposal area required for DHLW disposal to the total disposal area. This may be measured by the proportion of the mined volume in the disposal areas that is attributed to DHLW.

The above fractions represent the DHLW portion of the cost in a common variable cost account, while the remaining cost in the account represents the civilian waste portion. Each repository has its own unique set of physical parameters, which will vary depending on its capacity and waste characteristics. Therefore, cost sharing factors must be developed for each of the two repositories in any case considered.

The common unassigned costs are the remaining components of the life-cycle cost which cannot be directly allocated or cannot be allocated based on cost sharing factors developed from relevant physical parameters. These costs are unassigned because there is no reason to believe that they are a function of any readily determined system parameter. The costs in a common unassigned account are allocated to both defense and civilian waste generators in proportion to their respective shares of the appropriate assignable cost

categories. As the program progresses, it may be possible to allocate some of the unassigned costs either directly or by some physical parameter.

The following table summarizes the Department's planned classification of cost accounts for cost sharing:

COST ALLOCATION BASIS

Cost account	Allocation basis
Development and Evaluation:	
D&E for MRS	Direct cost (civilian).
Civilian Waste Package D&E.	Direct cost (civilian).
Transportation and System Integration D&E.	Common unassigned, based on assignable transportation costs.
Other Repository D&E.	Common unassigned cost, based on assignable cost of repositories 1 & 2.
Government Administration.	Common unassigned cost, based on total assignable cost.
Repositories #1 and #2:	
Management and Integration.	Common unassigned cost, based on assignable repository cost.
Site Preparation	Common unassigned cost, based on assignable repository cost.
Waste Handling Building #1.	Common variable, WHB#1 piece count.
Waste Handling Building #2.	Common variable, WHB#2 piece count.
Other Waste Handling.	Common variable, piece count.
Balance of Plant:	
Facilities for Change House, Explosives, Compressed Air and Steam, Cooling, Excavated Material and Backfill.	Common variable, areal dispersion.
Packing Facility	Common variable, piece count.
All other	Common unassigned cost based on assignable repository cost.
Surface Shaft Facilities:	
Waste Facility	Common variable, piece count.
All Other	Common variable, areal dispersion.
Shaft/Ramps—Underground	
Waste Handling	Common variable, piece count.
All Other	Common variable, areal dispersion.
Subsurface Excavations:	
Development and Emplacement/ Retrieval Operations, Spent Fuel Facility.	Direct cost (civilian).
Transport, and Emplacement DHLW Facility.	Direct cost (DHLW).
Transport, and Emplacement Other Waste Facility.	Direct cost (Civilian).
Transport, and Emplacement:	
Boreholes	Common variable, piece count.
Waste Removal	Common variable, piece count.
Backfill:	
Waste Handling	Common variable, piece count.
All Other	Common variable, areal dispersion.
Underground Service Systems.	Common variable, areal dispersion.
Waste Package Fabrication:	
Spent Fuel, Spent Fuel Hardware, WVHLW* and CHLW*.	Direct cost (civilian).
DHLW	Direct cost (DHLW).
All Other	Common variable, piece count.
Transportation	Direct cost (civilian and DHLW portions).
MRS	Direct cost (civilian).

* WVHLW = West Valley high-level waste.
* CHLW = civilian high-level waste.

The cost allocation methodology proceeds in a stepwise fashion following designation of cost accounts into the categories as shown above. First, direct costs are allocated for all cost accounts. Second, cost sharing factors for common variable costs are computed. Third, common variable cost allocation is performed. Fourth, common unassigned costs are calculated for each repository and the common unassigned costs for D&E based on the proportions of previously calculated assigned costs.

The allocation of costs is complete when the civilian and DHLW share totals are computed as the sum of their respective direct, common variable, and common unassigned costs.

Several cases were chosen to demonstrate the cost allocation method summarized above. These cases are used for illustrative purposes and do not reflect any prejudgment of site selection. The cases consider two combinations of repository sites and two projections of SNF.

The life-cycle cost estimates used in the sample cases are modified estimates prepared for OCRWM's 1987 TSLCC analysis. The estimates were modified to reflect a change in the assumption that assigns the quantity of DHLW between the first and second repositories. The TSLCC analysis estimates were based on the assumption that 4,000 metric ton uranium (MTU) equivalent of DHLW is emplaced in each repository for all cases. In contrast, the following results are based on a DHLW assignment of 4,876 MTU-equivalent and 3,124 MTU-equivalent to the first and second repositories, respectively, in the upper reference case as well as 6,350 MTU equivalent and 1,650 MTU equivalent to the first and second repositories, respectively, in the no new orders case. This approach provides for a consistent proportion of defense waste in both repositories. The cost changes are minor in the upper reference case, while cost changes in the no new orders case show savings due to more efficient use of the first repository facilities. The final determination of cost shares will be based on the actual amounts of each type of waste emplaced in each repository.

The following table summarizes the total system costs and DHLW cost shares in the improved performance system scenario for the high cost (basalt/hard rock) and low cost (tuff/salt) repository combinations in the high SNF generation (upper reference with increased burnup) and low SNF generation (no new orders with increased burnup) projection cases. The table provides a comparison of the adjusted system costs with system costs estimated for the 1987 TSLCC analysis. Cost differences are due to the DHLW quantity assignment assumptions to each repository.

SUMMARY OF IMPROVED PERFORMANCE SYSTEM COST ALLOCATION

[Billions of 1986 Dollars]

Case	Total system cost			DHLW share (percent)
	'87-TSLCC	Adjusted*	DHLW cost	
EIA No New Orders (with increased burnup):				
Basalt/Hard Rock	36.07	35.76	6.10	17.1
Tuff-Salt	29.87	29.52	5.74	19.4
EIA Upper Reference (with increased burnup):				
Basalt/Hard Rock	38.22	38.25	5.51	14.4
Tuff/Salt	32.07	32.03	5.17	16.1

*1987 TSLCC estimates were adjusted to account for different assignment of DHLW to each repository.

A breakdown of the costs allocated to civilian wastes and DHLW for the upper reference case with increased burnup, high cost repository pair (basalt/hard rock) is contained in the Appendix.

IV. Future Actions Relating to the Cost Allocation Methodology

As noted above, information on the determination of the DHLW cost share based on this methodology will be included in future issues of the annual OCRWM fee adequacy report and the TSLCC analysis. Actual appropriation of funds to cover these costs will be requested through the budget and appropriation procedures.

A Memorandum of Agreement between OCRWM and DP is in preparation. This Memorandum is intended to include both the agreed cost-sharing methodology and more detail on intended DHLW disposal fee payment calculations. It is the Department's intention to publish this Agreement, for information purposes, in the **Federal Register.**

Issued in Washington, DC, August 13, 1987.

Ben C. Rusche,

Director, Office of Civilian Radioactive Waste Management.

Appendix—Defense High-Level Waste Disposal: Sample DHLW Cost-Share Calculations

This Appendix contains summaries of the calculations for the defense waste disposal cost share for the four cases shown in section III of the body of the text. Also included is a detailed spreadsheet that shows costs at the most detailed level that was used in making cost allocations for the projection case using the no new orders nuclear electric (and spent fuel) generation scenario with an Improved Performance System (i.e., including an MRS facility) for the high-cost repository pair (a basalt first repository and hard rock (crystalline) second repository).

Summary Tables. Summary tables are included for the following cases: no new orders case with basalt and hard rock (crystalline) repositories (Table A1); upper reference ("reference") case with basalt and hard rock repositories (Table A2); no new orders case with tuff and salt repositories (Table A3); and reference case with tuff and salt repositories (Table A4).

In the upper portions of these tables, the allocations of costs for transportation, repositories, D&E, and MRS are given, together with the defense shares (as percentages) of the common assignable (direct plus common variable) costs, common unassigned costs, and total costs. The defense shares of these cost elements reflect the sharing arrangement given in the body of the text. Transportation is a direct cost. Repository unassigned cost is allocated in proportation to repository assignable cost shares for each repository. Within D&E, MRS and waste package costs are direct civilian costs. Transportation and systems integration D&E costs are allocated in accordance with shares of transportation costs. Other repository D&E is shared on the basis of the total assignable cost share for repositories 1 and 2 combined. Government administration is shared on the basis of the defense share of the total assigned costs. MRS is a direct civilian cost.

The lower portion of the summary tables show the total repository cost allocation to defense and civilian waste generators by repository cost sharing factor. For common assignable costs, the total repository cost allocated by the four sharing factors shown for each repository is multiplied by the respective defense sharing factor ("percentage") to yield the respective total defense repository cost allocations given in the last three columns. Defense wastes' total assignable (common assignable plus direct) repository cost share is used as the sharing factor for allocating common unassigned repository costs.

Detailed Repository Breakdown. The detailed repository cost breakdown is shown in Table A5 for the basalt (Hanford) and representative hard rock (crystalline) repository pair. Column headings indicate the bases for allocating assignable costs as well as the total cost for each element in the cost accounting structure (the cost elements are shown as the row titles) and total assignable cost ("subtotal") for these elements.

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Table A1
No New Orders, Basalt and Hard Rock
DEFENSE WASTE COST ALLOCATION CALCULATION
(MILLIONS OF 1986 DOLLARS)

CASE:NNO-EXTENDED, IMPROVED
REP.:BASALT/HARD ROCK

TSLCC COST COMPONENT	TOTAL COST	ASSIGNABLE COSTS TOTAL	ASSIGNABLE COSTS CIVILIAN	ASSIGNABLE COSTS DEFENSE	ASSIGNABLE COSTS DEF %	COMMON UNASSIGNED COSTS TOTAL	COMMON UNASSIGNED COSTS CIVILIAN	COMMON UNASSIGNED COSTS DEFENSE	COMMON UNASSIGNED COSTS DEF %	** TOTAL COST ALLOCATION ** CIVILIAN	DEFENSE	DEF %
TRANSPORTATION	$1,779	$1,779	$1,474	$304	17.11%	$0	$0	$0	0.00%	$1,474	$304	17.11%
REPOSITORY 1	$10,583	$8,828	$7,090	$1,737	19.68%	$1,756	$1,410	$345	19.68%	$8,500	$2,083	19.68%
REPOSITORY 2	$6,132	$4,734	$3,854	$880	18.60%	$1,398	$1,138	$260	18.60%	$4,992	$1,140	18.60%
SUBTOTAL REPOSITORY	$16,715	$13,562	$10,944	$2,618	19.30%	$3,153	$2,548	$605	19.20%	$13,492	$3,223	19.28%
D&E:												
MRS	$125	$125	$125	$0	0.00%	$0	$0	$0	0.00%	$125	$0	0.00%
Waste Pkg.-1	$396	$396	$396	$0	0.00%	$0	$0	$0	0.00%	$396	$0	0.00%
Waste Pkg.-2	$234	$234	$234	$0	0.00%	$0	$0	$0	0.00%	$234	$0	0.00%
Trans/Syst Int	$1,080	$0	$0	$0	0.00%	$1,080	$895	$185	17.11%	$895	$185	17.11%
Other Repository	$10,373	$0	$0	$0	0.00%	$10,373	$8,370	$2,002	19.30%	$8,370	$2,002	19.30%
Governmnt Admin	$2,452	$0	$0	$0	0.00%	$2,452	$2,069	$383	15.63%	$2,069	$383	15.63%
	$14,659	$755	$755	$0	0.00%	$13,905	$11,335	$2,570	18.48%	$12,089	$2,570	17.53%
SUBTOTAL	$33,153	$16,095	$13,173	$2,922	18.15%	$17,058	$13,883	$3,176	18.62%	$27,056	$6,097	18.39%
MRS	$2,602	$2,602	$2,602	$0	0.00%	$0	$0	$0	0.00%	$2,602	$0	0.00%
TOTAL	$35,755	$18,697	$15,775	$2,922	15.63%	$17,058	$13,883	$3,176	18.62%	$29,658	$6,097	17.05%

REPOSITORY COST BREAKDOWN	TOTAL COSTS REPOS. 1	TOTAL COSTS REPOS. 2	TOTAL COSTS TOTAL	** REPOSITORY 1 COST FACTORS ** DHLW / TOTAL = FACTOR			** REPOSITORY 2 COST FACTORS ** DHLW / TOTAL = FACTOR			DEFENSE COSTS REPOS. 1	DEFENSE COSTS REPOS. 2	DEFENSE COSTS TOTAL
COMMON VARIABLE:				(Waste Packages or Thous. Tons)			(Waste Packages or Thous. Tons)					
PIECE COUNT:												
TOTAL PIECE COUNT	$1,217	$506	$1,723	12,700	56,055	22.66%	3,300	11,412	28.92%	$276	$146	$422
WHB#1 PIECE COUNT	$0	$0	$0	0	0	0.00%	0	0	0.00%	$0	$0	$0
WHB#2 PIECE COUNT	$744	$842	$1,586	12,700	56,055	22.66%	3,300	11,412	28.92%	$169	$243	$412
AREAL DISPERSION	$3,400	$2,529	$5,930	2,477	16,342	15.16%	644	5,305	12.14%	$515	$307	$822
DIRECT:												
CIVILIAN	$2,689	$673	$3,362			0.00%			0.00%	$0	$0	$0
DEFENSE	$778	$184	$961			100.00%			100.00%	$778	$184	$961
SUBTOTAL ASSIGNABLE	$8,828	$4,734	$13,562			19.68%			18.60%	$1,737	$880	$2,618
COMMON UNASSIGNED	$1,756	$1,398	$3,153							$345	$260	$605
TOTAL	$10,583	$6,132	$16,715							$2,083	$1,140	$3,223

Table A2
Reference, Basalt and Hard Rock
DEFENSE WASTE COST ALLOCATION CALCULATION
(MILLIONS OF 1986 DOLLARS)

CASE:UP.REF., EXTENDED, IMPROVED
REP.:BASALT/HARD ROCK

TSLCC COST COMPONENT	TOTAL COST	ASSIGNABLE COSTS TOTAL	ASSIGNABLE COSTS CIVILIAN	ASSIGNABLE COSTS DEFENSE	ASSIGNABLE COSTS DEF %	COMMON UNASSIGNED COSTS TOTAL	COMMON UNASSIGNED COSTS CIVILIAN	COMMON UNASSIGNED COSTS DEFENSE	COMMON UNASSIGNED COSTS DEF %	** TOTAL COST ALLOCATION ** CIVILIAN	** TOTAL COST ALLOCATION ** DEFENSE	** TOTAL COST ALLOCATION ** DEF %
TRANSPORTATION	$2,099	$2,099	$1,781	$318	15.13%	$0	$0	$0	0.00%	$1,781	$318	15.13%
REPOSITORY 1	$10,531	$8,751	$7,382	$1,369	15.64%	$1,779	$1,501	$278	15.64%	$8,883	$1,647	15.64%
REPOSITORY 2	$8,151	$6,503	$5,411	$1,092	16.79%	$1,648	$1,371	$277	16.79%	$6,782	$1,368	16.79%
SUBTOTAL REPOSITORY	$18,681	$15,254	$12,794	$2,461	16.13%	$3,427	$2,872	$555	16.19%	$15,666	$3,016	16.14%
D&E:												
MRS	$125	$125	$125	$0	0.00%	$0	$0	$0	0.00%	$125	$0	0.00%
Waste Pkg.-1	$396	$396	$396	$0	0.00%	$0	$0	$0	0.00%	$396	$0	0.00%
Waste Pkg.-2	$234	$234	$234	$0	0.00%	$0	$0	$0	0.00%	$234	$0	0.00%
Trans/Syst Int	$1,080	$0	$0	$0	0.00%	$1,080	$917	$163	15.13%	$917	$163	15.13%
Other Repository	$10,373	$0	$0	$0	0.00%	$10,373	$8,699	$1,673	16.13%	$8,699	$1,673	16.13%
Governmnt Admin	$2,532	$0	$0	$0	0.00%	$2,532	$2,195	$338	13.33%	$2,195	$338	13.33%
	$14,739	$755	$755	$0	0.00%	$13,985	$11,811	$2,174	15.55%	$12,565	$2,174	14.75%
SUBTOTAL	$35,520	$18,108	$15,330	$2,778	15.34%	$17,412	$14,683	$2,729	15.68%	$30,012	$5,508	15.51%
MRS	$2,729	$2,729	$2,729	$0	0.00%	$0	$0	$0	0.00%	$2,729	$0	0.00%
TOTAL	$38,249	$20,837	$18,059	$2,778	13.33%	$17,412	$14,683	$2,729	15.68%	$32,742	$5,508	14.40%

REPOSITORY COST BREAKDOWN	TOTAL COSTS REPOS. 1	TOTAL COSTS REPOS. 2	TOTAL COSTS TOTAL	** REPOSITORY 1 COST FACTORS ** DHLW / TOTAL	= FACTOR	** REPOSITORY 2 COST FACTORS ** DHLW / TOTAL	= FACTOR	DEFENSE COSTS REPOS. 1	DEFENSE COSTS REPOS. 2	DEFENSE COSTS TOTAL
				(Waste Packages or Thous. Tons)		(Waste Packages or Thous. Tons)				
COMMON VARIABLE:										
PIECE COUNT:										
TOTAL PIECE COUNT	$1,192	$724	$1,916	9,752 / 54,031	18.05%	6,248 / 25,727	24.29%	$215	$176	$391
WHB#1 PIECE COUNT	$0	$0	$0	0 / 0	0.00%	0 / 0	0.00%	$0	$0	$0
WHB#2 PIECE COUNT	$757	$1,020	$1,777	9,752 / 54,031	18.05%	6,248 / 25,727	24.29%	$137	$248	$384
AREAL DISPERSION	$3,428	$2,810	$6,238	1,902 / 16,413	11.59%	1,218 / 10,760	11.32%	$397	$318	$715
DIRECT:										
CIVILIAN	$2,755	$1,599	$4,354		0.00%		0.00%	$0	$0	$0
DEFENSE	$620	$350	$970		100.00%		100.00%	$620	$350	$970
SUBTOTAL ASSIGNABLE	$8,751	$6,503	$15,254		15.64%		16.79%	$1,369	$1,092	$2,461
COMMON UNASSIGNED	$1,779	$1,648	$3,427					$278	$277	$555
TOTAL	$10,531	$8,151	$18,681					$1,647	$1,368	$3,016

Table A3
No New Orders, Tuff and Salt
DEFENSE WASTE COST ALLOCATION CALCULATION
(MILLIONS OF 1986 DOLLARS)

CASE:NNO-EXTENDED, IMPROVED
REP.:TUFF/SALT

TSLCC COST COMPONENT	TOTAL COST	ASSIGNABLE COSTS TOTAL	ASSIGNABLE COSTS CIVILIAN	ASSIGNABLE COSTS DEFENSE	ASSIGNABLE COSTS DEF %	COMMON UNASSIGNED COSTS TOTAL	COMMON UNASSIGNED COSTS CIVILIAN	COMMON UNASSIGNED COSTS DEFENSE	COMMON UNASSIGNED COSTS DEF %	** TOTAL COST ALLOCATION ** CIVILIAN	** TOTAL COST ALLOCATION ** DEFENSE	** TOTAL COST ALLOCATION ** DEF %
TRANSPORTATION	$1,810	$1,810	$1,508	$302	16.67%	$0	$0	$0	0.00%	$1,508	$302	16.67%
REPOSITORY 1	$5,471	$3,847	$2,952	$895	23.28%	$1,624	$1,246	$378	23.28%	$4,198	$1,274	23.28%
REPOSITORY 2	$5,048	$3,565	$2,731	$834	23.41%	$1,483	$1,136	$347	23.41%	$3,867	$1,182	23.41%
SUBTOTAL REPOSITORY	$10,520	$7,412	$5,682	$1,730	23.34%	$3,107	$2,382	$725	23.34%	$8,064	$2,455	23.34%
D&E:												
MRS	$125	$125	$125	$0	0.00%	$0	$0	$0	0.00%	$125	$0	0.00%
Waste Pkg.-1	$396	$396	$396	$0	0.00%	$0	$0	$0	0.00%	$396	$0	0.00%
Waste Pkg.-2	$234	$234	$234	$0	0.00%	$0	$0	$0	0.00%	$234	$0	0.00%
Trans/Syst Int	$1,080	$0	$0	$0	0.00%	$1,080	$900	$180	16.67%	$900	$180	16.67%
Other Repository	$10,373	$0	$0	$0	0.00%	$10,373	$7,952	$2,421	23.34%	$7,952	$2,421	23.34%
Governmnt Admin	$2,347	$0	$0	$0	0.00%	$2,347	$1,970	$378	16.09%	$1,970	$378	16.09%
	$14,554	$755	$755	$0	0.00%	$13,800	$10,821	$2,979	21.58%	$11,576	$2,979	20.46%
SUBTOTAL	$26,884	$9,977	$7,945	$2,032	20.36%	$16,907	$13,203	$3,704	21.91%	$21,149	$5,735	21.33%
MRS	$2,638	$2,651	$2,651	$0	0.00%	($12)	$0	$0	0.00%	$2,651	$0	0.00%
TOTAL	$29,522	$12,627	$10,596	$2,032	16.09%	$16,895	$13,203	$3,704	21.92%	$23,799	$5,735	19.43%

REPOSITORY COST BREAKDOWN	TOTAL COSTS REPOS. 1	TOTAL COSTS REPOS. 2	TOTAL COSTS TOTAL	** REPOSITORY 1 COST FACTORS ** DHLW / TOTAL	= FACTOR	** REPOSITORY 2 COST FACTORS ** DHLW / TOTAL	= FACTOR	DEFENSE COSTS REPOS. 1	DEFENSE COSTS REPOS. 2	DEFENSE COSTS TOTAL
COMMON VARIABLE:				(Waste Packages or Thous. Tons)		(Waste Packages or Thous. Tons)				
PIECE COUNT:										
TOTAL PIECE COUNT	$658	$221	$879	12,700	49,192	25.82%	3,300	9,555	34.54%	$170	$76	$246
WHB#1 PIECE COUNT	$0	$0	$0	0	0	0.00%	0	0	0.00%	$0	$0	$0
WHB#2 PIECE COUNT	$706	$1,361	$2,067	12,700	49,192	25.82%	3,300	9,555	34.54%	$182	$470	$652
AREAL DISPERSION	$1,785	$1,298	$3,083	2,862	14,869	19.25%	974	9,897	9.84%	$343	$128	$471
DIRECT:										
CIVILIAN	$499	$525	$1,024			0.00%			0.00%	$0	$0	$0
DEFENSE	$200	$160	$360			100.00%			100.00%	$200	$160	$360
SUBTOTAL ASSIGNABLE	$3,847	$3,565	$7,412			23.28%			23.41%	$895	$834	$1,730
COMMON UNASSIGNED	$1,624	$1,483	$3,107							$378	$347	$725
TOTAL	$5,471	$5,048	$10,520							$1,274	$1,182	$2,455

Table A4
Reference, Tuff and Salt
DEFENSE WASTE COST ALLOCATION CALCULATION
(MILLIONS OF 1986 DOLLARS)

CASE:UP.REF., EXTENDED, IMPROVED
REP.:TUFF/SALT

TSLCC COST COMPONENT	TOTAL COST	ASSIGNABLE COSTS TOTAL	ASSIGNABLE COSTS CIVILIAN	ASSIGNABLE COSTS DEFENSE	ASSIGNABLE COSTS DEF %	COMMON UNASSIGNED COSTS TOTAL	COMMON UNASSIGNED COSTS CIVILIAN	COMMON UNASSIGNED COSTS DEFENSE	COMMON UNASSIGNED COSTS DEF %	** TOTAL COST ALLOCATION ** CIVILIAN	** TOTAL COST ALLOCATION ** DEFENSE	** TOTAL COST ALLOCATION ** DEF %
TRANSPORTATION	$2,172	$2,172	$1,866	$306	14.08%	$0	$0	$0	0.00%	$1,866	$306	14.08%
REPOSITORY 1	$5,508	$3,854	$3,149	$705	18.28%	$1,654	$1,352	$302	18.28%	$4,501	$1,007	18.28%
REPOSITORY 2	$7,011	$5,239	$4,205	$1,035	19.75%	$1,772	$1,422	$350	19.75%	$5,626	$1,384	19.75%
SUBTOTAL REPOSITORY	$12,519	$9,093	$7,354	$1,739	19.13%	$3,426	$2,773	$652	19.04%	$10,127	$2,391	19.10%
D&E:												
MRS	$125	$125	$125	$0	0.00%	$0	$0	$0	0.00%	$125	$0	0.00%
Waste Pkg.-1	$396	$396	$396	$0	0.00%	$0	$0	$0	0.00%	$396	$0	0.00%
Waste Pkg.-2	$234	$234	$234	$0	0.00%	$0	$0	$0	0.00%	$234	$0	0.00%
Trans/Syst Int	$1,080	$0	$0	$0	0.00%	$1,080	$928	$152	14.08%	$928	$152	14.08%
Other Repository	$10,373	$0	$0	$0	0.00%	$10,373	$8,389	$1,984	19.13%	$8,389	$1,984	19.13%
Governmnt Admin	$2,427	$0	$0	$0	0.00%	$2,427	$2,090	$337	13.88%	$2,090	$337	13.88%
	$14,634	$755	$755	$0	0.00%	$13,880	$11,407	$2,473	17.82%	$12,161	$2,473	16.90%
SUBTOTAL	$29,325	$12,019	$9,974	$2,045	17.01%	$17,306	$14,180	$3,125	18.06%	$24,155	$5,170	17.63%
MRS	$2,708	$2,708	$2,708	$0	0.00%	$0	$0	$0	0.00%	$2,708	$0	0.00%
TOTAL	$32,033	$14,728	$12,683	$2,045	13.88%	$17,306	$14,180	$3,125	18.06%	$26,863	$5,170	16.14%

REPOSITORY COST BREAKDOWN	TOTAL COSTS REPOS. 1	TOTAL COSTS REPOS. 2	TOTAL COSTS TOTAL	** REPOSITORY 1 COST FACTORS ** DHLW / TOTAL	= FACTOR	** REPOSITORY 2 COST FACTORS ** DHLW / TOTAL	= FACTOR	DEFENSE COSTS REPOS. 1	DEFENSE COSTS REPOS. 2	DEFENSE COSTS TOTAL
				(Waste Packages or Thous. Tons)		(Waste Packages or Thous. Tons)				
COMMON VARIABLE:										
PIECE COUNT:										
TOTAL PIECE COUNT	$645	$236	$881	9,752	47,108	20.70%	6,248	21,586	28.94%	$133	$68	$202
WHB#1 PIECE COUNT	$0	$0	$0	0	0	0.00%	0	0	0.00%	$0	$0	$0
WHB#2 PIECE COUNT	$724	$1,752	$2,475	9,752	47,108	20.70%	6,248	21,586	28.94%	$150	$507	$657
AREAL DISPERSION	$1,815	$1,683	$3,498	2,198	15,299	14.37%	1,843	21,127	8.72%	$261	$147	$408
DIRECT:										
CIVILIAN	$510	$1,256	$1,767			0.00%			0.00%	$0	$0	$0
DEFENSE	$161	$312	$473			100.00%			100.00%	$161	$312	$473
SUBTOTAL ASSIGNABLE	$3,854	$5,239	$9,093			18.28%			19.75%	$705	$1,035	$1,739
COMMON UNASSIGNED	$1,654	$1,772	$3,426							$302	$350	$652
TOTAL	$5,508	$7,011	$12,519							$1,007	$1,384	$2,391

Table A5
Repository Cost Breakdown, Basalt and Hard Rock Repositories

CASE: UP.REF. NEW DHLW, IMPROVED, FIRST
SITE: HANFORD
17-Jul-87

ACCOUNT	COST ACCOUNT TITLE	TOTAL	DHLW FACTOR DESIGNATION (INPUT DATA)							ASSIGNABLE							UNASSIGNED
			TOTAL PIECE	WHB#1 PIECE	WHB#2 PIECE	AREAL DISP.	DEDICATED TO CIVIL.	DEDICATED TO DHLW	SHARED	TOTAL PIECE	WHB#1 PIECE	WHB#2 PIECE	AREAL DISPER.	DIRECT CIVILIAN	DIRECT DEFENSE	SUBTOTAL	TOTAL
01000	SUPPORT CONTRACTOR	$111.86								$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$111.86
01010	License Application	$33.56	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$33.56
01020	Other	$78.30	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$78.30
02000	ARCHITECT-ENGINEER	$438.62								$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$438.62
02010	License Application	$261.97	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$261.97
02020	Final Procurement and Construction	$152.82	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$152.82
02030	Title III	$23.83	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$23.83
03000	CONSTRUCTION MANAGEMENT	$318.01	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$318.01
04000	CONSULTANTS	$5.07	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$5.07
05000	PERFORMANCE CONFIRMATION PROGRAM	$45.00	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$45.00
07000	REPOSITORY LAND AQUISITION	$0.00	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
00000	MANAGEMENT AND INTEGRATION	$918.56								$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$918.56
11000	EMPLOYEE TRANSPORTATION	$0.00	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
12000	ON-SITE	$128.64								$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$128.64
12010	Roads	$10.35	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$10.35
12020	Rail	$5.99	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$5.99
12030	Communications	$11.28	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$11.28
12040	Clearing	$0.92	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.92
12050	Grading	$7.80	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$7.80
12060	Landscaping	$0.37	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.37
12070	Drainage Control	$1.13	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$1.13
12080	Fencing	$1.47	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$1.47
12090	Utilities	$81.54	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$81.54
12100	Other	$7.78	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$7.78
13000	OFF-SITE	$27.19								$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$27.19
13010	Roads	$1.96	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$1.96
13020	Rail	$5.04	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$5.04
13030	Communications	$0.00	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
13040	Drainage	$0.00	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
13050	Utilities	$20.19	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$20.19
13060	Other	$0.00	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
14000	MONUMENTS	$17.77	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$17.77
10000	SITE PREPARATION	$173.60								$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$173.60
21000	WASTE HANDLING FACILITY	$798.49								$41.82	$0.00	$756.67	$0.00	$0.00	$0.00	$798.49	$0.00
21100	Waste Handling Building 1:	$0.00								$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
21102	Building/Structures	$0.00	0	1	0	0	0	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
21103	Hot Cell	$0.00	0	1	0	0	0	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
21104	Utilities	$0.00	0	1	0	0	0	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
21105	HVAC	$0.00	0	1	0	0	0	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
21106	Handling/Packaging Equipment	$0.00	0	1	0	0	0	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
21107	Support Facilities	$0.00	0	1	0	0	0	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
21200	Waste Handling Building 2:	$756.67								$0.00	$0.00	$756.67	$0.00	$0.00	$0.00	$756.67	$0.00
21202	Building/Structures	$590.57	0	0	1	0	0	0	0	$0.00	$0.00	$590.57	$0.00	$0.00	$0.00	$590.57	$0.00
21203	Hot Cell	$16.98	0	0	1	0	0	0	0	$0.00	$0.00	$16.98	$0.00	$0.00	$0.00	$16.98	$0.00
21204	Utilities	$46.19	0	0	1	0	0	0	0	$0.00	$0.00	$46.19	$0.00	$0.00	$0.00	$46.19	$0.00
21205	HVAC	$48.53	0	0	1	0	0	0	0	$0.00	$0.00	$48.53	$0.00	$0.00	$0.00	$48.53	$0.00
21206	Handling/Packaging Equipment	$40.85	0	0	1	0	0	0	0	$0.00	$0.00	$40.85	$0.00	$0.00	$0.00	$40.85	$0.00
21207	Support Facilities	$13.56	0	0	1	0	0	0	0	$0.00	$0.00	$13.56	$0.00	$0.00	$0.00	$13.56	$0.00
21500	Other	$41.82								$41.82	$0.00	$0.00	$0.00	$0.00	$0.00	$41.82	$0.00
21501	Site-Generated Radwaste Treatment	$0.00	1	0	0	0	0	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
21502	Vehicle Wash Facility	$0.00	1	0	0	0	0	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
21503	Decontamination Building	$0.00	1	0	0	0	0	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
21504	Performance Confirmation Facility	$0.00	1	0	0	0	0	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00

Table A5

CASE: UP.REF. NEW DHLW, IMPROVED, FIRST
SITE: HANFORD 17-Jul-87

ACCOUNT	COST ACCOUNT TITLE	TOTAL	DHLW FACTOR DESIGNATION (INPUT DATA)							ASSIGNABLE							UNASSIGNED
			TOTAL PIECE	WHB#1 PIECE	WHB#2 PIECE	AREAL DISP.	DEDICATED TO CIVIL.	DEDICATED TO DHLW	SHARED	TOTAL PIECE	WHB#1 PIECE	WHB#2 PIECE	AREAL DISPER.	DIRECT CIVILIAN	DIRECT DEFENSE	SUBTOTAL	TOTAL
21505	Radwaste Storage	$30.14	1	0	0	0	0	0	0	$30.14	$0.00	$0.00	$0.00	$0.00	$0.00	$30.14	$0.00
21506	Transfer Corridors	$6.38	1	0	0	0	0	0	0	$6.38	$0.00	$0.00	$0.00	$0.00	$0.00	$6.38	$0.00
21507	Turntable	$1.75	1	0	0	0	0	0	0	$1.75	$0.00	$0.00	$0.00	$0.00	$0.00	$1.75	$0.00
21508	Waste Shaft Staging Facility	$3.54	1	0	0	0	0	0	0	$3.54	$0.00	$0.00	$0.00	$0.00	$0.00	$3.54	$0.00
22000	BALANCE OF PLANT	$1,445.27								$105.01	$0.00	$0.00	$357.59	$0.00	$0.00	$462.60	$982.67
22010	Health/Medical Facilities	$45.94	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$45.94
22020	Fire Protection Facilities	$53.70	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$53.70
22030	Security Facilites	$207.44	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$207.44
22040	Maintenance Facilities	$100.59	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$100.59
22050	Administration/Personnel Facilities	$357.94	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$357.94
22060	Training/Mockup Facility	$18.95	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$18.95
22070	Warehouse and Receiving	$25.07	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$25.07
22080	Visitors Center Facility	$11.50	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$11.50
22090	Backup Power Generation Facility	$45.87	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$45.87
22100	Change Room Facility	$8.15	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$8.15	$0.00	$0.00	$8.15	$0.00
22110	Explosive Storage Facility	$0.13	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$0.13	$0.00	$0.00	$0.13	$0.00
22120	Compressed Air and Steam Facility	$0.00	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
22130	Cooling Tower and Chilled Water Facility	$218.43	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$218.43	$0.00	$0.00	$218.43	$0.00
22140	Excavated Material Storage and Handling	$88.74								$0.00	$0.00	$0.00	$88.74	$0.00	$0.00	$88.74	$0.00
22141	Surface Exc.Mat. Storage and Handling	$88.74	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$88.74	$0.00	$0.00	$88.74	$0.00
22142	Offsite Excavated Material Disposal	$0.00	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
22150	Fuel Storage Facility	$0.00	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
22160	Chemical Storage Facility	$0.00	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
22170	Lab and Testing Facilities	$64.91	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$64.91
22180	Potable Water Facility	$12.77	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$12.77
22190	Sewage Treatment Facility	$10.47	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$10.47
22200	Backfill Facility	$42.14	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$42.14	$0.00	$0.00	$42.14	$0.00
22210	Packing Facility	$105.01	1	0	0	0	0	0	0	$105.01	$0.00	$0.00	$0.00	$0.00	$0.00	$105.01	$0.00
22220	Control and Monitoring Facility	$18.17	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$18.17
22230	Standard Equipment	$9.37	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$9.37
22240	Other	$0.00	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
23000	SURFACE SHAFT FACILITIES	$451.20								$44.78	$0.00	$0.00	$406.42	$0.00	$0.00	$451.20	$0.00
23010	Men and Materials Facility	$100.39	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$100.39	$0.00	$0.00	$100.39	$0.00
23020	Waste Facility	$44.78	1	0	0	0	0	0	0	$44.78	$0.00	$0.00	$0.00	$0.00	$0.00	$44.78	$0.00
23030	Excavated Material Handling Facility	$50.55	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$50.55	$0.00	$0.00	$50.55	$0.00
23040	Developement Intake Facilities	$27.61	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$27.61	$0.00	$0.00	$27.61	$0.00
23050	Confinement Intake Facilities	$16.10	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$16.10	$0.00	$0.00	$16.10	$0.00
23070	Developement Exhaust Facilities	$10.16	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$10.16	$0.00	$0.00	$10.16	$0.00
23080	Confinement Exhaust Facilities	$193.09	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$193.09	$0.00	$0.00	$193.09	$0.00
23100	Exploratory Shaft Facility - 1	$3.79	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$3.79	$0.00	$0.00	$3.79	$0.00
23110	Exploratory Shaft Facility - 2	$4.73	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$4.73	$0.00	$0.00	$4.73	$0.00
23120	Other Facility	$0.00	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
20000	SURFACE FACILITIES	$2,694.96								$191.62	$0.00	$756.67	$764.00	$0.00	$0.00	$1,712.29	$982.67
30010	Men and Materials Access (Shaft)	$179.49	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$179.49	$0.00	$0.00	$179.49	$0.00
30020	Waste Handling Access (Shaft or Ramp)	$251.19	1	0	0	0	0	0	0	$251.19	$0.00	$0.00	$0.00	$0.00	$0.00	$251.19	$0.00
30030	Exc.Mat. Handling Access (Shaft or Ramp)	$185.40	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$185.40	$0.00	$0.00	$185.40	$0.00
30040	Development Intake Access (Shafts)	$229.40	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$229.40	$0.00	$0.00	$229.40	$0.00
30050	Confinement Intake Access (Shafts)	$335.11	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$335.11	$0.00	$0.00	$335.11	$0.00
30070	Development Exhaust Access (Shafts)	$232.29	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$232.29	$0.00	$0.00	$232.29	$0.00
30080	Confinement Exhaust Access (Shafts)	$322.20	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$322.20	$0.00	$0.00	$322.20	$0.00
30100	Exploratory Shaft - 1	$0.00	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
30110	Exploratory Shaft - 2	$0.00	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
30120	Other	$0.00	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
30000	SHAFTS/RAMPS - UNDERGROUND	$1,735.07								$251.19	$0.00	$0.00	$1,483.89	$0.00	$0.00	$1,735.07	$0.00

CASE: UP.REF. NEW DHLW, IMPROVED, FIRST
SITE: HANFORD 17-Jul-87

DHLW FACTOR DESIGNATION (INPUT DATA)

ACCOUNT	COST ACCOUNT TITLE	TOTAL	TOTAL PIECE	WHB#1 PIECE	WHB#2 PIECE	AREAL DISP.	DEDICATED TO CIVIL.	DEDICATED TO DHLW	SHARED	ASSIGNABLE TOTAL PIECE	ASSIGNABLE WHB#1 PIECE	ASSIGNABLE WHB#2 PIECE	ASSIGNABLE AREAL DISPER.	ASSIGNABLE DIRECT CIVILIAN	ASSIGNABLE DIRECT DEFENSE	ASSIGNABLE SUBTOTAL	UNASSIGNED TOTAL
41000	DEVELOPMENT	$1,500.04								$663.32	$0.00	$0.00	$328.07	$408.18	$100.47	$1,500.04	$0.00
41010	Common Facility (Shaft Pillar) Excavation	$62.99	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$62.99	$0.00	$0.00	$62.99	$0.00
41020	Spent Fuel Facility Excavation	$408.18	0	0	0	0	1	0	0	$0.00	$0.00	$0.00	$0.00	$408.18	$0.00	$408.18	$0.00
41030	DHLW Facility Excavation	$100.47	0	0	0	0	0	1	0	$0.00	$0.00	$0.00	$0.00	$0.00	$100.47	$100.47	$0.00
41040	Other Waste Facility (Boreholes)	$663.32	1	0	0	0	0	0	0	$663.32	$0.00	$0.00	$0.00	$0.00	$0.00	$663.32	$0.00
41060	Excavated Material Handling	$134.25	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$134.25	$0.00	$0.00	$134.25	$0.00
41070	General Maintenance	$130.83	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$130.83	$0.00	$0.00	$130.83	$0.00
42000	EMPLACEMENT/RETRIEVAL OPERATIONS	$531.33								$20.25	$0.00	$0.00	$0.00	$366.09	$144.99	$531.33	$0.00
42010	Spent Fuel Waste Transport and Emplacement	$366.09	0	0	0	0	1	0	0	$0.00	$0.00	$0.00	$0.00	$366.09	$0.00	$366.09	$0.00
42020	DHLW Transport and Emplacement	$144.99	0	0	0	0	0	1	0	$0.00	$0.00	$0.00	$0.00	$0.00	$144.99	$144.99	$0.00
42030	Other Waste Transport and Emplacement	$0.00	0	0	0	0	1	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
42040	Waste Removal	$20.25	1	0	0	0	0	0	0	$20.25	$0.00	$0.00	$0.00	$0.00	$0.00	$20.25	$0.00
43000	BACKFILL	$165.24								$16.50	$0.00	$0.00	$148.74	$0.00	$0.00	$165.24	$0.00
43010	Men and Materials Access (Shaft)	$9.23	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$9.23	$0.00	$0.00	$9.23	$0.00
43020	Waste Handling Access (Shaft or Ramp)	$16.50	1	0	0	0	0	0	0	$16.50	$0.00	$0.00	$0.00	$0.00	$0.00	$16.50	$0.00
43030	Muck Handling Access (Shaft or Ramp)	$9.00	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$9.00	$0.00	$0.00	$9.00	$0.00
43040	Development Intake Access (Shafts)	$12.53	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$12.53	$0.00	$0.00	$12.53	$0.00
43050	Confinement Intake Access (Shafts)	$17.96	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$17.96	$0.00	$0.00	$17.96	$0.00
43070	Development Exhaust Access (Shafts)	$13.02	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$13.02	$0.00	$0.00	$13.02	$0.00
43080	Confinement Exhaust Access (Shafts)	$18.18	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$18.18	$0.00	$0.00	$18.18	$0.00
43100	Exploratory Shaft - 1	$2.31	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$2.31	$0.00	$0.00	$2.31	$0.00
43110	Exploratory Shaft - 2	$6.43	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$6.43	$0.00	$0.00	$6.43	$0.00
43120	Other Shaft	$0.00	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
43300	Development Areas	$60.07	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$60.07	$0.00	$0.00	$60.07	$0.00
40000	SUBSURFACE EXCAVATIONS	$2,196.61								$700.07	$0.00	$0.00	$476.81	$774.28	$245.46	$2,196.61	$0.00
51000	SUPPORT SYSTEM FACILITIES	$407.63	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$407.63	$0.00	$0.00	$407.63	$0.00
52000	UTILITIES	$94.78	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$94.78	$0.00	$0.00	$94.78	$0.00
53000	MONITORING	$200.79	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$200.79	$0.00	$0.00	$200.79	$0.00
50000	UNDERGROUND SERVICE SYSTEMS	$703.19								$0.00	$0.00	$0.00	$703.19	$0.00	$0.00	$703.19	$0.00
61000	SPENT FUEL	$1,632.65								$0.00	$0.00	$0.00	$0.00	$1,632.65	$0.00	$1,632.65	$0.00
61010	Intact PWR	$342.31	0	0	0	0	1	0	0	$0.00	$0.00	$0.00	$0.00	$342.31	$0.00	$342.31	$0.00
61020	Intact BWR	$114.67	0	0	0	0	1	0	0	$0.00	$0.00	$0.00	$0.00	$114.67	$0.00	$114.67	$0.00
61030	Consolidated PWR	$702.80	0	0	0	0	1	0	0	$0.00	$0.00	$0.00	$0.00	$702.80	$0.00	$702.80	$0.00
61040	Consolidated BWR	$472.86	0	0	0	0	1	0	0	$0.00	$0.00	$0.00	$0.00	$472.86	$0.00	$472.86	$0.00
62000	DHLW	$374.77	0	0	0	0	0	1	0	$0.00	$0.00	$0.00	$0.00	$0.00	$374.77	$374.77	$0.00
63000	OTHER WASTE	$396.77								$48.73	$0.00	$0.00	$0.00	$348.04	$0.00	$396.77	$0.00
63010	Spent Fuel Hardware	$336.51	0	0	0	0	1	0	0	$0.00	$0.00	$0.00	$0.00	$336.51	$0.00	$336.51	$0.00
63020	Performance Confirmation	$48.73	1	0	0	0	0	0	0	$48.73	$0.00	$0.00	$0.00	$0.00	$0.00	$48.73	$0.00
63030	WVHLW and CHLW	$11.53	0	0	0	0	1	0	0	$0.00	$0.00	$0.00	$0.00	$11.53	$0.00	$11.53	$0.00
63040	Contact-Handled	$0.00	1	0	0	0	0	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
60000	WASTE PACKAGE FABRICATION	$2,404.19								$48.73	$0.00	$0.00	$0.00	$1,980.69	$374.77	$2,404.19	$0.00
99999	TOTAL REPOSITORY	$10,826.19								$1,191.60	$0.00	$756.67	$3,427.89	$2,754.96	$620.23	$8,751.36	$2,074.83
	TOTAL REPOSITORY LESS L.A.D MANAGEMENT AND INT.	$10,530.66								$1,191.60	$0.00	$756.67	$3,427.89	$2,754.96	$620.23	$8,751.36	$1,779.31
	DEFENSE SHARE:									18.05%	0.00%	18.05%	11.59%	0.00%	100.00%	15.64%	15.64%
	DHLW COST:									$215.07	$0.00	$136.57	$397.24	$0.00	$620.23	$1,369.11	$278.36

Table A5

CASE: UP.REF., NEW DHLW, IMPROVED, SECOND
SITE: HARD ROCK 17-Jul-87

ACCOUNT	COST ACCOUNT TITLE	TOTAL	DHLW FACTOR DESIGNATION (INPUT DATA)							ASSIGNABLE							UNASSIGNED
			TOTAL PIECE	WHB#1 PIECE	WHB#2 PIECE	AREAL DISP.	DEDICATED TO CIVIL.	DEDICATED TO DHLW	SHARED	TOTAL PIECE	WHB#1 PIECE	WHB#2 PIECE	AREAL DISPER.	DIRECT CIVILIAN	DIRECT DEFENSE	SUBTOTAL	TOTAL
01000	SUPPORT CONTRACTOR	$111.86								$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$111.86
01010	License Application	$34.42	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$34.42
01020	Other	$77.44	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$77.44
02000	ARCHITECT-ENGINEER	$478.04								$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$478.04
02010	License Application	$285.63	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$285.63
02020	Final Procurement and Construction	$166.62	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$166.62
02030	Title III	$25.80	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$25.80
03000	CONSTRUCTION MANAGEMENT	$381.60	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$381.60
04000	CONSULTANTS	$3.90	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$3.90
05000	PERFORMANCE CONFIRMATION PROGRAM	$45.00	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$45.00
07000	REPOSITORY LAND AQUISITION	$23.40	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$23.40
00000	MANAGEMENT AND INTEGRATION	$1,043.81								$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$1,043.81
11000	EMPLOYEE TRANSPORTATION	$0.00	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
12000	ON-SITE	$98.55								$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$98.55
12010	Roads	$7.85	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$7.85
12020	Rail	$4.80	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$4.80
12030	Communications	$7.95	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$7.95
12040	Clearing	$0.86	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.86
12050	Grading	$7.18	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$7.18
12060	Landscaping	$0.36	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.36
12070	Drainage Control	$1.04	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$1.04
12080	Fencing	$1.38	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$1.38
12090	Utilities	$60.33	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$60.33
12100	Other	$6.79	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$6.79
13000	OFF-SITE	$40.85								$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$40.85
13010	Roads	$2.27	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$2.27
13020	Rail	$21.39	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$21.39
13030	Communications	$0.00	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
13040	Drainage	$0.00	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
13050	Utilities	$17.19	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$17.19
13060	Other	$0.00	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
14000	MONUMENTS	$17.77	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$17.77
10000	SITE PREPARATION	$157.17								$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$157.17
21000	WASTE HANDLING FACILITY	$1,043.96								$23.51	$0.00	$1,020.45	$0.00	$0.00	$0.00	$1,043.96	$0.00
21100	Waste Handling Building 1:	$0.00								$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
21102	Building/Structures	$0.00	0	1	0	0	0	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
21103	Hot Cell	$0.00	0	1	0	0	0	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
21104	Utilities	$0.00	0	1	0	0	0	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
21105	HVAC	$0.00	0	1	0	0	0	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
21106	Handling/Packaging Equipment	$0.00	0	1	0	0	0	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
21107	Support Facilities	$0.00	0	1	0	0	0	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
21200	Waste Handling Building 2:	$1,020.45								$0.00	$0.00	$1,020.45	$0.00	$0.00	$0.00	$1,020.45	$0.00
21202	Building/Structures	$742.97	0	0	1	0	0	0	0	$0.00	$0.00	$742.97	$0.00	$0.00	$0.00	$742.97	$0.00
21203	Hot Cell	$28.61	0	0	1	0	0	0	0	$0.00	$0.00	$28.61	$0.00	$0.00	$0.00	$28.61	$0.00
21204	Utilities	$56.84	0	0	1	0	0	0	0	$0.00	$0.00	$56.84	$0.00	$0.00	$0.00	$56.84	$0.00
21205	HVAC	$75.87	0	0	1	0	0	0	0	$0.00	$0.00	$75.87	$0.00	$0.00	$0.00	$75.87	$0.00
21206	Handling/Packaging Equipment	$91.59	0	0	1	0	0	0	0	$0.00	$0.00	$91.59	$0.00	$0.00	$0.00	$91.59	$0.00
21207	Support Facilities	$24.57	0	0	1	0	0	0	0	$0.00	$0.00	$24.57	$0.00	$0.00	$0.00	$24.57	$0.00
21500	Other	$23.51								$23.51	$0.00	$0.00	$0.00	$0.00	$0.00	$23.51	$0.00
21501	Site-Generated Radwaste Treatment	$0.00	1	0	0	0	0	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
21502	Vehicle Wash Facility	$0.00	1	0	0	0	0	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
21503	Decontamination Building	$0.00	1	0	0	0	0	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
21504	Performance Confirmation Facility	$0.00	1	0	0	0	0	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00

CASE: UP.REF., NEW DHLW, IMPROVED, SECOND
SITE: HARD ROCK

ACCOUNT	COST ACCOUNT TITLE	17-Jul-87 TOTAL	DHLW FACTOR DESIGNATION (INPUT DATA)							ASSIGNABLE							UNASSIGNED
			TOTAL PIECE	WHB#1 PIECE	WHB#2 PIECE	AREAL DISP.	DEDICATED TO CIVIL.	DEDICATED TO DHLW	SHARED	TOTAL PIECE	WHB#1 PIECE	WHB#2 PIECE	AREAL DISPER.	DIRECT CIVILIAN	DIRECT DEFENSE	SUBTOTAL	TOTAL
21505	Radwaste Storage	$13.32	1	0	0	0	0	0	0	$13.32	$0.00	$0.00	$0.00	$0.00	$0.00	$13.32	$0.00
21506	Transfer Corridors	$5.82	1	0	0	0	0	0	0	$5.82	$0.00	$0.00	$0.00	$0.00	$0.00	$5.82	$0.00
21507	Turntable	$1.12	1	0	0	0	0	0	0	$1.12	$0.00	$0.00	$0.00	$0.00	$0.00	$1.12	$0.00
21508	Waste Shaft Staging Facility	$3.26	1	0	0	0	0	0	0	$3.26	$0.00	$0.00	$0.00	$0.00	$0.00	$3.26	$0.00
22000	BALANCE OF PLANT	$1,117.04								$56.71	$0.00	$0.00	$293.44	$0.00	$0.00	$350.16	$766.88
22010	Health/Medical Facilities	$34.34	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$34.34
22020	Fire Protection Facilities	$42.27	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$42.27
22030	Security Facilites	$162.93	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$162.93
22040	Maintenance Facilities	$72.02	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$72.02
22050	Administration/Personnel Facilities	$292.33	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$292.33
22060	Training/Mockup Facility	$14.78	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$14.78
22070	Warehouse and Receiving	$20.12	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$20.12
22080	Visitors Center Facility	$6.44	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$6.44
22090	Backup Power Generation Facility	$43.02	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$43.02
22100	Change Room Facility	$7.66	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$7.66	$0.00	$0.00	$7.66	$0.00
22110	Explosive Storage Facility	$0.12	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$0.12	$0.00	$0.00	$0.12	$0.00
22120	Compressed Air and Steam Facility	$0.00	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
22130	Cooling Tower and Chilled Water Facility	$197.86	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$197.86	$0.00	$0.00	$197.86	$0.00
22140	Excavated Material Storage and Handling	$57.16								$0.00	$0.00	$0.00	$57.16	$0.00	$0.00	$57.16	$0.00
22141	Surface Exc.Mat. Storage and Handling	$57.16	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$57.16	$0.00	$0.00	$57.16	$0.00
22142	Offsite Excavated Material Disposal	$0.00	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
22150	Fuel Storage Facility	$0.00	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
22160	Chemical Storage Facility	$0.00	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
22170	Lab and Testing Facilities	$38.82	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$38.82
22180	Potable Water Facility	$9.49	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$9.49
22190	Sewage Treatment Facility	$5.57	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$5.57
22200	Backfill Facility	$30.65	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$30.65	$0.00	$0.00	$30.65	$0.00
22210	Packing Facility	$56.71	1	0	0	0	0	0	0	$56.71	$0.00	$0.00	$0.00	$0.00	$0.00	$56.71	$0.00
22220	Control and Monitoring Facility	$17.73	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$17.73
22230	Standard Equipment	$7.04	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$7.04
22240	Other	$0.00	0	0	0	0	0	0	1	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
23000	SURFACE SHAFT FACILITIES	$387.48								$32.39	$0.00	$0.00	$355.09	$0.00	$0.00	$387.48	$0.00
23010	Men and Materials Facility	$74.97	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$74.97	$0.00	$0.00	$74.97	$0.00
23020	Waste Facility	$32.39	1	0	0	0	0	0	0	$32.39	$0.00	$0.00	$0.00	$0.00	$0.00	$32.39	$0.00
23030	Excavated Material Handling Facility	$32.46	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$32.46	$0.00	$0.00	$32.46	$0.00
23040	Developement Intake Facilities	$27.54	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$27.54	$0.00	$0.00	$27.54	$0.00
23050	Confinement Intake Facilities	$17.75	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$17.75	$0.00	$0.00	$17.75	$0.00
23070	Developement Exhaust Facilities	$9.55	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$9.55	$0.00	$0.00	$9.55	$0.00
23080	Confinement Exhaust Facilities	$185.01	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$185.01	$0.00	$0.00	$185.01	$0.00
23100	Exploratory Shaft Facility - 1	$3.44	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$3.44	$0.00	$0.00	$3.44	$0.00
23110	Exploratory Shaft Facility - 2	$4.37	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$4.37	$0.00	$0.00	$4.37	$0.00
23120	Other Facility	$0.00	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
20000	SURFACE FACILITIES	$2,548.48								$112.62	$0.00	$1,020.45	$648.53	$0.00	$0.00	$1,781.60	$766.88
30010	Men and Materials Access (Shaft)	$154.86	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$154.86	$0.00	$0.00	$154.86	$0.00
30020	Waste Handling Access (Shaft or Ramp)	$216.50	1	0	0	0	0	0	0	$216.50	$0.00	$0.00	$0.00	$0.00	$0.00	$216.50	$0.00
30030	Exc.Mat. Handling Access (Shaft or Ramp)	$159.95	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$159.95	$0.00	$0.00	$159.95	$0.00
30040	Development Intake Access (Shafts)	$198.15	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$198.15	$0.00	$0.00	$198.15	$0.00
30050	Confinement Intake Access (Shafts)	$288.64	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$288.64	$0.00	$0.00	$288.64	$0.00
30070	Development Exhaust Access (Shafts)	$200.62	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$200.62	$0.00	$0.00	$200.62	$0.00
30080	Confinement Exhaust Access (Shafts)	$277.58	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$277.58	$0.00	$0.00	$277.58	$0.00
30100	Exploratory Shaft - 1	$0.00	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
30110	Exploratory Shaft - 2	$0.00	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
30120	Other	$0.00	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
30000	SHAFTS/RAMPS - UNDERGROUND	$1,496.30								$216.50	$0.00	$0.00	$1,279.80	$0.00	$0.00	$1,496.30	$0.00

Table A5

CASE: UP.REF., NEW DHLW, IMPROVED, SECOND
SITE: HARD ROCK 17-Jul-87

ACCOUNT	COST ACCOUNT TITLE	TOTAL COST	DHLW FACTOR DESIGNATION (INPUT DATA) TOTAL PIECE	WHB#1 PIECE	WHB#2 PIECE	AREAL DISP.	DEDICATED TO CIVIL.	DEDICATED TO DHLW	SHARED	ASSIGNABLE TOTAL PIECE	ASSIGNABLE WHB#1 PIECE	ASSIGNABLE WHB#2 PIECE	ASSIGNABLE AREAL DISPER.	ASSIGNABLE DIRECT CIVILIAN	ASSIGNABLE DIRECT DEFENSE	ASSIGNABLE SUBTOTAL	UNASSIGNED TOTAL
41000	DEVELOPMENT	$940.44								$314.99	$0.00	$0.00	$290.04	$290.47	$44.94	$940.44	$0.00
41010	Common Facility (Shaft Pillar) Excavation	$86.94	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$86.94	$0.00	$0.00	$86.94	$0.00
41020	Spent Fuel Facility Excavation	$290.47	0	0	0	0	1	0	0	$0.00	$0.00	$0.00	$0.00	$290.47	$0.00	$290.47	$0.00
41030	DHLW Facility Excavation	$44.94	0	0	0	0	0	1	0	$0.00	$0.00	$0.00	$0.00	$0.00	$44.94	$44.94	$0.00
41040	Other Waste Facility (Boreholes)	$314.99	1	0	0	0	0	0	0	$314.99	$0.00	$0.00	$0.00	$0.00	$0.00	$314.99	$0.00
41060	Excavated Material Handling	$107.06	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$107.06	$0.00	$0.00	$107.06	$0.00
41070	General Maintenance	$96.05	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$96.05	$0.00	$0.00	$96.05	$0.00
42000	EMPLACEMENT/RETRIEVAL OPERATIONS	$260.24								$16.83	$0.00	$0.00	$0.00	$178.51	$64.90	$260.24	$0.00
42010	Spent Fuel Waste Transport and Emplacement	$178.51	0	0	0	0	1	0	0	$0.00	$0.00	$0.00	$0.00	$178.51	$0.00	$178.51	$0.00
42020	DHLW Transport and Emplacement	$64.90	0	0	0	0	0	1	0	$0.00	$0.00	$0.00	$0.00	$0.00	$64.90	$64.90	$0.00
42030	Other Waste Transport and Emplacement	$0.00	0	0	0	0	1	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
42040	Waste Removal	$16.83	1	0	0	0	0	0	0	$16.83	$0.00	$0.00	$0.00	$0.00	$0.00	$16.83	$0.00
43000	BACKFILL	$132.35								$14.41	$0.00	$0.00	$117.94	$0.00	$0.00	$132.35	$0.00
43010	Men and Materials Access (Shaft)	$8.06	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$8.06	$0.00	$0.00	$8.06	$0.00
43020	Waste Handling Access (Shaft or Ramp)	$14.41	1	0	0	0	0	0	0	$14.41	$0.00	$0.00	$0.00	$0.00	$0.00	$14.41	$0.00
43030	Muck Handling Access (Shaft or Ramp)	$7.86	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$7.86	$0.00	$0.00	$7.86	$0.00
43040	Development Intake Access (Shafts)	$10.97	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$10.97	$0.00	$0.00	$10.97	$0.00
43050	Confinement Intake Access (Shafts)	$15.66	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$15.66	$0.00	$0.00	$15.66	$0.00
43070	Development Exhaust Access (Shafts)	$11.39	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$11.39	$0.00	$0.00	$11.39	$0.00
43080	Confinement Exhaust Access (Shafts)	$15.87	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$15.87	$0.00	$0.00	$15.87	$0.00
43100	Exploratory Shaft - 1	$2.31	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$2.31	$0.00	$0.00	$2.31	$0.00
43110	Exploratory Shaft - 2	$6.43	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$6.43	$0.00	$0.00	$6.43	$0.00
43120	Other Shaft	$0.00	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
43300	Development Areas	$39.38	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$39.38	$0.00	$0.00	$39.38	$0.00
40000	SUBSURFACE EXCAVATIONS	$1,333.03								$366.23	$0.00	$0.00	$407.98	$468.98	$109.84	$1,333.03	$0.00
51000	SUPPORT SYSTEM FACILITIES	$267.93	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$267.93	$0.00	$0.00	$267.93	$0.00
52000	UTILITIES	$79.05	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$79.05	$0.00	$0.00	$79.05	$0.00
53000	MONITORING	$126.42	0	0	0	1	0	0	0	$0.00	$0.00	$0.00	$126.42	$0.00	$0.00	$126.42	$0.00
50000	UNDERGROUND SERVICE SYSTEMS	$473.40								$0.00	$0.00	$0.00	$473.40	$0.00	$0.00	$473.40	$0.00
61000	SPENT FUEL	$1,091.22								$0.00	$0.00	$0.00	$0.00	$1,091.22	$0.00	$1,091.22	$0.00
61010	Intact PWR	$145.29	0	0	0	0	1	0	0	$0.00	$0.00	$0.00	$0.00	$145.29	$0.00	$145.29	$0.00
61020	Intact BWR	$76.46	0	0	0	0	1	0	0	$0.00	$0.00	$0.00	$0.00	$76.46	$0.00	$76.46	$0.00
61030	Consolidated PWR	$591.55	0	0	0	0	1	0	0	$0.00	$0.00	$0.00	$0.00	$591.55	$0.00	$591.55	$0.00
61040	Consolidated BWR	$277.92	0	0	0	0	1	0	0	$0.00	$0.00	$0.00	$0.00	$277.92	$0.00	$277.92	$0.00
62000	DHLW	$240.12	0	0	0	0	0	1	0	$0.00	$0.00	$0.00	$0.00	$0.00	$240.12	$240.12	$0.00
63000	OTHER WASTE	$87.32								$48.73	$0.00	$0.00	$0.00	$38.59	$0.00	$87.32	$0.00
63010	Spent Fuel Hardware	$38.59	0	0	0	0	1	0	0	$0.00	$0.00	$0.00	$0.00	$38.59	$0.00	$38.59	$0.00
63020	Performance Confirmation	$48.73	1	0	0	0	0	0	0	$48.73	$0.00	$0.00	$0.00	$0.00	$0.00	$48.73	$0.00
63030	WVHLW and CHLW	$0.00	0	0	0	0	1	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
63040	Contact-Handled	$0.00	1	0	0	0	0	0	0	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
60000	WASTE PACKAGE FABRICATION	$1,418.66								$48.73	$0.00	$0.00	$0.00	$1,129.81	$240.12	$1,418.66	$0.00
99999	TOTAL REPOSITORY	$8,470.84								$724.07	$0.00	$1,020.45	$2,809.72	$1,598.79	$349.96	$6,502.98	$1,967.86
	TOTAL REPOSITORY LESS L.A.D. MANAGEMENT AND INT.	$8,150.79								$724.07	$0.00	$1,020.45	$2,809.72	$1,598.79	$349.96	$6,502.98	$1,647.81
	DEFENSE SHARE:									26.29%	0.00%	26.29%	11.32%	0.00%	100.00%	16.79%	16.79%
	DHLW COST:									$175.85	$0.00	$247.82	$318.05	$0.00	$349.96	$1,091.68	$276.62

[FR Doc. 87–19065 Filed 8–19–87; 8:45 am]
BILLING CODE 6450-01-C

federal register

Thursday
August 20, 1987

Part VI

Small Business Administration

13 CFR Part 144

Disaster Home Loans; Debt Collection; Final Rulemaking

SMALL BUSINESS ADMINISTRATION

13 CFR Part 144

Disaster Home Loans; Debt Collection

AGENCY: Small Business Administration.
ACTION: Final rulemaking.

SUMMARY: The Small Business Administration is amending the debt collection regulations for certain Disaster Home Loans. These regulations govern a one-time program to permit the prepayment at a discount of certain outstanding disaster home loans. The regulations also provide for a methodology for computing the discounted value of the loan to be paid.

EFFECTIVE DATE: August 20, 1987.

FOR FURTHER INFORMATION CONTACT: James W. Hammersley, Financial Analyst, (202–653–5954) Small Business Administration, Room 800C, 1441 L St. NW., Washington, DC 20416.

SUPPLEMENTARY INFORMATION: The Disaster Home Loan (DHL) Program provides long term loans at favorable interest rates to repair or replace property lost or damaged as a result of such physical disasters as floods, hurricanes, tornados, and other catastrophes. Further discussion and the regulations governing the operation of the DHL program can be found at 13 CFR 123.1—123.29.

The President's Budget for FY 1988 requires the Small Business Administration to conduct asset sales as part of Federal credit reform. The Administrator has determined that allowing disaster home loan borrowers to prepay their loans at a discount may provide a favorable rate of return to the government.

Under the regulation, a written offer will be made during the summer of 1987 by mail to each DHL borrower whose loan had an original approval amount of $5,000 or less and is in current status. Current status as defined by this regulation will include all loans that are paying according to schedule and those loans in which the borrower is late on one payment (loan is no more than 31 days past due). The offer will only be made to borrowers with current loans as defined in the rule. Borrowers who are not current are precluded from this offer of prepayment so as not to receive any benefit from their delinquency. The SBA does not have the unilateral authority and cannot offer prepayment to those borrowers whose loans are in litigation status. Loans which have been disbursed less than one year will not be included in the program. Borrowers with 12 or fewer payments remaining will not receive offers because the amount of the discount over the remaining term of the loan is insignificant. Loans of $5,000 and less were selected because these loans are generally unsecured.

Borrowers will have a specified period of time to respond to the offer. The deadline for response for all eligible borrowers will be a date certain specified in the offer. The response will be made by sending a check for the amount of the offer to the SBA. If SBA receives payment within the time frame identified in the offer, the borrower's loan will be considered paid in full. SBA will take any steps necessary to release all encumbrances for any collateral on the loan and to assign all notes back to the borrowers. Checks received by SBA after the closing date of the offer will be credited to the borrower's account as extraordinary payments of principal, but will not be considered as a response to the discounted prepayment offer. Borrowers claiming that they did not receive the offer and borrowers whose checks are returned for a lack of funds will be permitted the opportunity to discuss their loan with the SBA Disaster Loan Servicing office [1–800–654–2071 for all states except Alabama, the number for Alabama residents is 1–800–237–8431]. The disposition of these situations will be handled on a case by case basis.

The prepayment amount necessary to discharge the indebtedness in each instance will be calculated by determining the present value of the remaining payments on the loan at an interest rate that would provide a potential investor a yield to maturity required by market conditions. The SBA financial advisor will provide input into the establishment of the discount rate, however, the decision will be made by SBA. The factors considered in the discount rate decision, which may change from time to time, will include, but will not be limited to, the following: (1) The current market yield on outstanding obligations of similar maturity and quality, (2) the current interest rates charged by private financial institutions that make loans of comparable quality and maturity to the DHLs, (3) current and anticipated administrative costs for servicing the DHLs, and (4) the current net proceeds to the government if the prepaid loans had been sold without recourse by the government.

SBA received one comment letter which was from an SBA field attorney. The comments were technical in nature and were considered when preparing the final regulations.

Reason for Action

In the proposed regulation published July 10, 1987 (52 FR 26019), the Small Business Administration proposed this prepayment of disaster home loans in keeping with the budgetary initiative of this Administration. It is believed that a favorable monetary return can be obtained from these loans by prepayment at a discount.

Regulatory Flexibility Statement

These regulations will not have a significant economic impact on a substantial number of small entities because DHL borrowers are not considered "small entities" under the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*

Executive Order 12291

These regulations are, however, classified as a major rule within the meaning of the Executive Order because the discount prepayment program could affect disaster home loans with a current outstanding balance in excess of $100,000,000.

The amendments to the regulations are beneficial to the disaster home loan borrowers. Applications for discounted prepayment are voluntary and the borrowers accepting the proposal will be the only entities affected by the proposed regulation.

There is little or no potential cost to the borrower in accepting the prepayment offer. If the funds used to make the prepayment are borrowed, there may be an application charge or other fees by the lender. The SBA feels that such charges would be negligible.

The benefits to the borrower include the elimination of a debt, and the opportunity to prepay a loan at less than the balance outstanding.

The only available alternative would be to sell these loans to private investors. The sale back to the borrower was chosen first because (1) there are fewer sale expenses involved in selling a loan to the borrower than in running an underwritten sale to private investors, and (2) buyers do not have to consider the various factors that investors do (default rate, prepayment rate, collateral value, cost of collection, cost of monthly payment processing) when deciding whether to make the investment. It is felt that offering the loans to the borrowers first has the lowest cost.

Paperwork Reduction Act of 1980

SBA certifies that this regulation imposes no reporting or recordkeeping requirements subject to the Paperwork Reduction Act. The offer will be

prepared by SBA. The borrower may respond to it or discard it. Response to the offer is, therefore, considered "consent" and is specifically excluded from the requirements of the Act by 5 CFR 1320.7(k)(l).

List of Subjects in 13 CFR Part 144

Loan programs—disaster home loans: Reporting and recordkeeping requirements.

Accordingly, purusuant to section 5(b)(6) of the Small Business Act (15 U.S.C. 634(b)(6)), Part 144 is added to read as follows:

PART 144—DISCOUNTED PREPAYMENT OF DISASTER HOME LOANS

Sec.

144.1 General information.
144.3 Applicability and eligibility.
144.5 Proposal for prepayment.
144.7 Acceptance of proposal.
144.9 Calculation of discount.
144.11 Tax implication.

Authority: Sec. 5(b)(6) of the Small Business Act, 15 U.S.C. 634(b)(6).

§ 144.1 General information.

Under this one-time program for Fiscal Year 1987, the SBA may provide a discount for prepayment in full of an outstanding disaster home loan to those borrowers that meet the conditions established in this subpart.

§ 144.3 Applicability and eligibility.

This discount program is applicable to all disaster home loans (see 13 CFR § 123.1 through 123.29 for details) which have been fully disbursed and outstanding for a period of 12 months at the time of offer have at least 12 months remaining, and which are in a current status. A loan in "Current Status" as defined for this regulation is one which is paying according to the current payment schedule or the borrower is late on one payment. In no case will the offer be made to a borrower whose loan is more than 31 days past due.

§ 144.5 Proposal for prepayment.

(a) The SBA will calculate the appropriate discount and make a written offer to each eligible disaster home loan borrower. The offer will be mailed by the SBA to the address now used for the monthly billing of the loan.

(b) Upon issuance by SBA of the proposal for discounted prepayment, the borrower will have a specified period of time to respond to the offer. A timely acceptance will be signified by payment of the amount identified in the offer by the deadline stated in the offer. Late payment or nonresponse will be considered a decline of the offer.

(c) The issue date will be the date on which SBA mails the offer to the borrower. The deadline will be a date specified in the offer.

(d) A borrower who feels he/she should have been contacted but did not receive an offer will have a fair opportunity to discuss their loan with SBA. Such presentation will be made to the SBA office servicing the loan.

§ 144.7 Acceptance of proposal.

(a) A borrower accepting the proposal to prepay his/her loan at a discount shall forward the payment coupon provided with the proposal and submit payment for the discounted amount to be received by the Small Business Administration, Denver, Colorado 80259–0001 not later than the deadline specified in the offer.

(b) The receipt of the offer for discounted prepayment does not relieve the disaster home loan borrower from the requirement for the periodic payment under the loan until such time as the offer is accepted by the borrower and payment made to SBA. Rejection of the offer by the borrower does not affect the payment terms of the loan.

(c) Upon receipt of the acceptance and payment in full of the discounted amount, SBA will return the promissory note stamped paid-in-full and take any appropriate action necessary to release all encumbrances for any collateral on the loan and to make proper recordation releasing the note back to the borrower.

§ 144.9 Calculation of discount.

The SBA will establish a present value of the remaining payments required under a disaster home loan by calculating a price on that loan which would, if the loan were purchased and held to maturity, produce a yield or return to the purchaser equal to the market interest rate determined by the Administrator. A standard net present value calculation will used. The discount rate will be determined by the Administrator after consultation with the financial advisor and consideration of other factors relevant to this program.

§ 144.11 Tax implication.

SBA will advise borrowers that the discounted amount may be considered taxable income and will advise the Internal Revenue Service of the amount of discount applicable to each loan which is prepaid.

James Abdnor,

Administrator.

August 12, 1987.

[FR Doc. 87–19000 Filed 8–19–87; 8:45 am]
BILLING CODE 8025-01-M

federal register

Thursday
August 20, 1987

Part VII

Office of Management and Budget

Congressional Budget Office

Sequestration Report for Fiscal Year 1988—A Joint Report to the Temporary Joint Committee on Deficit Reduction

OFFICE OF MANAGEMENT AND BUDGET

CONGRESSIONAL BUDGET OFFICE

Sequestration Report for Fiscal Year 1988–A Joint Report to the Temporary Joint Committee on Deficit Reduction

AGENCY: Office of Management and Budget, Congressional Budget Office.

ACTION: Report transmittal.

SUMMARY: This notice transmits the initial Sequestration Report for Fiscal Year 1988 to the Temporary Joint Committee on Deficit Reduction in accordance with the alternative procedures of the Balanced Budget and Emergency Deficit Control Act of 1985, Public Law 99–177.

BILLING CODE 3110-01-M

Congressional Budget Office
Congress of the United States

Office of Management and Budget
Executive Office of the President

August 20, 1987

Honorable George Bush
President of the Senate
Washington, D.C. 20510

Dear Mr. President:

In accordance with the alternative procedures of the Balanced Budget and Emergency Deficit Control Act of 1985, Public Law 99-177, the Director of the Office of Management and Budget and the Director of the Congressional Budget Office do hereby submit to you our initial Sequestration Report for Fiscal Year 1988.

This joint report estimates budget levels for 1988 following the specifications set forth in the Act. The budget estimates are based on laws and regulations in effect on August 15, 1987, and on appropriations for fiscal year 1987, because no appropriations for 1988 have been enacted. Since the projected deficit exceeds the maximum deficit amount by more than $10 billion, the report also calculates the amounts and percentages by which various budgetary resources must be sequestered to eliminate the deficit excess.

The report is in two parts: a summary and an appendix that provides a detailed listing of all sequestration reductions by agency and budget account. The summary section includes our economic assumptions, our projected budget base levels, and a discussion of the sequestration calculations. The report does not contain a listing of sequestration reductions for defense programs, projects, and activities because no defense appropriations bills for 1988 have been enacted.

With best wishes,

Sincerely yours,

Edward M. Gramlich
Acting Director
Congressional Budget Office

James C. Miller III
Director
Office of Management and Budget

IDENTICAL LETTERS SENT TO HONORABLE JAMES C. WRIGHT, JR., HONORABLE LAWTON CHILES, HONORABLE WILLIAM H. GRAY III

SEQUESTRATION REPORT FOR FISCAL YEAR 1988
A JOINT REPORT TO THE TEMPORARY JOINT COMMITTEE ON DEFICIT REDUCTION

TABLE OF CONTENTS

	Page
LETTER OF TRANSMITTAL	
INTRODUCTION	1
BUDGET BASELINE TOTALS	3
ECONOMIC ASSUMPTIONS	7
SEQUESTERABLE RESOURCES	9
LEGISLATION ENACTED SUBSEQUENT TO THE ACT	10
COMPOSITION OF BASELINE OUTLAYS	12
SEQUESTRATION CALCULATIONS	14
AUTOMATIC SPENDING INCREASES	16
SPECIAL RULES	17
Guaranteed Student Loan Program	17
Foster Care and Adoption Assistance Programs	18
Medicare	18
Veterans Medical Care and Other Health Programs	18
Child Support Enforcement Program	18
Unemployment Compensation Programs	19
Commodity Credit Corporation	19
Federal Pay	19
Defense Contracts	20
SEQUESTRATION REDUCTIONS	20
APPENDIX: SEQUESTRATION REDUCTIONS BY AGENCY AND BUDGET ACCOUNT	24
TABLES	
1. Budget Baseline Totals for 1988	4
2. Differences Between OMB and CBO Baseline Deficits	6
3. Economic Assumptions	8
4. Real Economic Growth Rates by Quarter	8
5. Programs Exempted from Sequestration Since 1985	11
6. Composition of Baseline Outlay Estimates for 1988	13
7. Sequestration Calculations for 1988	15
8. Automatic Spending Increases for 1988 Subject to Sequestration	17
9. Defense Program Sequestrations for 1988	21
10. Nondefense Program Sequestrations for 1988 by Function	22
11. Sequestrations for 1988 by Agency	23

GENERAL NOTES

1. All years referred to are fiscal years unless otherwise noted.

2. Details in the tables and text may not add to totals because of rounding.

3. The sources for all data in this report are the Congressional Budget Office and the Office of Management and Budget, unless otherwise noted.

INTRODUCTION

The Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177) stipulates that budget deficits must be decreased annually and specifies measures that must be taken to achieve this result. The maximum deficit amounts specified by the Act are:

Fiscal Year	Maximum Deficit (in billions of dollars)
1988.....	108.0
1989.....	72.0
1990.....	36.0
1991.....	zero

The Act provides that a deficit estimate that exceeds the maximum level by more than $10 billion in 1988-1990, or by any amount in 1991, triggers a spending reduction procedure to eliminate the excess deficit through the "sequestration" of budgetary resources. Except for special and trust funds, sequestration is the permanent cancellation of new budget authority and other authority to obligate and expend funds. (Amounts sequestered in special and trust funds remain in such funds.)

The Supreme Court ruled last year that the original procedure by which the sequestration was to occur is unconstitutional because the Act violated the principle of separation of powers by granting the Comptroller General final authority to determine the size and composition of the sequestration the President must order. The Act contains a "fallback" mechanism (described below) that was implemented after the Supreme Court's decision that the Comptroller General's role was unconstitutional.

Under the fallback mechanism, the first step in the sequestration process for 1988 is the submission of this joint report by the Director of the Office of Management and Budget (OMB) and the Director of the Congressional Budget Office (CBO) to Congress. The report is to be referred to the Temporary Joint Committee on Deficit Reduction, composed of the entire membership of the House and Senate Budget Committees. The report:

-- estimates budget baseline levels, including the amount by which the projected deficit exceeds the maximum deficit amount for the fiscal year covered by the report;

-- provides OMB and CBO economic assumptions, including the estimated rate of real economic growth; and

-- calculates the amounts and percentages by which various budgetary resources must be sequestered in order to eliminate any deficit excess.

The Congress is currently considering legislation to revise the deficit targets, reestablish automatic spending reduction procedures and make other changes in the Balanced Budget and Emergency Deficit Control Act of 1985. Although House and Senate conferees were unable to reach agreement prior to the August recess, the conference committee is expected to resume deliberations when the Congress returns on September 9. The revisions to the Balanced Budget and Emergency Deficit Control Act are being considered in conjunction with revised limits in the debt subject to limit that expire on September 23, 1987. Until the Act is amended, however, the fallback procedure is still in effect.1/

This document is the Directors' initial report for 1988. It does not reflect any of the changes to the original Act currently under consideration by Congress. The budget estimates reflect laws and regulations in effect on August 15, 1987. Under current law, a revised report will be submitted on October 5. That report will reflect laws enacted and regulations promulgated after August 15 that affect the 1988 budget. If either report estimates a 1988 deficit in excess of $118 billion, the Directors must calculate the sequester needed to reduce the deficit to $108 billion -- the maximum deficit amount. After receiving the report the Temporary Joint Committee must, within five calendar days, report to the House and Senate a joint resolution "setting forth the contents of the report." Within the next five days that the Congress is in session, both Houses are required to vote on the joint resolution. If the resolution becomes law, the President must follow its terms in issuing his sequester order.

This procedure applies to both the initial and the revised reports of the Directors. A sequester order based on the August 20 report would become effective October 1. A sequester order based on the October 5 report would become effective on October 15 or on the date the President signs the order, whichever is later.

1/ Under the version that passed the Senate on July 24, the sequester order would be triggered by an OMB report. OMB's preliminary estimate is that the budget baseline deficit under the Senate bill would be between $160 and $170 billion.

BUDGET BASELINE TOTALS

This report deals only with fiscal year 1988. The OMB and CBO estimates of total revenues, outlays, and the deficit for 1988 are shown in Table 1. These estimates are made in accordance with the specifications set forth in the Act, as amended by subsequent legislation. The budget baseline totals are generally referred to as the "Gradison base" estimates, which differ from other measures of current services or baseline projections used by OMB and CBO -- primarily in the treatment of annual appropriations. The budget baseline estimates used in this report assume that current law for revenues and spending authority (including most entitlements) will continue unchanged, except that expiring provisions of law providing revenues and spending authority will terminate as scheduled. 2/

As provided by the Act, the OMB and CBO estimates for spending accounts that require appropriations are based on the appropriations enacted for fiscal year 1987, without any adjustments for inflation or other factors because no appropriations have yet been enacted for fiscal year 1988. As required by the Act, the budget estimates include the receipts and outlays of the social security trust funds, even though they are legally off-budget and the benefits are exempt from sequestration.

OMB and CBO continue to disagree about whether certain programs should be treated as entitlements or controlled by 1987 appropriations for the budget baseline estimates. They also continue to disagree about amounts to be included for federal pay raises in the budget baseline totals. These conceptual issues were discussed in detail in the initial OMB-CBO sequestration report for fiscal year 1987, and may be resolved by the pending amendments to the Balanced Budget Act.3/

2/ The Act permits an exception to the expiring-provision assumption for excise taxes dedicated to a trust fund (but not for spending authority in that trust fund) and for Commodity Credit Corporation price support programs. In these cases, the budget baseline levels are to assume extension of the provisions and programs at current rates.

3/ See the discussion of conceptual issues on appropriated entitlements and pay raises on pages 29851 - 29853 of the Federal Register for Wednesday, August 20, 1986 (Vol. 51, No. 161).

Table 1.--BASELINE TOTALS FOR 1988
(in billions of dollars)

Budget Aggregates	OMB Estimates	CBO Estimates	Average
Revenues	903.0	897.0	900.0
Outlays	1039.8	1066.9	1053.4
Deficit	136.8	169.9	153.4

This year, several new disagreements have arisen. In the 1987 report, OMB and CBO disagreed as to whether advanced deficiency farm payments should be assumed or not. That disagreement persists, along with a new, similar disagreement about the paid land diversion program. In addition, OMB and CBO disagree about the legal authority underlying the Administration's plan to restructure loans under the foreign military sales credit program. Finally, OMB and CBO also disagree about how the new Federal Employees' Thrift Savings Fund should be handled for Federal budget accounting.

OMB's deficit estimate for 1988 is $136.8 billion, and CBO's deficit estimate is $169.9 billion. The average of the two deficit estimates is $153.4 billion, which exceeds the maximum deficit amount of $108.0 billion by $45.4 billion. Since the average deficit excess of $45.4 billion is greater than $10.0 billion, sequestration calculations are required in this report. They are discussed in a separate section below.

The major factors accounting for the $33.1 billion difference between the OMB and CBO budget baseline deficits are shown in Table 2. Conceptual differences regarding the budget baseline for appropriated entitlements, Federal pay raises, the appropriate budgetary treatment for the new Federal Employees Thrift Savings Fund, and whether the budget baseline should include funds for certain programs account for $16.3 billion of the difference. Economic assumptions account for another $13.5 billion of the difference in the deficits.

Technical estimating differences and debt service account for the remaining $3.3 billion difference. CBO's estimate for Commodity Credit Corporation (CCC) farm price supports for fiscal year 1988 is $5.1 billion higher than OMB's estimate due to CBO's assumption of advance deficiency payments and a paid land diversion program for the 1988 crop year ($5.6 billion) partly offset by technical estimating differences ($-0.5 billion). OMB estimates assume neither advance deficiency payments nor a paid land diversion program.4/

Both OMB and CBO included the transactions of the new Federal Employees' Thrift Savings Fund in their budget estimates published in January. Having included the transactions of the Fund in the budget base, OMB does not believe it is appropriate to change treatment in the middle of the budget cycle. OMB recognizes that there are reasonable arguments on both sides of this issue and will review the matter in its preparation of the FY 1989 Budget. On the basis of a recent opinion by the General Accounting Office, CBO has concluded that investments in Federal securities held by the Fund should not be included within the Federal budget and should be shown instead as Federal borrowing. Therefore, CBO does not now include any amounts for the Fund in its budget baseline estimates.

The Administration has announced its plan to restructure certain loans under the foreign military sales credit program. Since the Administration is currently implementing this program under existing law, OMB's base level outlay estimates include the loan restructuring program. CBO has not included an estimate for the budgetary effect of this restructuring because of the Comptroller General's opinion that it should not be implemented without specific Congressional approval.

4/ Because of provisions of the Food Security Act of 1985 (P.L. 99-198), it is not clear whether a current law estimate or an appropriation amount should be included in the budget baseline for the Conservation Reserve Program of the Department of Agriculture. Under the terms of the Food Security Act, the program is to be financed by funds available to the Commodity Credit Corporation (CCC) in 1986 and 1987, and by annual appropriation from the general fund beginning in 1988. The resources of the CCC fund are classified as spending authority. This presents a dilemma: If the Directors conclude that the program is financed by spending authority, the estimate for 1988 would be zero, because the program would cease to exist as a program financed by spending authority under current law; on the other hand, if the Directors conclude that the program is an annually appropriated program, the estimate for 1988 would also be zero since there was no appropriation in 1987. To prevent this peculiar result, the Directors agreed to consider the program to be funded by annual appropriation and use the 1987 program level in the CCC as a proxy for a 1987 appropriated amount.

Table 2.--DIFFERENCES BETWEEN OMB AND CBO BASELINE DEFICITS
(in billions of dollars)

OMB deficit	136.8
Differences:	
Conceptual a/:	
Appropriated entitlements:	
Defense	0.1
Nondefense	3.2
Pay raises:	
Defense	2.5
Nondefense	0.3
Farm price supports:	
Advanced deficiency payments	4.6
Land diversion payments	1.0
Federal Employees Thrift Savings Fund (FERS)	3.3
Foreign military sales -- debt restructuring	1.3
Subtotal, conceptual	16.3
Economic b/:	
Receipts	8.2
Outlays (excluding debt service)	5.3
Subtotal, economic	13.5
Technical b/:	
Medicare	4.1
Other outlays	0.4
Receipts	-2.2
Subtotal, technical	2.3
Debt service	1.0
Total differences	33.1
CBO deficit	169.9

a/ OMB estimates of adopting the concepts used by CBO. Differences between the CBO and OMB estimates for items such as current law funding of appropriated entitlements or the costs of land diversion payments are classified as technical differences. CBO's estimate of the conceptual difference is $16.9 billion.

b/ OMB estimates of the differences in the deficits attributable to economic and technical factors. CBO attributes $11.0 billion to differences in economic assumptions. CBO's estimate of the difference due to technical differences is $4.2 billion. Most of the variation between the OMB and CBO estimates is for receipts.

ECONOMIC ASSUMPTIONS

The principal economic assumptions underlying the OMB and CBO budget baseline estimates for fiscal year 1988 are shown in Table 3.

The Act requires the OMB and CBO Directors to estimate the rate of real economic growth for the fiscal year covered by their report, for each quarter of the fiscal year, and for the last two quarters of the preceding fiscal year. If either OMB or CBO projects real economic growth to be less than zero for any two consecutive quarters, or if the Department of Commerce reports actual real growth to have been less than 1 percent for two consecutive quarters, many of the provisions of the Act can be suspended by the Congress. The OMB and CBO estimates for the rate of real economic growth for fiscal year 1988 are included in Table 3 and the quarterly estimates are shown in Table 4. Neither office projects real economic growth to be less than zero in any quarter during fiscal year 1987 or fiscal year 1988.

Table 3.--ECONOMIC ASSUMPTIONS
(Fiscal Year 1988)

Economic Variable	OMB	CBO
Gross National Product:		
Current dollars (in billions of dollars)	4,742	4,718
Percent change, year over year	7.5	7.0
Constant (1982) dollars (in billions of dollars)	3,902	3,886
Percent change, year over year	3.2	2.8
GNP Implicit Price Deflator (percent change, year over year)	4.2	4.1
CPI-W (percent change, year over year)	4.5	5.1
Civilian Unemployment Rate (percent, fiscal year average)	6.1	6.1
Interest Rates (fiscal year average):		
91-day Treasury bills	5.6	6.6
10-year Treasury notes	7.8	8.5

Table 4.--REAL ECONOMIC GROWTH RATES BY QUARTER
(in percents, annual rates)

	FY 1987			FY 1988 Estimates			
	Actual		Estimate				
	Jan-Mar 1987 a/	Apr-Jun 1987 a/	Jul-Sep 1987	Oct-Dec 1987	Jan-Mar 1988	Apr-Jun 1988	Jul-Sep 1988
OMB	4.4	2.6	2.7	3.2	3.5	3.5	3.5
CBO	4.4	2.6	2.5	2.9	3.1	2.3	2.4

a/ As reported by the Department of Commerce (July 24, 1987).

SEQUESTERABLE RESOURCES

The required reductions in outlays are not made directly; rather, they are to be achieved by the permanent cancellation -- referred to under the Act as "sequestration" -- of budget authority and other authority to obligate and expend funds. For defense programs, sequesterable budgetary resources are new budget authority provided for 1988 and unobligated balances of budget authority provided in previous years. For nondefense programs, the sequesterable budgetary resources are new budget authority, new direct loan obligations, new guaranteed loan commitments, obligation limitations, and spending authority as defined in Section 401(c)(2) of the Congressional Budget Act of 1974. This definition of spending authority includes various permanent appropriations as well as Federal payments financed by offsetting collections that are credited to budget accounts.

Not all budgetary resources are subject to sequestration. The Act exempts a number of programs and activities of the Federal Government from the sequestration process. As shown in Table 6, the largest are social security benefits, net interest, certain low-income programs, most Federal retirement and disability benefits, veterans compensation and pensions, and regular State unemployment insurance benefits. Also exempt from sequestration are prior legal obligations of the Government in certain specified budget accounts, as well as the program bases for certain programs whose automatic spending increases are subject to sequester. Federal administrative expenses for most otherwise exempt programs and activities, however, are sequesterable, including programs that are self-supporting. Outlays from obligated balances for defense programs and outlays from obligated and unobligated balances of prior-year appropriations for nondefense programs are generally not subject to sequestration. Defense contracts can be modified or terminated to achieve outlay savings, but the President has until September 5 to choose whether or not to do so for fiscal year 1988. As discussed below, legislation enacted subsequent to the Act has exempted additional programs and activities.

Certain programs and activities, while not exempt, are subject to special rules that have the effect of limiting the amount of the spending reduction. For example, the sequestration of budgetary resources for medicare, veterans medical care, and certain health programs (but not for the administrative expenses of these programs) is limited to 2 percent annually. In addition, the total amount of the automatic spending increases in three programs specified in the Act is sequesterable.

For credit programs, the measures governing sequesterable budgetary resources are direct loan obligations and guaranteed loan commitments. In the event of a sequester, the Act requires that credit limitations enacted in annual appropriation acts be reduced, and that de facto limitations be imposed on both types of new credit activity where there is no enacted limitation.

Although for most accounts CBO and OMB agree or are close to each other on the levels of budgetary resources and outlays subject to sequester, there are some exceptions. The most notable exception concerns the sequestration of the administrative expenses of the Postal Service. Both CBO and OMB agree that more than $1 billion of budgetary resources are sequesterable. CBO believes that there is no evidence that the Postal Service took any steps to reduce

spending in response to the President's sequestration order of March 1986 (as reaffirmed by Public Law 99-366). Moreover, the Administration appears to have no mechanism for enforcing a sequestration order with regard to the Postal Service, because the statute that established the United States Postal Service removed it from budgetary control by the President. CBO assumes that, as in 1986, a 1988 sequester order would not cause the Postal Service to make any specific spending reductions. CBO therefore shows no outlay savings resulting from the sequestration of budgetary resources for the Postal Service. Both CBO and OMB believe that the Postal Service is covered by the Balanced Budget and Emergency Deficit Control Act and should be held accountable to comply with the Act to reduce its outlays, consistent with the across-the-board percentage sequestration applied to the functions and programs of the executive, legislative, and judicial branches -- despite the fact that the Postal Service's budgetary resources are not subject to the OMB apportionment process, and despite questions concerning the amount of savings achieved in 1986. Otherwise, the sequestration order would exempt that which Congress did not intend to exempt.

In the 1986 sequestration report, the Directors of CBO and OMB disagreed about whether provisions of the Balanced Budget and Emergency Deficit Control Act required sequestering interest payments made to the Washington Metropolitan Area Transit Authority (WMATA). The 1987 report added two interest payment accounts and Veterans Administration (VA) policy loans to this WMATA issue. The issue on VA policy loans was resolved by legislation exempting the accounts from sequestration. The issue with respect to remaining accounts persists.

LEGISLATION ENACTED SUBSEQUENT TO THE ACT

Since the enactment of the Balanced Budget and Emergency Deficit Control Act of 1985, a number of laws have been enacted to exempt additional programs from sequestration.

Certain payments to, and for the administration of, the trust territories, Guam, the Northern Mariana Islands, Puerto Rico, and the Virgin Islands were exempted by amendments to the various organic acts (P.L. 99-396). The Veterans Benefits Improvement and Health Care Authorization Act (P.L. 99-576) exempts certain Veterans Administration programs. Payments under the Compact of Free Association were exempted under the Compact Treaty (PL 99-658). As stated in last year's report, the Panama Canal Commission was exempted under the Panama Canal Commission Authorization Act (P.L. 99-368). As was explained in last year's report, in the case of the Panama Canal Commission, the provisions of law providing exemptions for these programs do not change the instructions given to the Directors in the Balanced Budget Act that these programs be included in their Joint report; they only make any sequestration order unenforceable for these programs. However, as in the case last year, the Directors have decided to show no sequesterable resources for these programs. If such legal ambiguities are to be avoided, exempting these and other programs from sequestration should be accomplished by amending the list of exempt accounts in section 255(g)(1) of the Act, so that the specifications for the sequestration report and other provisions contained in the Balanced Budget Act will apply to them.

Two other laws amended the Balanced Budget Act by adding programs to the listing of exempt accounts in section 255(g)(1) of the Act. The Omnibus Reconciliation Act of 1986 (P.L. 99-509) exempted the Dual benefits payments account of the Railroad Retirement Board. The same law also exempted the automatic spending increases for programs listed in section 257(1)(a) of the Balanced Budget Act. (Benefits paid from these programs were already exempt under the Act.) The Competitive Equality Banking Act (P.L. 100-86) exempted the Comptroller of the Currency, the Federal Deposit Insurance Corporation, the Federal Home Loan Bank Board and the Federal Savings and Loan Insurance Corporation, and the National Credit Union Administration. That law also exempted these organizations from the administrative expense provision of the Balanced Budget Act that generally subjects to sequestration the administrative expenses of otherwise exempt accounts.

Table 5 provides a summary of the newly exempted programs and the associated amounts exempted for 1988.

Table 5.--PROGRAMS EXEMPTED FROM SEQUESTRATION SINCE 1985
(in billions of dollars)

	1988 Outlays a/
Cost-of-living increases:	
Civil service retirement	0.8
Military retirement	0.6
Other retirement programs	0.1
Total, cost-of-living increases	1.5
Other programs:	
Deposit insurance and regulation b/	0.9
Panama Canal operations	0.4
Payments to Territories and Puerto Rico	0.4
Compact of Free Association	0.1
Veterans Canteen fund	0.2
Veterans life insurance and other veterans benefits	0.1
Dual Benefits, Railroad Retirement	0.4
Total, other programs	2.5
Total, new exemptions	3.9

a/ Average of OMB and CBO estimates.
b/ Includes the Federal Home Loan Bank Board, the Federal Deposit Insurance Corporation, the National Credit Union Administration, and the Comptroller of the Currency.

COMPOSITION OF BASELINE OUTLAYS

Table 6 provides further detail on the OMB and CBO baseline outlay estimates for 1988. An estimated average of $175.8 billion of 1988 outlays for defense programs, or 62 percent of total defense outlays, are associated with budgetary resources subject to an across-the-board percentage reduction. The CBO estimate is $4.1 billion higher than the OMB estimate due to CBO's inclusion of $2.5 billion for pay raises, $1.5 billion for higher spendout rates, and $0.1 billion due to conceptual differences in appropriated entitlements. In addition, CBO's estimates for exempt outlays is $0.6 billion less due to lower spendout rates.

An estimated average of $198.6 billion, or about one-fourth, of estimated outlays for nondefense programs are associated with sequesterable budgetary resources. About $99.8 billion of these outlays are associated with certain special rule programs, the largest of which is medicare. The Act also limits the extent of spending reductions for these programs.

Of the total estimated 1988 nondefense outlays of $768.9 billion, an estimated $98.8 billion -- about 13 percent of nondefense outlays -- are associated with budgetary resources subject to an across-the-board percentage reduction. 5/ An estimated $570.3 billion, or three-fourths of total estimated outlays for nondefense programs, are exempt from sequestration by the Act.

For defense and nondefense programs combined, an estimated $679.1 billion in outlays, or 64 percent of total outlays, are associated with budgetary resources exempt from sequestration.

5/ The estimated $98.8 billion nondefense total subject to across-the-board reduction shown in Table 6 does not include $10.2 billion of 1989 outlays for CCC or $2.5 billion in outlays from offsetting collections in 1988. The sum of these figures is $111.5 billion, the estimated nondefense outlays associated with across-the-board sequesterable budgetary resources shown in Table 7.

Table 6.--COMPOSITION OF BASELINE OUTLAY ESTIMATES FOR 1988
(dollar amounts in billions)

Category	Estimate		Average	
	OMB	CBO	Estimate	Percent of Total
Defense Programs a/:				
Subject to across-the-board reduction	173.7	177.8	175.8	16.7
Exempt from sequestration b/.....	109.1	108.5	108.8	10.3
Subtotal, defense programs...	282.8	286.2	284.5	27.0
Nondefense Programs:				
Subject to sequestration:				
Certain programs with automatic spending increases c/.....	*	*	*	**
Certain special rule programs d/..	97.8	101.7	99.8	9.5
Subject to across-the-board reduction e/.....	97.5	100.0	98.8	9.4
Subtotal, subject to sequestration.....	195.4	201.8	198.6	18.9
Exempt from sequestration:				
Social security.....	218.2	218.8	218.5	20.7
Federal retirement, disability, and workers compensation.....	51.2	51.6	51.4	4.9
Earned income tax credit.....	2.9	3.0	2.9	0.3
Low-income programs f/.....	67.1	70.9	69.0	6.5
Veterans compensation and pensions	14.2	14.1	14.1	1.3
State unemployment benefits.....	14.9	15.4	15.1	1.4
Offsetting receipts.....	-63.0	-55.9	-59.5	-5.6
Net interest.....	145.3	149.7	147.5	14.0
Other g/.....	110.8	111.5	111.2	10.6
Subtotal, exempt from sequestration.....	561.6	579.0	570.3	54.1
Subtotal, nondefense programs	757.0	780.7	768.9	73.0
Total.....	1,039.8	1,066.9	1,053.4	100.0

a/ Budget function 050 excluding FEMA programs.
b/ Largely outlays from obligated balances.
c/ National Wool Act, special milk, and vocational rehabilitation programs.
d/ Guaranteed student loans, foster care and adoption assistance, medicare, veterans medical care, and other health programs.
e/ Excludes outlays from offsetting collections and 1989 outlays for the Commodity Credit Corporation (CCC), both of which enter the sequestration calculation in Table 7 below.
f/ Family support payments, child nutrition, medicaid, food stamps, SSI, and WIC.
g/ Outlays from prior-year appropriations, certain prior legal obligations, and other exempt programs.
* $50 million or less.

SEQUESTRATION CALCULATIONS

The Act establishes the following steps for the sequestration calculations, which are shown in Table 7.

First, the deficit excess is calculated by subtracting the maximum deficit amount from the estimated deficit in the budget baseline. One-half of the excess is assigned to defense programs (budget accounts in the national defense function, 050, excluding the Federal Emergency Management Agency) and the other half to nondefense programs.

All savings from eliminating automatic spending increases in three specific programs -- the National Wool Act, the special milk program, and vocational rehabilitation -- are applied to the required reduction in outlays for nondefense programs. (Originally, the Act required that one-half of the savings from eliminating automatic spending increases in Federal retirement and disability programs be applied toward the required reduction amount for defense programs and the other half to non-defense programs, but Federal retirement and disability programs were exempted by subsequently enacted legislation.)

Third, the amount of outlay savings to be obtained by applying four special rules is calculated. These special rules are for guaranteed student loans, foster care and adoption assistance, medicare, and certain health programs, and are described in a later section of this report. 6/ The estimated savings from these four special rules are applied toward the required spending reductions in nondefense programs.

The reductions in defense programs and remaining reductions in nondefense programs must be taken on a uniform percentage basis, computed separately for each category. The uniform reduction percentages are computed from outlay estimates. The remaining outlay savings to be achieved in defense and nondefense spending are divided by the estimated outlays with sequesterable budgetary resources in each category. The resulting uniform reduction percentages are then applied to all of the remaining sequesterable budgetary resources (budget authority, credit authority, and other spending authority) for defense and nondefense programs.

In the event that the Directors of OMB and CBO are unable to agree on any of these calculations, the Act requires that their estimates be averaged to the extent necessary to produce a single, consistent set of data that achieves the required deficit reduction.

6/ A number of special rules apply to other programs, such as the Commodity Credit Corporation, but they do not enter into the sequester calculations at this step.

Table 7.--SEQUESTRATION CALCULATIONS FOR 1988
(outlays; in millions of dollars)

Category	OMB	CBO	Average
Defense Programs:			
Total required reductions	14,421	30,966	22,694
Estimated outlays associated with across-the-board sequesterable budget resources	173,745	177,770	175,757
Uniform reduction percentage	8.3	17.4	12.9
Nondefense Programs:			
Total required reductions	14,421	30,966	22,694
Estimated savings from automatic spending increases	4	4	4
Estimated savings from the application of special rules:			
Guaranteed student loans	23	25	24
Foster care and adoption assistance	9	9	9
Medicare	1,190	1,390	1,290
Other health programs	176	170	173
Amount remaining to be obtained from uniform percentage reductions of budget resources	13,020	29,368	21,194
Estimated outlays associated with across-the-board sequesterable budget resources a/	112,998	110,028	111,513
Uniform reduction percentage	11.5	26.7	19.0

a/ Includes estimated 1989 outlays for the Commodity Credit Corporation (CCC) that can be affected by a 1988 sequester (see discussion of special rule for the CCC). The OMB estimate is $12,934 million, the CBO estimate is $7,490 million, and the average is $10,212 million. Also includes outlays from offsetting collections. The OMB estimate for this category is $2,523 million, the CBO estimate is $2,505 million, and the average is $2,514 million.

Table 7 shows the OMB and CBO calculations and the averaged amounts for each of the steps described above. The total required outlay reduction for 1988 is $45.4 billion, one-half of which -- $22.7 billion -- must be obtained from defense programs and the other half from nondefense programs. An estimated $4 million in savings can be obtained by eliminating the automatic spending increase for the National Wool Act. The special milk program is also an indexed program, but in 1988 the change in the price index is projected to be below the threshold needed to trigger an increase. The vocational rehabilitation program has not received an appropriation for 1988 and is

carried at the 1987 level in the baseline. Thus, it does not yet have a sequestrable automatic spending increase. The outlay savings for programs where the spending reductions are limited by special rules (guaranteed student loans, foster care and adoption assistance, medicare, and several other health programs) are estimated to be $1.5 billion.

The outlay reductions of $22.7 billion in the national defense function in 1988 must be obtained by reducing new budget authority and unobligated balances by a uniform percentage. The 1988 outlays associated with sequesterable budgetary resources for defense programs are estimated to be $173.7 billion by OMB and $177.8 billion by CBO. The average of these amounts is $175.8 billion. Thus, the uniform percentage to be applied to sequesterable defense budgetary resources is 12.9 percent. The uniform percentage to be applied to nondefense programs, after deducting the savings from automatic spending increases and from the special rule calculations, is 19.0 percent.

The OMB and CBO calculations generally assume that all nonexempt budgetary resources can be sequestered so as to produce outlay savings, including entitlement programs and other mandatory spending programs where the spending authority is not controlled through the annual appropriations process. In a few instances, where the uniform percentage reduction of budgetary resources would not produce any outlay savings (for example, for credit programs where new direct loan limits are higher than expected program levels or for intragovernmental payments to revolving funds -- such as government payments for anniutants, employee health benefits), no outlays were included in the sequester base used for calculating the reduction percentages.

AUTOMATIC SPENDING INCREASES

The three programs with automatic spending increases currently subject to sequestration by the Balanced Budget and Emergency Deficit Control Act are listed in Table 8. (Automatic spending increases in Federal retirement and disability programs were subject to sequestration under the Act, but have been exempted by subsequently enacted legislation.) The scheduled percentage increases are shown as well as the amount of estimated outlay savings to be gained by eliminating these increases. Table 8 shows the OMB and CBO estimates of the sequesterable increases for each program, and the average outlay savings from a 100 percent reduction as a result of sequestration.

Table 8.--AUTOMATIC SPENDING INCREASES FOR 1988 SUBJECT TO SEQUESTRATION
(outlay estimates in millions of dollars)

Program	Scheduled Increase (percent)		Sequestration Outlay Reductions		
	OMB	CBO	OMB	CBO	Average
National Wool Act a/	3.5	3.5	4	4	4
Special milk programs b/	---	---	---	---	---
Vocational rehabilitation c/	---	---	---	---	---
Total			4	4	4

a/ Payment increases are based on changes in the wool parity price.
b/ Benefits are indexed to the Producer Price Index for Fresh Processed Milk. This index is not projected to increase between May 1987 and May 1988.
c/ This program is maintained at the 1987 appropriated level for the budget baseline, allowing for no sequesterable automatic spending increase in the calculations for this report.

SPECIAL RULES

The Act provides special rules for the sequestration of budgetary resources for certain Federal programs. This section describes these special rules and their application to the 1988 sequestration calculations. The estimated outlay savings derived from the first four rules are shown separately in Table 7. Any outlay savings resulting from the remaining special rules are included in the amount to be obtained from the uniform percentage reductions.

Guaranteed Student Loan Program

The Act requires two changes in the guaranteed student loan (GSL) program to occur automatically under sequestration. First, the statutory factor for calculating the quarterly special allowance payments to lenders will be reduced by the lesser of 0.40 percentage points or the amount by which the statutory factor exceeds 3 percent for the first four quarters after the loan is made. Under the current program, the reduction will be 0.25 percentage points. Second, a student's origination fee will increase by 0.50 percentage points. In both cases, sequestration affects only GSL loans disbursed during the applicable fiscal year, but after the order is issued. For 1988, these changes are estimated to reduce outlays by $24 million.

Foster Care and Adoption Assistance Programs

The Act limits the amount to be sequestered in the foster care and adoption assistance programs to increases in foster care maintenance payment rates or adoption assistance payment rates taking effect during the current fiscal year. Moreover, they are limited to the extent that the reductions can be made by reducing Federal matching payments by a uniform percentage across States. The increases in payment rates for these programs are made by the States and localities. Any increases planned by the States for fiscal year 1988 were included in the OMB and CBO calculations for sequestration reductions. The estimated outlay savings in 1988 from sequestration are $9 million.

Medicare

The sequestration reductions in the medicare program are to be achieved by reducing payment amounts for covered services. No changes in co-insurance or deductible obligations are to be made, and covered services are unaffected under a sequestration order. Under such an order, each payment amount for services provided during fiscal year 1988 would be reduced by a maximum of 2 percent relative to whatever level of payment would otherwise be made under medicare law and regulation. The reduction would be proportionately reduced in any year in which the excess deficit is small enough to permit a smaller reduction. Based on the need for a $45.4 billion sequestration in 1988, a reduction of 2 percent is required. The estimated outlay savings to be achieved in 1988 by applying this special rule are $1.3 billion.

Veterans Medical Care and Other Health Programs

The Act limits reductions in budget authority for the non-administrative expenditures for veterans medical care, community and migrant health centers, and Indian health services and facilities to 2 percent in 1988 and any subsequent year. The estimated outlay savings to be achieved in 1988 by applying this special rule in these programs are $173 million.

Child Support Enforcement Program

In the child support enforcement (CSE) program, the Act provides that sequestration of entitlement payments to States, including grants to States for interstate projects from the Family Support Administration's program administration account, is to be accomplished by reducing the Federal matching rates for State administrative expenses. For 1988, the Federal matching rate on most expenditures would be reduced from 68 percent to 51.6 percent, and the rate for computer-related expenditures would be reduced from 90 percent to 68.3 percent. This reflects a reduction in the matching rates to achieve the same 19.0 percent reduction applied to other nondefense programs, adjusted to allow also for the sequestration of spending on interstate grants.

If States increase their share of CSE spending to maintain total program spending at the expected 1988 level, this reduction in the Federal matching rate will lower Federal outlays by the same percentage as other nondefense

programs. If States do not increase their 1988 budgeted amounts to compensate for lower matching rates, however, the lower Federal matching rate would result in a larger percentage reduction in Federal spending than the Act requires. The estimated outlay savings to be achieved in 1988 by applying this special rule are $187 million.

Unemployment Compensation Programs

The Act provides that the following items are not to be sequestered: regular State unemployment benefits, the State share of extended unemployment benefits, benefits paid to former Federal employees and former members of the armed services, and loans and advances to the State and Federal unemployment accounts. The Federal share of extended benefits, unemployment insurance for railroad employees, other federally paid benefits, and State and Federal administrative expenses are to be sequestered.

Both the Federal and State shares of extended unemployment benefits are paid from the unemployment trust fund -- the Federal share from a Federal account and the State share from each State's account. The amount of each weekly extended benefit is set by State law. The Act permits any State to reduce the weekly extended benefit amount by a percentage equal to the percentage reduction in the Federal share. If States do not change their laws to provide for such a reduction, weekly benefit payments will not be reduced, the State share will increase by the amount of the decrease in the Federal share, and total budget outlays, which include both Federal and State benefits, will not be changed by the sequestration. The only State expected to be paying extended benefits in 1988 (Alaska) has not taken action to reduce its weekly benefit amount in the event of a sequestration.

Commodity Credit Corporation

The Act requires that payments and loan eligibility under any contract entered into by the Commodity Credit Corporation (CCC) after a sequestration order has been issued for a fiscal year be subject to a percentage reduction. The Act requires that reductions for all farm commodities supported by the CCC be made in a uniform manner, including all noncontract programs, projects, and activities within CCC's jurisdiction. The Act further stipulates that outlay reductions in the post-sequester year that are the result of contract adjustments in the sequester year should be credited to the overall outlay reduction required in the sequester year. The amount of outlay savings to be achieved by applying this special rule is estimated to be $1.1 billion in 1988, and $1.9 billion in 1989. The actual amount of savings realized in each year will depend upon how the sequester is implemented for the various CCC programs. In accordance with the Act, however, all $3.1 billion of these estimated outlay savings are credited toward the $22.7 billion nondefense spending reduction required for 1988.

Federal Pay

The Act provides that rates of pay for civilian employees (and rates of basic pay, basic subsistence allowances, and basic quarter allowances for members of the uniformed services), or any scheduled pay increases, may not be reduced

pursuant to a sequestration order. Budgetary resources available for Federal pay, however, will be subject to sequestration as part of the reduction of administrative expenses. The total amount of Government-wide savings to be achieved in 1988 from reducing available funds for employee compensation cannot be estimated because program managers are urged not to resort to personnel furloughs and reductions-in-force until other methods of achieving savings such as reducing spending for travel, printing, supplies, and other services prove insufficient.

Defense Contracts

Existing contracts in defense programs can be terminated or modified to achieve outlay savings if such action would neither result in a net loss to the Government nor violate the legal obligations of the Government, and if the President notifies the Comptroller General and the Congress of proposed contract terminations and modifications by September 5.

SEQUESTRATION REDUCTIONS

A summary of the sequestration of budgetary resources and the estimated outlay savings for 1988 is provided for national defense programs in Table 9 and for nondefense programs by function in Table 10. Table 11 provides a summary of the 1988 sequestration reductions by agency. In most instances additional outlay savings would be gained in 1989 and later years as a result of the cancellation of 1988 budget authority. The 1989 savings have not been estimated for this report.

A detailed listing of the sequestration reductions by agency and budget account is provided as an appendix to this report. The report does not contain a listing of sequestration reductions for defense programs, projects, and activities because no defense appropriations bills for 1988 have been enacted.

Table 9.--DEFENSE PROGRAM SEQUESTRATIONS FOR 1988
(in billions of dollars)

Function 050	Spending Authority a/	Estimated Outlays
Department of Defense-Military:		
Military personnel	9.5	9.0
Operation and maintenance	10.3	7.7
Procurement	16.1	2.2
Research, development, test, and evaluation	5.0	2.6
Military construction	1.1	0.2
Family housing	0.5	0.2
Pay raises	0.2	0.2
Other	0.1	*
Subtotal, DOD	42.7	22.0
Atomic energy defense activities	1.0	0.6
Other defense-related activities b/	0.1	0.1
Total	43.9	22.7

a/ Includes new budget authority for 1988 and unobligated balances from budget authority provided in previous years.

B/ Includes the function 050 portion of Federal Emergency Management Agency budget accounts, which are reduced at the same rate as nondefense programs.

* $50 million or less.

TABLE 10.--NONDEFENSE PROGRAM SEQUESTRATIONS FOR 1988 BY FUNCTION
(in billions of dollars)

Function	Spending Authority a/	Direct Loan Obligations	Loan Guarantees	Estimated Outlays
International affairs.....	3.8	1.1	2.2	2.0
General science, space and technology.....	2.4	---	---	1.3
Energy.....	1.0	0.2	0.4	0.6
Natural resources and environment.....	3.6	*	---	2.1
Agriculture.....	3.6	3.3	1.5	3.8
Commerce and housing credit.	0.8	0.5	48.4	0.8
Transportation.....	7.6	*	*	1.8
Community and regional development.....	1.1	0.2	0.1	0.3
Education, training, employment, and social services..	5.6	*	---	1.9
Health.....	2.4	*	---	1.2
Medicare.....	1.7	---	---	1.6
Income security.....	3.2	*	---	1.4
Social security.....	0.4	---	---	0.3
Veterans benefits and services.....	0.8	*	6.4	0.6
Administration of justice...	1.7	---	---	1.4
General government.....	1.5	---	---	1.3
General purpose fiscal assistance.....	0.3	---	---	0.3
Allowances.....	*	---	---	*
Total.....	41.5	5.4	59.1	22.6

a/ Includes new budget authority, obligation limitations, and other spending authority for 1988.
b/ Includes $1.9 billion in estimated 1989 outlay savings for Commodity Credit Corporation (CCC) programs (see discussion of special rule for CCC).
* $50 million or less.

Table 11.--SEQUESTRATIONS FOR 1988 BY AGENCY
(in billions of dollars)

Department or Other Unit	Spending Authority a/	Direct Loan Obligations	Loan Guarantees	Estimated Outlays
Legislative Branch	0.3	---	---	0.3
The Judiciary	0.2	---	---	0.2
Executive Office of the President	*	---	---	*
Funds appropriated to the President	2.5	0.8	0.1	1.2
Agriculture	5.2	4.2	1.9	5.1
Commerce	0.5	---	0.1	0.3
Defense-Military	42.7	---	---	22.0
Defense-Civil	0.7	---	---	0.5
Education	3.0	*	---	0.6
Energy	2.0	---	---	1.2
Health and Human Services, except Social Security	5.8	*	---	4.2
Health and Human Services, Social Security	0.4	---	---	0.3
Housing and Urban Development	2.6	0.1	47.5	0.4
Interior	1.2	*	*	0.9
Justice	1.1	---	---	0.8
Labor	1.6	---	---	0.7
State	0.6	*	---	0.4
Transportation	7.5	*	*	1.6
Treasury	1.3	---	---	1.1
Environmental Protection Agency	1.1	*	---	0.3
General Services Administration	0.2	---	---	0.1
National Aeronautics and Space Administration	2.1	---	---	1.1
Office of Personnel Management	0.3	---	---	*
Small Business Administration	0.1	0.1	0.9	0.1
Veterans Administration	0.8	*	6.4	0.6
Other independent agencies	1.7	0.1	2.2	1.2
Allowances	*	---	---	*
Total	80.9	5.4	59.1	45.4

a/ Includes new budget authority for 1988 (except for expiring authority), unobligated balances from budget authority provided in previous years (Defense-Military and other function 050 programs), obligation limitations and other spending authority for 1988.

b/ Includes $1.9 billion in estimated 1989 outlay savings for Commodity Credit Corporation (CCC) programs (see discussion of special rule for CCC).

* $50 million or less.

APPENDIX: SEQUESTRATION REDUCTIONS BY

AGENCY AND BUDGET ACCOUNT

(fiscal year 1988; in thousands of dollars)

Percentages Used: Non-Defense, 19.0%; Defense, 12.9%

Account Title	OMB	CBO	Average	Sequester
Legislative Branch				
Senate				
Mileage of the Vice President and Senators		(01-05-0101	-X-1-801-A;	00-0101)
Budget Authority	60	60	60	11
Outlays	60	48	54	10
Expense allowances of the Vice President, Pres Pro Tem		(01-05-0107	-X-1-801-A;	00-0107)
Budget Authority	56	56	56	11
Outlays	56	56	56	11
Representation allowances for the Majority and Minorit		(01-05-0108	-X-1-801-A;	00-0108)
Budget Authority	20	20	20	4
Outlays	20	20	20	4
Salaries, officers and employees		(01-05-0110	-X-1-801-A;	00-0110)
Budget Authority	190,265	190,265	190,265	36,150
Outlays	190,265	179,274	184,770	35,106
Payments to widows and heirs of deceased members of Co		(01-05-0115	-X-1-801-A;	00-0115)
Budget Authority	165	165	165	31
Outlays	165	165	165	31
Miscellaneous items		(01-05-0123	-X-1-801-A;	00-0123)
Budget Authority	11,614	11,614	11,614	2,207
Outlays	11,614	11,614	11,614	2,207
Secretary of the Senate		(01-05-0126	-X-1-801-A;	00-0126)
Budget Authority	666	666	666	127
Outlays	666	660	663	126
Sergeant at Arms and Doorkeeper of the Senate		(01-05-0127	-X-1-801-A;	00-0127)
Budget Authority	64,620	64,620	64,620	12,278
Outlays	64,620	58,158	61,389	11,664
Inquiries and investigations		(01-05-0128	-X-1-801-A;	00-0128)
Budget Authority	55,141	55,141	55,141	10,477
Outlays	55,141	52,476	53,808	10,224
Expenses of U.S. International Narcotics Control Commi		(01-05-0129	-X-1-801-A;	00-0129)
Budget Authority	325	325	325	62
Outlays	325	293	309	59
Stationery (revolving fund)		(01-05-0140	-X-1-801-A;	00-0140)
Budget Authority	13	13	13	2
Outlays	13	13	13	2
Office of Senate Legal Counsel		(01-05-0171	-X-1-801-A;	00-0171)
Budget Authority	593	593	593	113
Outlays	593	445	519	99
Expense allowance for the Secretary of the Senate, etc		(01-05-0172	-X-1-801-A;	00-0172)
Budget Authority	12	12	12	2
Outlays	12	7	10	2
Senate policy committees		(01-05-0182	-X-1-801-A;	00-0182)
Budget Authority	2,081	2,081	2,081	395
Outlays	2,081	1,789	1,935	368
Office of the Legislative Counsel of the Senate		(01-05-0185	-X-1-801-A;	00-0185)
Budget Authority	1,561	1,561	1,561	297
Outlays	1,561	1,486	1,524	290
House of Representatives				
Mileage of Members		(01-10-0208	-X-1-801-A;	00-0208)
Budget Authority	210	210	210	40
Outlays	210	105	158	30
Payments to widows and heirs of deceased members of Co		(01-10-0215	-X-1-801-A;	00-0215)
Budget Authority	303	303	303	58
Outlays	303	303	303	58
House leadership offices		(01-10-0408	-X-1-801-A;	00-0408)
Budget Authority	3,396	3,396	3,396	645
Outlays	3,396	3,053	3,224	613
Salaries, officers and employees		(01-10-0410	-X-1-801-A;	00-0410)
Budget Authority	52,125	52,125	52,125	9,904
Outlays	52,125	50,510	51,318	9,750
Members' clerk hire		(01-10-0415	-X-1-801-A;	00-0415)
Budget Authority	172,770	172,770	172,770	32,826
Outlays	172,770	170,165	171,468	32,579
Committee employees		(01-10-0416	-X-1-801-A;	00-0416)
Budget Authority	48,720	48,720	48,720	9,257
Outlays	48,720	46,233	48,476	9,210
Committee on Appropriations (Studies and Investigation		(01-10-0418	-X-1-801-A;	00-0418)
Budget Authority	4,300	4,300	4,300	817
Outlays	4,300	4,085	4,192	796
Committee on the Budget (Studies)		(01-10-0419	-X-1-801-A;	00-0419)
Budget Authority	329	329	329	63
Outlays	329	296	312	59
Special and select committees		(01-10-0433	-X-1-801-A;	00-0433)
Budget Authority	50,707	50,707	50,707	9,634
Outlays	50,707	48,679	49,693	9,442
Allowances and expenses		(01-10-0438	-X-1-801-A;	00-0438)
Budget Authority	183,724	183,724	183,724	34,908
Outlays	183,724	160,094	171,909	32,663

Account Title	DMS	CBO	Average	Sequester
Congressional use of foreign currency, House of Repres		(01-10-0488	-X-1-801-A;	00-0488)
401(C) Authority	3,360	2,779	3,070	583
Outlays	3,360	2,779	3,070	583
Page residence hall and meal plan		(01-10-4011	-X-3-801-A;	00-4011)
Outlays	-126	0	-63	-12
Joint Items				
Capitol Guide Service		(01-12-0170	-X-1-801-A;	00-0170)
Budget Authority	1,021	1,021	1,021	194
Outlays	1,021	922	972	185
Joint Committee on Printing		(01-12-0180	-X-1-801-A;	00-0180)
Budget Authority	963	963	963	183
Outlays	963	867	915	174
Joint Economic Committee		(01-12-0181	-X-1-801-A;	00-0181)
Budget Authority	2,966	2,966	2,966	564
Outlays	2,966	2,825	2,896	550
Office of the Attending Physician		(01-12-0425	-X-1-801-A;	00-0425)
Budget Authority	1,298	1,298	1,298	247
Outlays	1,298	519	908	173
Joint Committee on Taxation		(01-12-0460	-X-1-801-A;	00-0460)
Budget Authority	4,159	4,159	4,159	790
Outlays	4,159	3,951	4,055	770
General expenses, Capitol police		(01-12-0476	-X-1-801-A;	00-0476)
Budget Authority	1,881	1,881	1,881	357
Outlays	1,881	1,598	1,740	331
Statements of appropriations, House of Representatives		(01-12-0499	-X-1-801-A;	00-0499)
Budget Authority	20	20	20	4
Official mail costs		(01-12-0825	-X-1-801-A;	00-0825)
Budget Authority	91,423	91,423	91,423	17,370
Outlays	91,423	91,423	91,423	17,370
Congressional Budget Office				
Salaries and expenses		(01-14-0100	-X-1-801-A;	08-0100)
Budget Authority	17,783	17,783	17,783	3,379
Outlays	16,005	16,005	16,005	3,041
Architect of the Capitol				
Office of the Architect of the Capitol: Salaries		(01-15-0100	-X-1-801-A;	01-0100)
Budget Authority	5,478	5,478	5,478	1,041
Outlays	5,478	4,992	5,235	995
Contingent expenses		(01-15-0102	-X-1-801-A;	01-0102)
Budget Authority	50	50	50	10
Outlays	50	50	50	10
Capitol buildings		(01-15-0105	-X-1-801-A;	01-0105)
Budget Authority	12,325	12,325	12,325	2,342
Outlays	12,325	11,030	11,678	2,219
Capitol grounds		(01-15-0108	-X-1-801-A;	01-0108)
Budget Authority	3,290	3,290	3,290	625
Outlays	2,977	2,905	2,941	559
Senate office buildings		*(01-15-0123	-X-1-801-A;	01-0123)
Budget Authority	25,903	25,903	25,903	4,922
Outlays	24,284	24,947	24,616	4,677
House office buildings		(01-15-0127	-X-1-801-A;	01-0127)
Budget Authority	26,138	26,138	26,138	4,966
Outlays	24,092	23,409	23,750	4,512
Capitol Power Plant		(01-15-0133	-X-1-801-A;	01-0133)
Budget Authority	24,716	24,716	24,716	4,696
401(C) Authority--Off. Coll.	123	135	129	25
Outlays	21,496	21,398	21,447	4,075
Structural and mechanical care, Library buildings and		(01-15-0155	-X-1-801-A;	01-0155)
Budget Authority	6,260	6,260	6,260	1,189
Outlays	6,260	5,807	6,034	1,146
Library of Congress				
Salaries and expenses		(01-25-0101	-X-1-503-A;	03-0101)
Budget Authority	134,850	134,850	134,850	25,622
401(C) Authority--Off. Coll.	4,828	5,000	4,914	934
Outlays	107,819	115,902	111,860	21,253
Copyright Office: Salaries and expenses		(01-25-0102	-X-1-376-A;	03-0102)
Budget Authority	10,306	10,306	10,306	1,958
401(C) Authority--Off. Coll.	6,992	6,992	6,992	1,328
Outlays	16,361	16,437	16,399	3,116
Congressional Research Service: Salaries and expenses		(01-25-0127	-X-1-801-A;	03-0127)
Budget Authority	40,434	40,434	40,434	7,682
Outlays	36,433	36,590	36,512	6,937
Books for the blind and physically handicapped: Salari		(01-25-0141	-X-1-503-A;	03-0141)
Budget Authority	36,099	36,099	36,099	6,859
Outlays	16,804	18,096	17,450	3,316
Collection & distribution of library materials (sp. fo		(01-25-0144	-X-1-503-A;	03-0144)
Budget Authority	390	390	390	74
Outlays	0	20	10	2

Account Title	OMB	CBO	Average	Sequester
Furniture and furnishings		(01-25-0146	-X-1-503-A;	03-0146)
Budget Authority	5,070	5,070	5,070	963
Outlays	1,268	1,267	1,268	241
Gift and trust fund accounts		(01-25-9971	-X-7-503-A;	03-9971)
401(C) Other--incl. ob. limit	346	346	346	66
Outlays	0	346	173	33
Government Printing Office				
Office of Superintendent of Documents: Salaries and ex		(01-30-0201	-X-1-806-A;	04-0201)
Budget Authority	22,385	22,385	22,385	4,253
Outlays	15,978	14,815	15,396	2,925
Printing and binding		(01-30-0202	-X-1-801-A;	04-0202)
Budget Authority	10,700	10,700	10,700	2,033
Outlays	0	6,955	3,478	661
Congressional printing and binding		(01-30-0203	-X-1-801-A;	04-0203)
Budget Authority	62,000	62,000	62,000	11,780
Outlays	51,274	47,120	49,197	9,347
Government Printing Office revolving fund		(01-30-4505	-X-4-806-A;	04-4505)
401(C) Authority--Off. Coll.	29,000	29,000	29,000	5,510
Outlays	29,000	29,000	29,000	5,510
General Accounting Office				
Salaries and expenses		(01-35-0107	-X-1-801-A;	05-0107)
Budget Authority	310,898	310,898	310,898	59,071
Outlays	283,918	286,181	285,050	54,160
United States Tax Court				
Salaries and expenses		(01-40-0100	-X-1-752-A;	23-0100)
Budget Authority	25,613	25,613	25,613	4,866
Outlays	23,359	20,502	21,930	4,167
Other Legislative Branch Agencies				
Commission on Security & Cooperation in Europe: Salari		(01-45-0110	-X-1-801-A;	09-0110)
Budget Authority	526	526	526	100
Outlays	505	473	489	93
Botanic Garden: Salaries and expenses		(01-45-0200	-X-1-801-A;	09-0200)
Budget Authority	2,135	2,135	2,135	406
Outlays	1,918	1,925	1,922	365
Copyright Royalty Tribunal: Salaries and expenses		(01-45-0310	-X-1-376-A;	09-0310)
Budget Authority	125	125	125	24
Outlays	82	112	97	18
Biomedical Ethics: Salaries and expenses		(01-45-0400	-X-1-801-A;	09-0400)
Budget Authority	150	150	150	28
Outlays	150	150	150	28
Office of Technology Assessment: Salaries and expenses		(01-45-0700	-X-1-801-A;	09-0700)
Budget Authority	16,636	16,636	16,636	3,161
Outlays	13,202	12,713	12,958	2,462
Railroad Accounting Principles Board: Salaries and exp		(01-45-0800	-X-1-801-A;	09-0800)
Budget Authority	600	600	600	114
Dwight David Eisenhower Centennial Commission: Expense		(01-45-1700	-X-1-801-A;	76-1700)
Budget Authority	50	0	25	5
Outlays	48	0	24	5
Dwight David Eisenhower Centennial Commission: Expense		(01-45-1700	-X-1-801-A;	76-8881)
Budget Authority	0	50	25	5
Outlays	0	48	24	5
Legislative Branch		Total		
Budget Authority	1,748,417	1,748,417	1,748,417	332,202
401(C) Authority	3,360	2,779	3,070	583
401(C) Authority--Off. Coll.	40,943	41,127	41,035	7,797
401(C) Other--incl. ob. limit	346	346	346	66
Outlays	1,661,807	1,616,106	1,638,961	311,405
The Judiciary				
Supreme Court of the United States				
Salaries and expenses		(02-05-0100	-X-1-752-A;	10-0100)
Budget Authority	14,428	14,428	14,428	2,741
Outlays	9,873	11,429	10,651	2,024
Care of the building and grounds		(02-05-0103	-X-1-752-A;	10-0103)
Budget Authority	2,336	2,336	2,336	444
Outlays	2,122	2,151	2,136	406
United States Court of Appeals for Federal Circuit				
Salaries and expenses		(02-07-0510	-X-1-752-A;	10-0510)
Budget Authority	5,750	5,750	5,750	1,092
Outlays	5,301	5,189	5,245	997
United States Court of International Trade				
Salaries and expenses		(02-15-0400	-X-1-752-A;	10-0400)
Budget Authority	6,288	6,288	6,288	1,195
Outlays	6,039	5,977	6,008	1,142
Courts of Appeals, District Courts and other Svcs				
Salaries and expenses		(02-25-0920	-X-1-752-A;	10-0200)
Budget Authority	912,081	912,081	912,081	173,295
Outlays	848,329	843,852	846,090	160,757

Account Title	OMB	CBO	Average	Sequester
Defender services		(02-25-0923	-X-1-752-A;	10-0923)
Budget Authority	87,858	87,858	87,858	16,693
Outlays	45,278	53,284	49,281	9,363
Fees of jurors and commissioners		(02-25-0925	-X-1-752-A;	10-0925)
Budget Authority	52,135	52,135	52,135	9,906
Outlays	46,918	48,486	47,702	9,063
Court security		(02-25-0930	-X-1-752-A;	10-0930)
Budget Authority	36,000	36,000	36,000	6,840
Outlays	21,960	25,740	23,850	4,532
Administrative Office of the United States Courts				
Salaries and expenses		(02-26-0927	-X-1-752-A;	10-0927)
Budget Authority	30,184	30,184	30,184	5,735
Outlays	26,367	26,831	26,599	5,054
Federal Judicial Center				
Salaries and expenses		(02-30-0928	-X-1-752-A;	10-0928)
Budget Authority	10,824	10,824	10,824	2,057
Outlays	8,920	8,669	8,794	1,671
Bicentennial Expenses, The Judiciary				
Bicentennial activities		(02-34-0933	-X-1-806-A;	10-0933)
Budget Authority	1,000	1,000	1,000	190
The Judiciary		Total		
Budget Authority	1,158,884	1,158,884	1,158,884	220,188
Outlays	1,021,107	1,031,608	1,026,356	195,009
Executive Office of the President				
The White House Office				
Salaries and expenses		(03-10-0110	-X-1-802-A;	11-0110)
Budget Authority	24,824	24,824	24,824	4,717
Outlays	21,864	22,354	22,109	4,201
Executive Residence at the White House				
Operating expenses		(03-20-0210	-X-1-802-A;	11-0210)
Budget Authority	4,753	4,753	4,753	903
401(C) Authority--Off. Coll.	729	729	729	139
Outlays	5,312	5,244	5,278	1,003
Official Residence of the Vice President				
Operating expenses		(03-21-0211	-X-1-802-A;	11-0211)
Budget Authority	211	211	211	40
Outlays	47	47	47	9
Special Assistance to the President				
Salaries and expenses		(03-22-1454	-X-1-802-A;	11-1454)
Budget Authority	1,897	1,897	1,897	360
Outlays	1,652	1,679	1,666	317
Council of Economic Advisers				
Salaries and expenses		(03-28-1900	-X-1-802-A;	11-1900)
Budget Authority	2,370	2,370	2,370	450
Outlays	2,065	2,068	2,066	393
Council/Office on Environmental Quality				
Council on Environmental Quality & Off. of Environment		(03-31-1453	-X-1-802-A;	11-1453)
Budget Authority	803	803	803	153
Outlays	763	763	763	145
Office of Policy Development				
Salaries and expenses		(03-35-2200	-X-1-802-A;	11-2200)
Budget Authority	2,689	2,689	2,689	511
Outlays	2,618	2,345	2,482	472
National Security Council				
Salaries and expenses		(03-40-2000	-X-1-802-A;	11-2000)
Budget Authority	4,612	4,612	4,612	876
Outlays	3,849.	3,690	3,770	716
National Critical Materials Council				
Salaries and expenses		(03-41-0111	-X-1-802-A;	11-0111)
Budget Authority	175	175	175	33
Outlays	158	158	158	30
Office of Administration				
Salaries and expenses		(03-42-0038	-X-1-802-A;	11-0038)
Budget Authority	15,914	15,914	15,914	3,024
Outlays	11,382	11,512	11,447	2,175
Office of Management and Budget				
Office of Federal Procurement Policy: Salaries and exp		(03-48-0201	-X-1-802-A;	11-0201)
Budget Authority	1,620	1,620	1,620	308
Outlays	1,505	1,460	1,482	282
Salaries and expenses		(03-48-0300	-X-1-802-A;	11-0300)
Budget Authority	37,413	37,413	37,413	7,108
Outlays	34,465	33,239	33,852	6,432
Office of Science and Technology Policy				
Salaries and expenses		(03-49-2600	-X-1-802-A;	11-2600)
Budget Authority	1,923	1,923	1,923	365
Outlays	1,538	1,161	1,350	256
Office of the United States Trade Representative				
Salaries and expenses		(03-50-0400	-X-1-802-A;	11-0400)
Budget Authority	13,545	13,545	13,545	2,574
Outlays	12,069	11,513	11,791	2,240

Account Title	OMB	CBO	Average	Sequester
White House Conference on Drug Abuse and Control				
Salaries and expenses		(03-55-0212	-X-1-551-A;	11-0212)
Budget Authority	5,000	5,000	5,000	950
Outlays	4,100	4,100	4,100	779
Executive Office of the President		Total		
Budget Authority	117,749	117,749	117,749	22,372
401(C) Authority--Off. Coll.	729	729	729	139
Outlays	103,387	101,333	102,361	19,450
Funds Appropriated to the President				
Disaster Relief				
Disaster relief		(04-03-0039	-X-1-453-A;	11-0039)
Budget Authority	120,000	120,000	120,000	22,800
Outlays	50,000	72,000	61,000	11,590
Unanticipated Needs				
Unanticipated needs		(04-06-0037	-X-1-802-A;	11-0037)
Budget Authority	1,000	1,000	1,000	190
Outlays	962	962	962	183
International Security Assistance				
Peacekeeping operations		(04-09-1032	-X-1-152-A;	11-1032)
Budget Authority	31,689	31,689	31,689	6,021
Outlays	15,955	13,563	14,759	2,804
Economic support fund		(04-09-1037	-X-1-152-A;	11-1037)
Budget Authority	3,563,500	3,563,500	3,563,500	677,065
Direct Loan Limitation	175,581	175,581	175,581	33,360
Outlays	2,500,342	2,175,719	2,338,030	444,226
Military assistance		(04-09-1080	-X-1-152-A;	11-1080)
Budget Authority	950,000	950,000	950,000	180,500
Outlays	180,500	247,000	213,750	40,612
International military education and training		(04-09-1081	-X-1-152-A;	11-1081)
Budget Authority	56,000	56,000	56,000	10,640
Outlays	28,000	25,200	26,600	5,054
Foreign military sales credit		(04-09-1082	-X-1-152-A;	11-1082)
Budget Authority	4,053,441	4,053,441	4,053,441	770,154
Direct Loan Limitation	4,053,441	4,053,441	4,053,441	770,154
Outlays	2,942,232	1,905,912	2,424,072	460,574
Multilateral Assistance				
Contribution to the Inter-American Development Bank		(04-12-0072	-X-1-151-A;	11-0072)
Budget Authority	33,680	33,680	33,680	6,399
Outlays	0	345	172	33
Contribution to the International Development Associat		(04-12-0073	-X-1-151-A;	11-0073)
Budget Authority	830,100	830,100	830,100	157,719
Outlays	0	83,010	41,505	7,886
Contribution to the Asian Development Bank		(04-12-0076	-X-1-151-A;	11-0076)
Budget Authority	104,639	104,639	104,639	19,881
Outlays	5,293	5,293	5,293	1,006
Contribution to the International Bank for Reconstruct		(04-12-0077	-X-1-151-A;	11-0077)
Budget Authority	55,805	55,805	55,805	10,603
Outlays	5,581	5,581	5,581	1,060
Contribution to the International Finance Corporation		(04-12-0078	-X-1-151-A;	11-0078)
Budget Authority	7,206	7,206	7,206	1,369
Outlays	7,206	7,206	7,206	1,369
Contribution to the African Development Fund		(04-12-0079	-X-1-151-A;	11-0079)
Budget Authority	90,427	90,427	90,427	17,181
Contribution to the African Development Bank		(04-12-0082	-X-1-151-A;	11-0082)
Budget Authority	20,480	20,480	20,480	3,891
Outlays	20,480	20,480	20,480	3,891
Contribution to the special facility for Sub-Saharan A		(04-12-0086	-X-1-151-A;	11-0086)
Budget Authority	64,805	64,805	64,805	12,313
Outlays	21,386	12,961	17,174	3,263
International organizations and programs		(04-12-1005	-X-1-151-A;	11-1005)
Budget Authority	237,264	237,264	237,264	45,080
Outlays	150,967	156,416	153,692	29,201
Agency for International Development				
Operating expenses, Agency for International Developme		(04-14-1000	-X-1-151-A;	11-1000)
Budget Authority	348,263	348,263	348,263	66,170
Outlays	261,197	261,197	261,197	49,627
Operating expenses of the AID Office of Inspector Gene		(04-14-1007	-X-1-151-A;	11-1007)
Budget Authority	21,321	21,321	21,321	4,051
Outlays	15,991	15,991	15,991	3,038
Sahel development program		(04-14-1012	-X-1-151-A;	11-1012)
Budget Authority	70,000	70,000	70,000	13,300
Outlays	5,600	8,610	7,105	1,350
American schools and hospitals abroad		(04-14-1013	-X-1-151-A;	11-1013)
Budget Authority	35,000	35,000	35,000	6,650
Outlays	5,450	8,925	9,188	1,746
Functional development assistance program		(04-14-1021	-X-1-151-A;	11-1021)
Budget Authority	1,473,491	1,473,491	1,473,491	279,963
Direct Loan Limitation	150,000	150,000	150,000	28,500
Outlays	133,959	181,240	157,600	29,944

Account Title	OMB	CBO	Average	Sequester
International disaster assistance		(04-14-1035	-X-1-151-A;	11-1035)
Budget Authority	70,000	70,000	70,000	13,300
Outlays	17,360	17,360	17,360	3,298
Housing and other credit guaranty programs		(04-14-4340	-X-3-151-A;	72-4340)
401(C) Authority--Off. Coll.	6,500	6,500	6,500	1,235
Guaranteed Loan Limitation	145,464	145,464	145,464	27,638
Outlays	6,175	6,351	6,263	1,190
Private sector revolving fund		(04-14-4341	-X-3-151-A;	72-4341)
Budget Authority	13,000	13,000	13,000	2,470
Direct Loan Limitation	15,553	15,553	15,553	2,955
Outlays	0	1,501	750	142
Trade and Development Program				
Trade and development program		(04-16-1001	-X-1-151-A;	11-1001)
Budget Authority	20,000	20,000	20,000	3,800
Outlays	2,500	4,140	3,320	631
Peace Corps				
Peace Corps operating expenses		(04-18-0100	-X-1-151-A;	11-0100)
Budget Authority	137,960	137,960	137,960	26,212
401(C) Authority--Off. Coll.	102	102	102	19
Outlays	111,850	113,348	112,599	21,394
Overseas Private Investment Corporation				
Overseas Private Investment Corporation		(04-20-4030	-X-3-151-A;	71-4030)
401(C) Authority--Off. Coll.	10,600	10,600	10,600	2,014
Direct Loan Limitation	23,000	23,000	23,000	4,370
Guaranteed Loan Limitation	200,000	200,000	200,000	38,000
Outlays	12,600	12,500	12,550	2,384
Inter-American Foundation				
Inter-American Foundation		(04-22-4031	-X-3-151-A;	11-4031)
Budget Authority	11,800	11,800	11,800	2,242
401(C) Authority--Off. Coll.	14,888	14,888	14,888	2,829
Outlays	11,510	9,736	10,623	2,018
African Development Foundation				
African Development Foundation		(04-24-0700	-X-1-151-A;	11-0700)
Budget Authority	6,614	6,614	6,614	1,257
Outlays	2,513	3,968	3,240	616
Military Sales Programs				
Special defense acquisition fund		(04-37-4116	-X-3-155-A;	11-4116)
Obligation Limitation	315,820	315,820	315,820	60,006
Outlays	0	3,158	1,579	300
Foreign military sales trust fund		(04-37-8242	-X-7-155-A;	11-8242)
401(C) Authority--Off. Coll.	340,000	340,000	340,000	64,600
Outlays	340,000	316,200	328,100	62,339
Funds Appropriated to the President		Total		
Budget Authority	12,427,485	12,427,485	12,427,485	2,361,221
401(C) Authority--Off. Coll.	372,090	372,090	372,090	70,697
Direct Loan Limitation	4,417,575	4,417,575	4,417,575	839,339
Guaranteed Loan Limitation	345,464	345,464	345,464	65,638
Obligation Limitation	315,820	315,820	315,820	60,006
Outlays	6,859,609	5,695,873	6,277,741	1,192,769
Department of Agriculture				
Office of the Secretary				
Office of the Secretary		(05-03-0115	-X-1-352-A;	12-0115)
Budget Authority	15,266	15,266	15,266	2,901
Outlays	12,923	6,281	9,602	1,824
Departmental Administration				
Rental payments and building operations		(05-05-0117	-X-1-352-A;	12-0117)
Budget Authority	66,967	66,967	66,967	12,724
Outlays	65,295	62,686	63,990	12,158
Advisory committees		(05-05-0118	-X-1-352-A;	12-0118)
Budget Authority	1,408	1,508	1,458	277
Outlays	1,303	902	1,102	209
Departmental administration		(05-05-0120	-X-1-352-A;	12-0120)
Budget Authority	21,996	21,996	21,996	4,179
Outlays	21,996	19,618	20,807	3,953
Working capital fund		(05-05-4609	-X-4-352-A;	12-4609)
Budget Authority	5,708	5,708	5,708	1,085
Outlays	5,708	5,634	5,671	1,077
Office of Governmental and Public Affairs				
Office of Governmental and Public Affairs		(05-06-0130	-X-1-352-A;	12-0130)
Budget Authority	8,386	8,386	8,386	1,593
Outlays	7,330	6,659	6,994	1,329
Office of the Inspector General				
Office of the Inspector General		(05-08-0900	-X-1-352-A;	12-0900)
Budget Authority	45,483	45,483	45,483	8,642
Outlays	40,189	39,065	39,627	7,529
Office of the General Counsel				
Office of the General Counsel		(05-10-2300	-X-1-352-A;	12-2300)
Budget Authority	17,670	17,670	17,670	3,357
Outlays	16,910	17,516	17,213	3,270

Account Title	OMB	CBO	Average	Sequester
Agricultural Research Service				
Agricultural Research Service		(05-18-1400	-X-1-352-A;	12-1400)
Budget Authority	518,237	518,237	518,237	96,465
401(C) Authority--Off. Coll.	3,427	3,427	3,427	651
Outlays	419,523	412,004	415,764	78,995
Buildings and facilities		(05-18-1401	-X-1-352-A;	12-1401)
Budget Authority	1,000	1,000	1,000	190
Outlays	0	193	96	18
Cooperative State Research Service				
Cooperative State Research Service		(05-24-1500	-X-1-352-A;	12-1500)
Budget Authority	376,673	370,673	373,673	70,998
401(C) Authority	2,800	8,800	5,800	1,102
Outlays	178,715	206,727	192,721	36,617
Extension Service				
Extension Service		(05-27-0502	-X-1-352-A;	12-0502)
Budget Authority	338,972	338,972	338,972	64,405
401(C) Authority--Off. Coll.	495	495	495	94
Outlays	284,892	238,184	261,538	49,692
National Agricultural Library				
National Agricultural Library		(05-30-0300	-X-1-352-A;	12-0300)
Budget Authority	11,098	11,098	11,098	2,109
Outlays	8,080	8,085	8,082	1,536
National Agricultural Statistics Service				
Salaries and expenses		(05-33-1801	-X-1-352-A;	12-1801)
Budget Authority	57,889	57,889	57,889	10,999
401(C) Authority--Off. Coll.	1,075	1,075	1,075	204
Outlays	50,860	48,338	49,599	9,424
Economic Research Service				
Salaries and expenses		(05-36-1701	-X-1-352-A;	12-1701)
Budget Authority	44,977	44,977	44,977	8,546
Outlays	39,130	37,925	38,528	7,320
World Agricultural Outlook Board				
World agricultural outlook board		(05-50-2100	-X-1-352-A;	12-2100)
Budget Authority	1,644	1,644	1,644	312
Outlays	1,364	1,259	1,312	249
Foreign Agricultural Service				
Foreign Agricultural Service		(05-51-2900	-X-1-352-A;	12-2900)
Budget Authority	83,783	83,783	83,783	15,919
Outlays	46,081	46,090	46,086	8,756
Office of International Cooperation & Development				
Scientific activities overseas		(05-53-1404	-X-1-352-A;	12-1404)
Budget Authority	2,500	2,500	2,500	475
Outlays	2,500	1,250	1,875	356
Salaries and expenses		(05-53-3200	-X-1-352-A;	12-3200)
Budget Authority	5,149	5,149	5,149	978
Outlays	5,149	4,247	4,698	893
Foreign Assistance Programs				
Expenses, PL 480, foreign assistance programs, Agricul		(05-57-2274	-X-1-151-A;	12-2274)
Budget Authority	1,083,071	1,083,071	1,083,071	205,783
Direct Loan Limitation	828,700	819,200	823,950	156,550
Obligation Limitation	1,463,071	1,463,071	1,463,071	277,983
Outlays	1,083,071	1,331,395	1,207,233	229,374
Agricultural Stabilization & Conservation Service				
Salaries and expenses		(05-60-3300	-X-1-351-A;	12-3300)
401(C) Authority--Off. Coll.	18,235	18,235	18,235	3,465
Outlays	18,235	18,235	18,235	3,465
Dairy indemnity program		(05-60-3314	-X-1-351-A;	12-3314)
Budget Authority	648	648	648	123
Outlays	648	648	648	123
Agricultural conservation program		(05-60-3315	-X-1-302-A;	12-3315)
Budget Authority	176,935	176,935	176,935	33,618
Outlays	81,213	81,390	81,302	15,447
Emergency conservation program		(05-60-3316	-X-1-453-A;	12-3316)
Budget Authority	10,000	10,000	10,000	1,900
Outlays	7,500	2,550	5,025	955
Colorado river basin salinity control program		(05-60-3318	-X-1-304-A;	12-3318)
Budget Authority	3,804	3,804	3,804	723
Outlays	1,902	1,902	1,902	361
Conservation reserve program		(05-60-3319	-X-1-302-A;	12-3319)
Budget Authority	645,000	560,700	602,850	114,542
Outlays	645,000	560,700	602,850	114,542
Water Bank program		(05-60-3320	-X-1-302-A;	12-3320)
Budget Authority	8,371	8,371	8,371	1,590
Outlays	1,088	1,248	1,168	222
Forestry incentives program		(05-60-3336	-X-1-302-A;	12-3336)
Budget Authority	11,891	11,891	11,891	2,259
Outlays	4,162	4,589	4,376	831

Account Title	OMB	CBO	Average	Sequester
Federal Crop Insurance Corporation				
Administrative and operating expenses		(05-63-2707	-X-1-351-A;	12-2707)
Budget Authority	209,568	209,568	209,568	39,818
Outlays	116,544	118,634	117,589	22,342
Commodity Credit Corporation				
Temp. stor. & distr. of CCC emgcy. food		(05-66-3635	-X-1-351-A;	12-3635)
Budget Authority	50,000	50,000	50,000	9,500
Outlays	35,580	34,200	34,890	6,629
Commodity Credit Corporation Fund		(05-66-4336	-X-3-351-A;	12-4336)
401(C) Authority	16,096,064	16,362,188	16,229,126	3,083,534
Direct Loan Limitation	15,500,000	15,500,000	15,500,000	2,945,000
Guaranteed Loan Limitation	5,500,000	5,500,000	5,500,000	1,045,000
Outlays	16,096,064	16,362,188	16,229,126	3,083,534
National Wool Act ASI (G-R-H)		(05-66-4336	-X-3-351-G;	12-4336)
401(C) Authority--ASI	4,100	4,100	4,100	4,100
Outlays	4,100	4,100	4,100	4,100
Rural Electrification Administration				
Salaries and expenses		(05-72-3100	-X-1-271-A;	12-3100)
Budget Authority	29,447	29,447	29,447	5,595
Outlays	27,975	26,826	27,400	5,206
Reimbursement to the Rural elec. & tel. revolv. fund f		(05-72-3101	-X-1-271-A;	12-3101)
Budget Authority	20,000	20,000	20,000	3,800
Purchase of Rural Telephone Bank capital stock		(05-72-3102	-X-1-452-A;	12-3102)
Budget Authority	28,710	28,710	28,710	5,455
Outlays	28,710	28,710	28,710	5,455
Rural electrification and telephone revolving fund		(05-72-4230	-X-3-271-A;	12-4230)
Direct Loan Limitation	1,244,100	1,244,100	1,244,100	236,379
Direct Loan Floor	861,300	861,300	861,300	163,647
Guaranteed Loan Limitation	2,100,615	2,100,615	2,100,615	399,117
Guaranteed Loan Floor	933,075	933,075	933,075	177,284
Outlays	209,210	107,663	158,436	30,103
Rural telephone bank		(05-72-4231	-X-3-452-A;	12-4231)
Direct Loan Limitation	210,540	210,540	210,540	40,003
Direct Loan Floor	177,045	177,045	177,045	33,639
Outlays	11,058	0	5,529	1,051
Farmers Home Administration				
Salaries and expenses		(05-75-2001	-X-1-452-A;	12-2001)
Budget Authority	394,545	394,545	394,545	74,964
Outlays	359,624	359,421	359,522	68,309
Rural housing for domestic farm labor		(05-75-2004	-X-1-604-A;	12-2004)
Budget Authority	9,513	9,513	9,513	1,807
Outlays	380	380	380	72
Mutual and self-help housing		(05-75-2006	-X-1-604-A;	12-2006)
Budget Authority	8,000	8,000	8,000	1,520
Outlays	640	640	640	122
Very low income housing repair grants		(05-75-2064	-X-1-604-A;	12-2064)
Budget Authority	12,500	12,500	12,500	2,375
Outlays	11,875	11,875	11,875	2,256
Rural water and waste disposal grants		(05-75-2066	-X-1-452-A;	12-2066)
Budget Authority	109,395	109,395	109,395	20,785
Outlays	2,188	2,188	2,188	416
Rural community fire protection grants		(05-75-2067	-X-1-452-A;	12-2067)
Budget Authority	3,091	3,091	3,091	587
Outlays	1,391	1,391	1,391	264
Rural housing preservation grants		(05-75-2070	-X-1-604-A;	12-2070)
Budget Authority	19,140	19,140	19,140	3,637
Outlays	4,785	4,785	4,785	909
Compensation for construction defects		(05-75-2071	-X-1-371-A;	12-2071)
Budget Authority	713	713	713	135
Outlays	713	713	713	135
Agricultural credit insurance fund		(05-75-4140	-X-3-351-A;	12-4140)
401(C) Authority--Off. Coll.	248,596	248,596	248,596	47,233
Direct Loan Limitation	1,817,156	1,817,156	1,817,156	345,260
Guaranteed Loan Limitation	2,498,000	2,498,000	2,498,000	474,620
Outlays	1,797,096	1,520,571	1,658,834	315,178
Rural housing insurance fund		(05-75-4141	-X-3-371-A;	12-4141)
401(C) Authority--Off. Coll.	53,500	53,500	53,500	10,165
Direct Loan Limitation	1,918,093	1,918,113	1,918,103	364,440
Obligation Limitation	275,310	275,310	275,310	52,309
Outlays	1,077,742	964,870	1,021,306	194,048
Rural development insurance fund		(05-75-4155	-X-3-452-A;	12-4155)
401(C) Authority--Off. Coll.	1,175	1,175	1,175	223
Direct Loan Limitation	426,080	426,080	426,080	80,955
Guaranteed Loan Limitation	114,840	114,840	114,840	21,820
Outlays	12,782	15,339	14,060	2,671
Self-help housing land development fund		(05-75-4222	-X-3-371-A;	12-4222)
Direct Loan Limitation	500	500	500	95
Outlays	0	340	170	32

Account Title	OMB	CBO	Average	Sequester
Rural development loan fund		(05-75-4233	-X-3-452-A;	12-4233)
401(C) Authority--Off. Coll.	3,500	0	1,750	332
Direct Loan Limitation	0	3,000	1,500	285
Outlays	-3,500	3,000	-250	-48
Miscellaneous expiring appropriations		(05-75-9912	-X-1-452-A;	12-9912)
Budget Authority	3,000	3,000	3,000	570
Outlays	2,000	750	1,375	261
Soil Conservation Service				
Conservation operations		(05-78-1000	-X-1-302-A;	12-1000)
Budget Authority	399,671	399,671	399,671	75,937
401(C) Authority--Off. Coll.	11,173	11,173	11,173	2,123
Outlays	378,871	379,556	379,214	72,051
Resource conservation and development		(05-78-1010	-X-1-302-A;	12-1010)
Budget Authority	25,020	25,020	25,020	4,754
401(C) Authority--Off. Coll.	1,937	1,937	1,937	368
Outlays	21,578	16,899	19,238	3,655
Watershed planning		(05-78-1066	-X-1-301-A;	12-1066)
Budget Authority	8,651	8,651	8,651	1,644
401(C) Authority--Off. Coll.	600	600	600	114
Outlays	8,732	8,092	8,412	1,598
River basin surveys and investigations		(05-78-1069	-X-1-301-A;	12-1069)
Budget Authority	12,051	12,051	12,051	2,290
401(C) Authority--Off. Coll.	198	198	198	38
Outlays	11,526	11,477	11,502	2,185
Watershed and flood prevention operations		(05-78-1072	-X-1-301-A;	12-1072)
Budget Authority	177,128	177,128	177,128	33,654
401(C) Authority--Off. Coll.	17,595	17,595	17,595	3,343
Outlays	127,078	130,035	128,556	24,426
Great plains conservation program		(05-78-2268	-X-1-302-A;	12-2268)
Budget Authority	20,474	20,474	20,474	3,890
Outlays	10,105	9,275	9,690	1,841
Miscellaneous contributed funds (Water resources)		(05-78-8210	-X-7-301-A;	12-8210)
401(C) Other--incl. ob. limit	460	489	474	90
Outlays	520	489	504	96
Miscellaneous contributed funds (Conservation and land		(05-78-8210	-X-7-302-A;	12-8210)
401(C) Other--incl. ob. limit	100	110	105	20
Outlays	30	0	15	3
Animal and Plant Health Inspection Service				
Salaries and expenses		(05-79-1600	-X-1-352-A;	12-1600)
Budget Authority	311,467	311,467	311,467	59,179
401(C) Authority--Off. Coll.	9,568	9,568	9,568	1,818
Outlays	229,755	270,766	250,260	47,549
Buildings and facilities		(05-79-1601	-X-1-352-A;	12-1601)
Budget Authority	2,246	2,246	2,246	427
Miscellaneous trust funds		(05-79-9971	-X-7-352-A;	12-9971)
401(C) Other--incl. ob. limit	4,735	4,735	4,735	900
Outlays	1,607	3,089	2,348	446
Federal Grain Inspection Service				
Salaries and expenses		(05-80-2400	-X-1-352-A;	12-2400)
Budget Authority	6,826	6,826	6,826	1,297
Outlays	6,826	5,721	6,274	1,192
Inspection and weighing services		(05-80-4050	-X-3-352-A;	12-4050)
401(C) Authority--Off. Coll.	36,829	36,829	36,829	6,998
Outlays	36,829	36,829	36,829	6,998
Agricultural Marketing Service				
Marketing services		(05-81-2500	-X-1-352-A;	12-2500)
Budget Authority	31,435	31,435	31,435	5,973
401(C) Authority--Off. Coll.	30,742	30,742	30,742	5,841
Outlays	53,044	47,422	50,233	9,544
Payments to States and possessions		(05-81-2501	-X-1-352-A;	12-2501)
Budget Authority	942	942	942	179
Outlays	942	26	484	92
Perishable Agricultural Commodities Act fund		(05-81-5070	-X-2-352-A;	12-5070)
401(C) Authority	4,240	4,262	4,251	808
Outlays	3,596	3,192	3,394	645
Funds for strengthening markets, income, and supply (s		(05-81-5209	-X-2-605-A;	12-5209)
401(C) Authority	361,988	390,000	375,994	71,439
Outlays	136,988	150,000	143,494	27,264
Milk market orders assessment fund		(05-81-8412	-X-8-351-A;	12-8412)
401(C) Authority--Off. Coll.	35,110	35,110	35,110	6,671
Outlays	35,110	35,110	35,110	6,671
Miscellaneous trust funds		(05-81-9972	-X-7-352-A;	12-9972)
401(C) Authority	85,979	85,979	85,979	16,336
Outlays	85,979	85,979	85,979	16,336
Office of Transportation				
Office of Transportation		(05-82-2800	-X-1-352-A;	12-2800)
Budget Authority	2,397	2,397	2,397	455
Outlays	1,719	1,970	1,844	350

Account Title	OMB	CBO	Average	Sequester
Food Safety and Inspection Service				
Salaries and expenses		(05-83-3700	-X-1-554-A;	12-3700)
Budget Authority	372,973	372,973	372,973	70,865
401(C) Authority--Off. Coll.	42,050	42,050	42,050	7,990
Outlays	382,319	390,571	386,445	73,425
Exp. & refunds, insp. & grading		(05-83-8137	-X-7-352-A;	12-8137)
401(C) Authority	825	878	852	162
Outlays	825	826	826	157
Food and Nutrition Service				
Food donations program		(05-84-3503	-X-1-605-A;	12-3503)
Budget Authority	193,589	193,589	193,589	36,782
Outlays	176,166	156,807	166,486	31,632
Food stamp program		(05-84-3505	-X-1-605-A;	12-3505)
Budget Authority	61,647	61,647	61,647	11,713
Outlays	40,866	40,866	40,866	7,765
Food program administration		(05-84-3508	-X-1-605-A;	12-3508)
Budget Authority	84,794	84,794	84,794	16,111
Outlays	77,585	78,011	77,798	14,782
Special supplemental food prog. for women, infants and		(05-84-3510	-X-1-605-A;	12-3510)
Budget Authority	2,000	2,000	2,000	380
Outlays	2,000	2,000	2,000	380
Child nutrition programs		(05-84-3539	-X-1-605-A;	12-3539)
Budget Authority	3,418	0	1,709	325
401(C) Authority	0	3,418	1,709	325
Outlays	3,418	3,418	3,418	649
Human Nutrition Information Service				
Salaries and Expenses		(05-86-3501	-X-1-352-A;	12-3501)
Budget Authority	6,985	6,985	6,985	1,327
Outlays	3,438	3,069	3,254	618
Packers and Stockyards Administration				
Packers and Stockyards Administration		(05-90-2600	-X-1-352-A;	12-2600)
Budget Authority	9,081	9,081	9,081	1,725
Outlays	8,067	8,161	8,114	1,542
Agricultural Cooperative Service				
Salaries and expenses		(05-92-3000	-X-1-352-A;	12-3000)
Budget Authority	4,547	4,547	4,547	864
Outlays	1,841	2,651	2,246	427
Forest Service				
Construction		(05-96-1103	-X-1-302-A;	12-1103)
Budget Authority	267,195	267,195	267,195	50,767
401(C) Authority--Off. Coll.	2,061	2,061	2,061	392
Outlays	179,811	159,083	169,447	32,195
Forest research		(05-96-1104	-X-1-302-A;	12-1104)
Budget Authority	126,721	126,721	126,721	24,077
401(C) Authority--Off. Coll.	929	929	929	177
Outlays	106,975	96,940	101,958	19,372
State and private forestry		(05-96-1105	-X-1-302-A;	12-1105)
Budget Authority	66,554	66,554	66,554	12,645
401(C) Authority--Off. Coll.	135	135	135	26
Outlays	49,494	45,426	47,460	9,017
National forest system		(05-96-1106	-X-1-302-A;	12-1106)
Budget Authority	1,185,168	1,185,168	1,185,168	225,182
Outlays	1,079,623	1,046,665	1,063,144	201,997
Land acquisition		(05-96-5004	-X-2-303-A;	12-5004)
Budget Authority	52,236	52,236	52,236	9,925
Outlays	23,424	20,895	22,160	4,210
Range betterment fund		(05-96-5207	-X-2-302-A;	12-5207)
Budget Authority	3,644	3,750	3,697	702
Outlays	2,915	3,021	2,968	564
Acquisition of lands for nat'l forests		(05-96-5208	-X-2-302-A;	12-5208)
Budget Authority	966	966	966	184
Outlays	966	815	890	169
Acq. of lands to complete land exchanges		(05-96-5216	-X-2-302-A;	12-5216)
Budget Authority	895	895	895	170
Outlays	796	795	796	151
Operations and maintenance of quarters		(05-96-5219	-X-2-302-A;	12-5219)
401(C) Other--incl. ob. limit	5,812	5,545	5,678	1,079
Outlays	4,015	4,453	4,234	804
Cooperative work trust fund		(05-96-8028	-X-7-302-A;	12-8028)
401(C) Other--incl. ob. limit	250,369	250,369	250,369	47,570
Outlays	213,314	213,314	213,314	40,530
Highway Construction: Mount St. Helens National Monume		(05-96-8029	-X-7-401-A;	12-8029)
Budget Authority	9,915	9,915	9,915	1,884
Outlays	5,592	0	2,796	531
Gifts, donations, bequests for forest and rangeland re		(05-96-8034	-X-7-302-A;	12-9973)
Budget Authority	90	90	90	17
Outlays	90	90	90	17

Account Title	OMB	CBO	Average	Sequester
Reforestation trust fund		(05-96-8046	-X-7-302-A;	20-8046)
401(C) Other--incl. ob. limit	30,000	30,000	30,000	5,700
Outlays	30,000	24,000	27,000	5,130
Forest Service permanent appropriations		(05-96-9921	-X-2-852-A;	12-9921)
401(C) Other--incl. ob. limit	296,145	260,787	278,466	52,909
Outlays	222,102	257,462	239,782	45,559
Forest Service permanent appropriations		(05-96-9922	-X-2-302-A;	12-9922)
401(C) Other--incl. ob limit	143,660	139,689	141,674	26,918
Outlays	107,606	108,285	107,946	20,510
Miscellaneous trust funds		(05-96-9973	-X-7-302-A;	12-9973)
401(C) Authority--Off. Coll.	0	1	0	0
Outlays	0	1	0	0
Department of Agriculture		Total		
Budget Authority	7,912,874	7,819,362	7,866,118	1,494,564
401(C) Authority	16,551,896	16,855,525	16,703,711	3,173,706
401(C) Authority--Off. Coll.	518,930	515,431	517,180	98,266
401(C) Other--incl. ob. limit	731,281	691,724	711,501	135,186
401(C) Authority--ASI	4,100	4,100	4,100	4,100
Direct Loan Limitation	21,945,169	21,938,689	21,941,929	4,168,967
Direct Loan Floor	1,038,345	1,038,345	1,038,345	197,286
Guaranteed Loan Limitation	10,213,455	10,213,455	10,213,455	1,940,557
Guaranteed Loan Floor	933,075	933,075	933,075	177,284
Obligation Limitation	1,738,381	1,738,381	1,738,381	330,292
Outlays	26,721,807	26,597,456	26,659,631	5,068,645
Department of Commerce				
General Administration				
Salaries and expenses		(06-05-0120	-X-1-376-A;	13-0120)
Budget Authority	36,049	36,049	36,049	6,849
Outlays	32,905	34,537	33,721	6,407
Grants and loans administration		(06-05-0125	-X-1-452-A;	13-0125)
Budget Authority	25,000	25,000	25,000	4,750
Outlays	22,765	21,950	22,358	4,248
Economic development assistance programs		(06-05-2050	-X-1-452-A;	13-2050)
Budget Authority	191,539	191,539	191,539	36,392
Guaranteed Loan Limitation	187,500	187,500	187,500	35,625
Outlays	19,154	19,154	19,154	3,639
Bureau of the Census				
Salaries and expenses		(06-07-0401	-X-1-376-A;	13-0401)
Budget Authority	92,331	92,331	92,331	17,543
401(C) Authority--Off. Coll.	8,000	8,000	8,000	1,520
Outlays	90,275	90,275	90,275	17,152
Periodic censuses and programs		(06-07-0450	-X-1-376-A;	13-0450)
Budget Authority	174,806	174,806	174,806	33,213
Outlays	138,747	119,655	129,201	24,548
Economic and Statistical Analysis				
Salaries and expenses		(06-08-1500	-X-1-376-A;	13-1500)
Budget Authority	30,487	30,487	30,487	5,793
401(C) Authority--Off. Coll.	462	462	462	88
Outlays	27,014	27,627	27,320	5,191
Information products and services		(06-08-8546	-X-7-376-A;	13-8546)
401(C) Other--incl. ob. limit	36,980	38,214	37,597	7,143
Outlays	25,603	24,839	25,221	4,792
International Trade Administration				
Operations and administration		(06-25-1250	-X-1-376-A;	13-1250)
Budget Authority	201,755	201,755	201,755	38,333
401(C) Authority--Off. Coll.	9,000	8,004	8,502	1,615
Outlays	151,826	150,831	151,328	28,752
Minority Business Development Agency				
Minority business development		(06-40-0201	-X-1-376-A;	13-0201)
Budget Authority	39,855	39,855	39,855	7,572
Outlays	14,746	12,632	13,689	2,601
United States Travel and Tourism Administration				
Salaries and expenses		(06-44-0700	-X-1-376-A;	13-0700)
Budget Authority	11,549	11,549	11,549	2,194
401(C) Authority--Off. Coll.	1,475	2,239	1,857	353
Outlays	8,997	10,910	9,954	1,891
National Oceanic and Atmospheric Administration				
Operations, research, and facilities		(06-48-1450	-X-1-306-A;	13-1450)
Budget Authority	1,091,341	1,091,341	1,091,341	207,355
401(C) Authority--Off. Coll.	14,952	14,952	14,952	2,841
Outlays	735,237	765,294	750,266	142,551
Coastal energy impact fund		(06-48-4315	-X-3-452-A;	13-4315)
401(C) Authority--Off. Coll.	7,300	7,300	7,300	1,387
Outlays	7,300	7,300	7,300	1,387
Federal ship financing fund, fishing vessels		(06-48-4417	-X-3-376-A;	13-4417)
401(C) Authority--Off. Coll.	1,160	1,160	1,160	220
Guaranteed Loan Limitation	80,000	80,000	80,000	15,200
Outlays	2,320	1,160	1,740	331

Account Title	OMB	CBO	Average	Sequester
Fishermen's contingency fund		(06-48-5120	-X-2-376-A;	13-5120)
Budget Authority	750	750	750	142
Outlays	690	713	702	133
Foreign fishing observer fund		(06-48-5122	-X-2-376-A;	13-5122)
Budget Authority	2,000	2,000	2,000	380
Outlays	1,966	1,922	1,944	369
Fisheries Promotional Fund		(06-48-5124	-X-2-376-A;	13-5124)
Budget Authority	0	750	375	71
401(C) Authority	750	0	375	71
Outlays	467	413	440	84
Promote and develop fishery products and research		(06-48-5139	-X-2-376-A;	13-5139)
401(C) Other--incl. ob. limit	4,876	4,850	4,863	924
Outlays	3,032	2,667	2,850	542
Aviation weather services program		(06-48-8105	-X-7-306-A;	13-8105)
Budget Authority	29,000	29,000	29,000	5,510
Outlays	29,000	29,000	29,000	5,510
Patent and Trademark Office				
Salaries and expenses		(06-51-1006	-X-1-376-A;	13-1006)
Budget Authority	98,000	98,000	98,000	18,620
401(C) Authority--Off. Coll.	145,075	147,204	146,140	27,767
Outlays	205,040	215,706	210,523	39,999
National Bureau of Standards				
Scientific and technical research and services		(06-52-0500	-X-1-376-A;	13-0500)
Budget Authority	121,249	121,249	121,249	23,037
Outlays	93,867	93,867	93,867	17,835
Working capital fund		(06-52-4650	-X-4-376-A;	13-4650)
Budget Authority	2,119	2,119	2,119	403
Outlays	1,060	1,060	1,060	201
National Telecommunications and Information Admin.				
Salaries and expenses		(06-60-0550	-X-1-376-A;	13-0550)
Budget Authority	13,213	13,213	13,213	2,510
Outlays	11,490	10,607	11,048	2,099
Public telecommunications facilities, planning and con		(06-60-0551	-X-1-503-A;	13-0551)
Budget Authority	20,500	20,500	20,500	3,895
Outlays	2,371	2,378	2,374	451
Department of Commerce		Total		
Budget Authority	2,181,543	2,182,293	2,181,918	414,562
401(C) Authority	750	0	375	71
401(C) Authority--Off. Coll.	187,424	189,321	188,373	35,791
401(C) Other--incl. ob. limit	41,856	43,064	42,460	8,067
Guaranteed Loan Limitation	267,500	267,500	267,500	50,825
Outlays	1,626,172	1,644,497	1,635,335	310,713
Department of Defense--Military				
Military Personnel				
Military personnel, Marine Corps		(07-05-1105	-X-1-051-A;	17-1105)
Budget Authority	5,407,053	5,407,053	5,407,053	697,510
Outlays	5,091,822	4,977,693	5,034,758	649,484
Reserve personnel, Marine Corps		(07-05-1108	-X-1-051-A;	17-1108)
Budget Authority	277,947	277,947	277,947	35,855
Outlays	243,565	232,086	237,826	30,680
Reserve personnel, Navy		(07-05-1405	-X-1-051-A;	17-1405)
Budget Authority	1,394,892	1,394,892	1,394,892	179,941
Outlays	1,251,218	1,199,047	1,225,132	158,042
Military personnel, Navy		(07-05-1453	-X-1-051-A;	17-1453)
Budget Authority	17,550,397	17,550,397	17,550,397	2,264,001
Outlays	16,451,742	16,754,807	16,603,274	2,141,822
Military personnel, Army		(07-05-2010	-X-1-051-A;	21-2010)
Budget Authority	22,950,853	22,950,853	22,950,853	2,960,660
Outlays	21,690,851	21,912,861	21,801,856	2,812,439
National Guard personnel, Army		(07-05-2060	-X-1-051-A;	21-2060)
Budget Authority	3,076,997	3,076,997	3,076,997	396,933
Outlays	2,780,374	2,666,659	2,723,516	351,334
Reserve personnel, Army		(07-05-2070	-X-1-051-A;	21-2070)
Budget Authority	2,134,539	2,134,539	2,134,539	275,356
Outlays	1,918,951	1,914,101	1,916,526	247,232
Military personnel, Air Force		(07-05-3500	-X-1-051-A;	57-3500)
Budget Authority	19,457,758	19,457,758	19,457,758	2,510,051
Outlays	18,488,762	18,577,826	18,533,294	2,390,795
Reserve personnel, Air Force		(07-05-3700	-X-1-051-A;	57-3700)
Budget Authority	563,899	563,899	563,899	72,743
Outlays	511,908	484,759	498,334	64,285
National Guard personnel, Air Force		(07-05-3850	-X-1-051-A;	57-3850)
Budget Authority	947,243	947,243	947,243	122,194
Outlays	887,283	881,727	884,505	114,101
Operation and Maintenance				
Operation and maintenance, Defense agencies		(07-10-0100	-X-1-051-A;	97-0100)
Budget Authority	8,599,714	8,599,714	8,599,714	1,109,363
Outlays	7,199,681	7,395,736	7,297,708	941,404

Account Title	OMB	CBO	Average	Sequester
Court of Military Appeals, Defense		(07-10-0104	-X-1-051-A;	97-0104)
Budget Authority	3,237	3,237	3,237	418
Outlays	2,800	2,775	2,788	360
Foreign currency fluctuations, Defense		(07-10-0801	-X-1-051-A;	97-0801)
Unobligated Balances--Defense	173,291	173,291	173,291	22,355
Environmental restoration, Defense		(07-10-0810	-X-1-051-A;	97-0810)
Budget Authority	990	990	990	128
Outlays	0	297	148	19
Tenth International Pan American games		(07-10-0812	-X-1-051-A;	97-0812)
Budget Authority	15,000	15,000	15,000	1,935
Outlays	6,750	13,548	10,149	1,309
Humanitarian Assistance		(07-10-0819	-X-1-051-A;	97-0819)
Budget Authority	7,500	7,500	7,500	968
Outlays	3,750	4,417	4,084	527
Operation and maintenance, Marine Corps		(07-10-1106	-X-1-051-A;	17-1106)
Budget Authority	1,809,640	1,809,640	1,809,640	233,444
Outlays	1,246,118	1,471,997	1,359,058	175,318
Operation and maintenance, Marine Corps Reserve		(07-10-1107	-X-1-051-A;	17-1107)
Budget Authority	64,167	64,167	64,167	8,278
Outlays	44,153	41,237	42,695	5,508
National Board for the Promotion of Rifle Practice, Ar		(07-10-1705	-X-1-051-A;	21-1705)
Budget Authority	4,332	4,332	4,332	559
Outlays	2,824	4,236	3,530	455
Operation and maintenance, Navy		(07-10-1804	-X-1-051-A;	17-1804)
Budget Authority	23,368,065	23,368,065	23,368,065	3,014,480
Outlays	15,871,590	16,357,636	16,114,613	2,078,785
Operation and maintenance, Navy Reserve		(07-10-1806	-X-1-051-A;	17-1806)
Budget Authority	889,261	889,261	889,261	114,715
Outlays	531,867	634,735	583,301	75,246
Operation and maintenance, Army		(07-10-2020	-X-1-051-A;	21-2020)
Budget Authority	20,495,001	20,495,001	20,495,001	2,643,855
Outlays	15,244,182	15,371,155	15,307,668	1,974,689
Operation and maintenance, Army National Guard		(07-10-2065	-X-1-051-A;	21-2065)
Budget Authority	1,764,258	1,764,258	1,764,258	227,589
Outlays	1,365,536	1,561,525	1,463,530	188,795
Operation and maintenance, Army Reserve		(07-10-2080	-X-1-051-A;	21-2080)
Budget Authority	787,621	787,621	787,621	101,603
Outlays	589,928	693,498	641,713	82,781
Operation and maintenance, Air Force		(07-10-3400	-X-1-051-A;	57-3400)
Budget Authority	18,947,388	18,947,388	18,947,388	2,444,213
Outlays	14,293,910	14,210,493	14,252,202	1,838,534
Operation and maintenance, Air Force Reserve		(07-10-3740	-X-1-051-A;	57-3740)
Budget Authority	930,367	930,367	930,367	120,017
Outlays	781,136	821,580	801,358	103,375
Operation and maintenance, Air National Guard		(07-10-3840	-X-1-051-A;	57-3840)
Budget Authority	1,795,528	1,795,528	1,795,528	231,623
Outlays	1,484,722	1,655,508	1,570,115	202,545
Procurement				
Procurement, Defense agencies		(07-15-0300	-X-1-051-A;	97-0300)
Budget Authority	1,522,175	1,522,175	1,522,175	196,361
Unobligated Balances--Defense	500,268	500,268	500,268	64,535
Outlays	525,836	414,584	470,210	60,657
National Guard and Reserve Equipment		(07-15-0350	-X-1-051-A;	97-0350)
Budget Authority	557,000	557,000	557,000	71,853
Unobligated Balances--Defense	414,279	414,279	414,279	53,442
Outlays	29,138	54,257	41,698	5,379
Defense Production Act purchases		(07-15-0360	-X-1-051-A;	97-0360)
Budget Authority	13,000	13,000	13,000	1,677
Unobligated Balances--Defense	24,792	24,792	24,792	3,198
NATO cooperative defense programs		(07-15-0370	-X-1-051-A;	97-0370)
Unobligated Balances--Defense	5,706	5,706	5,706	736
Outlays	0	742	371	48
Coastal defense augmentation		(07-15-0380	-X-1-051-A;	17-0380)
Budget Authority	200,000	200,000	200,000	25,800
Unobligated Balances--Defense	331,121	331,121	331,121	42,715
Outlays	55,768	51,529	53,648	6,921
Chemical agents and munitions destruction, Defense		(07-15-0390	-X-1-051-A;	97-0390)
Budget Authority	118,700	118,700	118,700	15,312
Unobligated Balances--Defense	10,802	10,802	10,802	1,393
Outlays	25,292	67,754	46,523	6,001
Procurement, Marine Corps		(07-15-1109	-X-1-051-A;	17-1109)
Budget Authority	1,465,215	1,465,215	1,465,215	189,013
Unobligated Balances--Defense	476,953	476,953	476,953	61,527
Outlays	359,301	124,227	241,764	31,188
Aircraft procurement, Navy		(07-15-1506	-X-1-051-A;	17-1506)
Budget Authority	9,977,262	9,977,262	9,977,262	1,287,067
Unobligated Balances--Defense	2,900,683	2,900,683	2,900,683	374,188
Outlays	1,412,711	1,081,798	1,247,254	160,896

Account Title	OMB	CBO	Average	Sequester
Weapons procurement, Navy		(07-15-1507	-X-1-051-A;	17-1507)
Budget Authority	5,290,847	5,290,847	5,290,847	682,519
Unobligated Balances--Defense	2,422,876	2,422,876	2,422,876	312,551
Outlays	539,960	794,449	667,204	86,069
Shipbuilding and conversion, Navy		(07-15-1611	-X-1-051-A;	17-1611)
Budget Authority	10,210,989	10,210,989	10,210,989	1,317,218
Unobligated Balances--Defense	11,380,409	11,380,409	11,380,409	1,468,073
Outlays	1,295,484	1,057,990	1,176,737	151,799
Other procurement, Navy		(07-15-1810	-X-1-051-A;	17-1810)
Budget Authority	6,035,871	6,035,871	6,035,871	778,627
Unobligated Balances--Defense	2,100,104	2,100,104	2,100,104	270,913
Outlays	854,277	772,858	813,572	104,951
Aircraft procurement, Army		(07-15-2031	-X-1-051-A;	21-2031)
Budget Authority	2,780,750	2,780,750	2,780,750	358,717
Unobligated Balances--Defense	779,397	779,397	779,397	100,542
Outlays	567,844	509,067	538,456	69,461
Missile procurement, Army		(07-15-2032	-X-1-051-A;	21-2032)
Budget Authority	2,206,800	2,206,800	2,206,800	284,677
Unobligated Balances--Defense	787,315	787,315	787,315	101,564
Outlays	303,004	212,582	257,793	33,255
Procurement of weapons and tracked combat vehicles, Ar		(07-15-2033	-X-1-051-A;	21-2033)
Budget Authority	3,804,843	3,804,843	3,804,843	490,825
Unobligated Balances--Defense	1,257,398	1,257,398	1,257,398	162,204
Outlays	137,693	217,663	177,678	22,920
Procurement of ammunition, Army		(07-15-2034	-X-1-051-A;	21-2034)
Budget Authority	2,087,277	2,087,277	2,087,277	269,259
Unobligated Balances--Defense	389,565	389,565	389,565	50,254
Outlays	786,397	579,675	683,036	88,112
Other procurement, Army		(07-15-2035	-X-1-051-A;	21-2035)
Budget Authority	5,106,715	5,106,715	5,106,715	658,766
Unobligated Balances--Defense	2,068,782	2,068,782	2,068,782	266,873
Outlays	574,040	387,494	480,767	62,019
Aircraft procurement, Air Force		(07-15-3010	-X-1-051-A;	57-3010)
Budget Authority	17,255,881	17,255,881	17,255,881	2,226,009
Unobligated Balances--Defense	7,971,967	7,971,967	7,971,967	1,028,384
Outlays	1,657,469	1,519,113	1,588,291	204,890
Missile procurement, Air Force		(07-15-3020	-X-1-051-A;	57-3020)
Budget Authority	7,448,218	7,448,218	7,448,218	960,820
Unobligated Balances--Defense	3,376,605	3,376,605	3,376,605	435,582
Outlays	2,754,917	2,522,157	2,638,537	340,371
Other procurement, Air Force		(07-15-3080	-X-1-051-A;	57-3080)
Budget Authority	9,327,126	9,327,126	9,327,126	1,203,199
Unobligated Balances--Defense	2,571,477	2,571,477	2,571,477	331,721
Outlays	6,037,351	5,830,256	5,933,804	765,461
Research, Development, Test, and Evaluation				
Research, development, test, and evaluation, Defense a	(07-20-0400	-X-1-051-A;	97-0400)	
Budget Authority	6,764,371	6,764,371	6,764,371	872,604
Unobligated Balances--Defense	524,904	524,904	524,904	67,713
Outlays	3,462,405	3,717,557	3,589,981	463,108
Director of test and evaluation, Defense	(07-20-0450	-X-1-051-A;	97-0450)	
Budget Authority	119,906	119,906	119,906	15,468
Unobligated Balances--Defense	29,976	29,976	29,976	3,867
Outlays	42,716	44,977	43,846	5,656
Director of operational test and evaluation, Defense	(07-20-0460	-X-1-051-A;	97-0460)	
Budget Authority	11,300	11,300	11,300	1,458
Unobligated Balances--Defense	1,130	1,130	1,130	146
Outlays	3,543	5,419	4,481	578
Research, development, test, and evaluation, Navy	(07-20-1319	-X-1-051-A;	17-1319)	
Budget Authority	9,334,928	9,334,928	9,334,928	1,204,206
Unobligated Balances--Defense	477,908	477,908	477,908	61,650
Outlays	5,298,931	5,102,598	5,200,764	670,899
Research, development, test, and evaluation, Army	(07-20-2040	-X-1-051-A;	21-2040)	
Budget Authority	4,574,962	4,574,962	4,574,962	590,170
Unobligated Balances--Defense	423,193	423,193	423,193	54,592
Outlays	2,399,115	2,649,042	2,524,078	325,606
Research, development, test, and evaluation, Air Force	(07-20-3600	-X-1-051-A;	57-3600)	
Budget Authority	15,079,398	15,079,398	15,079,398	1,945,242
Unobligated Balances--Defense	1,725,192	1,725,192	1,725,192	222,550
Outlays	8,738,387	8,906,483	8,822,435	1,138,094
Military Construction				
Military construction, Defense agencies	(07-25-0500	-X-1-051-A;	97-0500)	
Budget Authority	530,070	530,070	530,070	68,379
Unobligated Balances--Defense	326,662	326,662	326,662	42,139
Outlays	56,887	68,557	62,722	8,091
North Atlantic Treaty Organization infrastructure	(07-25-0804	-X-1-051-A;	97-0804)	
Budget Authority	232,000	232,000	232,000	29,928
Unobligated Balances--Defense	62,182	62,182	62,182	8,021
Outlays	2,942	2,938	2,940	379

Account Title	OMB	CBO	Average	Sequester
Military construction, Navy		(07-25-1205	-X-1-051-A;	17-1205)
Budget Authority	1,378,451	1,378,451	1,378,451	177,820
Unobligated Balances--Defense	860,936	860,936	860,936	111,061
Outlays	436,681	403,208	419,944	54,173
Military construction, Naval Reserve		(07-25-1235	-X-1-051-A;	17-1235)
Budget Authority	44,500	44,500	44,500	5,740
Unobligated Balances--Defense	22,239	22,239	22,239	2,869
Outlays	10,011	5,212	7,612	982
Military construction, Army		(07-25-2050	-X-1-051-A;	21-2050)
Budget Authority	1,268,346	1,268,346	1,268,346	163,617
401(C) Authority	0	221,000	110,500	14,254
Unobligated Balances--Defense	834,953	834,953	834,953	107,709
Outlays	420,660	371,771	396,216	51,112
Military construction, Army National Guard		(07-25-2085	-X-1-051-A;	21-2085)
Budget Authority	140,879	140,879	140,879	18,173
Unobligated Balances--Defense	15,729	15,729	15,729	2,029
Outlays	18,792	9,433	14,112	1,820
Military construction, Army Reserve		(07-25-2086	-X-1-051-A;	21-2086)
Budget Authority	86,753	86,753	86,753	11,191
Unobligated Balances--Defense	17,246	17,246	17,246	2,225
Outlays	26,000	5,188	15,594	2,012
Military construction, Air Force		(07-25-3300	-X-1-051-A;	57-3300)
Budget Authority	1,242,530	1,242,530	1,242,530	160,286
Unobligated Balances--Defense	769,103	769,103	769,103	99,214
Outlays	261,512	321,804	291,658	37,624
Military construction, Air Force Reserve		(07-25-3730	-X-1-051-A;	57-3730)
Budget Authority	58,900	58,900	58,900	7,598
Unobligated Balances--Defense	20,504	20,504	20,504	2,645
Outlays	8,734	8,968	8,851	1,142
Military construction, Air National Guard		(07-25-3830	-X-1-051-A;	57-3830)
Budget Authority	148,925	148,925	148,925	19,211
Unobligated Balances--Defense	36,097	36,097	36,097	4,657
Outlays	18,503	11,144	14,824	1,912
Family Housing				
Family housing, Army		(07-30-0702	-X-1-051-A;	21-0702)
Budget Authority	1,590,446	1,590,446	1,590,446	205,168
Unobligated Balances--Defense	166,854	166,854	166,854	21,524
Outlays	827,404	918,176	872,790	112,590
Family housing, Navy and Marine Corps		(07-30-0703	-X-1-051-A;	17-0703)
Budget Authority	700,080	700,080	700,080	90,310
Unobligated Balances--Defense	73,942	73,942	73,942	9,539
Outlays	351,569	407,483	379,526	48,959
Family housing, Air Force		(07-30-0704	-X-1-051-A;	57-0704)
Budget Authority	808,511	808,511	808,511	104,298
Unobligated Balances--Defense	163,360	163,360	163,360	21,073
Outlays	482,519	509,678	496,098	63,997
Family housing, Defense agencies		(07-30-0706	-X-1-051-A;	97-0706)
Budget Authority	16,643	16,643	16,643	2,147
Unobligated Balances--Defense	1,739	1,739	1,739	224
Outlays	11,018	9,563	10,290	1,327
Special Foreign Currency Program				
Special foreign currency program		(07-37-0800	-X-1-051-A;	97-0800)
Budget Authority	3,500	3,500	3,500	452
Unobligated Balances--Defense	1,925	1,925	1,925	248
Outlays	597	753	675	87
Revolving and Management Funds				
ADP equipment management fund		(07-40-3910	-X-4-051-A;	97-3910)
Unobligated Balances--Defense	75,145	75,145	75,145	9,694
Outlays	0	12,173	6,086	785
Navy stock fund		(07-40-4911	-X-4-051-A;	17-4911)
Budget Authority	352,570	352,570	352,570	45,482
Outlays	116,348	267,780	192,064	24,776
Marine Corps stock fund		(07-40-4913	-X-4-051-A;	17-4913)
Budget Authority	822	822	822	106
Outlays	271	548	410	53
Air Force stock fund		(07-40-4921	-X-4-051-A;	57-4921)
Budget Authority	139,980	139,980	139,980	18,057
Outlays	46,193	106,408	76,300	9,843
Defense stock fund		(07-40-4961	-X-4-051-A;	97-4961)
Budget Authority	47,200	47,200	47,200	6,089
Outlays	15,576	35,907	25,742	3,321
Army stock fund		(07-40-4991	-X-4-051-A;	21-4991)
Budget Authority	110,100	110,100	110,100	14,203
Outlays	36,333	83,757	60,045	7,746
Allowances				
Civilian pay raise		(07-45-9913	-X-1-051-A;	97-9913)
Budget Authority	0	504,620	252,310	32,548
Outlays	0	496,000	248,000	31,992

Account Title	OMB	CBO	Average	Sequester
Military pay raise		(07-45-9916	-X-1-051-A;	97-9916)
Budget Authority	0	2,008,500	1,004,250	129,548
Outlays	0	1,979,300	989,650	127,665
Department of Defense--Military		Total		
Budget Authority	283,438,387	285,951,507	284,694,947	36,725,650
401(C) Authority	0	221,000	110,500	14,254
Unobligated Balances--Defense	46,574,709	46,574,709	46,574,709	6,008,139
Outlays	168,995,552	172,501,969	170,748,758	22,026,591
Department of Defense--Civil				
Cemeterial Expenses, Army				
Salaries and expenses		(08-05-1805	-X-1-705-A;	21-1805)
Budget Authority	15,823	15,823	15,823	3,006
Outlays	6,152	4,884	5,518	1,048
Corps of Engineers--Civil				
Flood control, Mississippi River and tributaries		(08-10-3112	-X-1-301-A;	96-3112)
Budget Authority	310,797	310,797	310,797	59,051
401(C) Authority--Off. Coll.	1,000	1,000	1,000	190
Outlays	272,000	255,854	263,927	50,146
General investigations		(08-10-3121	-X-1-301-A;	96-3121)
Budget Authority	136,162	136,162	136,162	25,871
401(C) Authority--Off. Coll.	18	18	18	3
Outlays	107,503	94,514	101,008	19,192
Construction, general		(08-10-3122	-X-1-301-A;	96-3122)
Budget Authority	1,122,918	1,122,918	1,122,918	213,354
401(C) Authority--Off. Coll.	225	225	225	43
Outlays	855,000	741,092	798,046	151,629
Operation and maintenance, general		(08-10-3123	-X-1-301-A;	96-3123)
Budget Authority	1,228,271	1,226,471	1,227,371	233,200
401(C) Authority--Off. Coll.	3,803	3,803	3,803	723
Outlays	1,044,332	996,026	1,020,179	193,834
Operation and maintenance, general		(08-10-3123	-X-1-303-A;	96-3123)
Budget Authority	12,500	12,500	12,500	2,375
Outlays	12,500	9,750	11,125	2,114
General expenses		(08-10-3124	-X-1-301-A;	96-3124)
Budget Authority	118,232	118,232	118,232	22,464
Outlays	100,256	94,607	97,432	18,512
Flood control and coastal emergencies		(08-10-3125	-X-1-301-A;	96-3125)
Budget Authority	10,000	10,000	10,000	1,900
Revolving fund		(08-10-4902	-X-4-301-A;	96-4902)
Budget Authority	12,000	12,000	12,000	2,280
Outlays	10,000	2,000	6,000	1,140
Inland waterways trust fund		(08-10-8861	-X-7-301-A;	20-8861)
Budget Authority	26,000	26,000	26,000	4,940
Outlays	26,000	17,056	21,528	4,090
Rivers and harbors contributed funds		(08-10-8862	-X-7-301-A;	96-8862)
401(C) Other--incl. ob. limit	237,000	209,780	223,390	42,444
Outlays	150,493	120,000	135,246	25,697
Harbor maintenance trust fund		(08-10-8867	-X-7-301-A;	96-8867)
Budget Authority	149,200	151,000	150,100	28,519
Outlays	149,200	125,330	137,265	26,080
Permanent appropriations (Water resources)		(08-10-9921	-X-2-301-A;	96-9921)
401(C) Other--incl. ob. limit	3,000	3,148	3,074	584
Outlays	48	2,027	1,038	197
Permanent appropriations (Other general purpose fiscal		(08-10-9921	-X-2-852-A;	96-9921)
401(C) Other--incl. ob. limit	6,000	6,000	6,000	1,140
Education Benefits				
Payment to the Henry M. Jackson Foundation		(08-19-0825	-X-1-502-A;	97-0825)
Budget Authority	10,000	10,000	10,000	1,900
Soldiers' and Airmen's Home				
Operation and maintenance		(08-20-8931	-X-7-705-A;	84-8931)
Budget Authority	35,154	35,154	35,154	6,679
401(C) Authority--Off. Coll.	144	144	144	27
Outlays	27,353	30,959	29,156	5,540
Capital outlay		(08-20-8932	-X-7-705-A;	84-8932)
Budget Authority	15,109	15,109	15,109	2,871
Outlays	1,829	325	1,077	205
Forest & Wildlife Conservation, Mil. Reservations				
Wildlife conservation		(08-30-5095	-X-2-303-A;	97-5095)
401(C) Other--incl. ob. limit	2,020	2,020	2,020	384
Outlays	2,020	2,020	2,020	384
Forest products program		(08-30-5285	-X-2-302-A;	21-5285)
401(C) Authority	1,500	1,500	1,500	285
Outlays	1,500	1,500	1,500	285
Department of Defense--Civil		Total		
Budget Authority	3,202,166	3,202,166	3,202,166	608,410
401(C) Authority	1,500	1,500	1,500	285
401(C) Authority--Off. Coll.	5,190	5,190	5,190	986
401(C) Other--incl. ob. limit	248,020	220,948	234,484	44,552
Outlays	2,766,186	2,497,944	2,632,065	500,093

Account Title	OMB	CBO	Average	Sequester
Department of Education				
Office of Elementary and Secondary Education				
Indian education		(18-10-0101	-X-1-501-A;	91-0101)
Budget Authority	64,036	64,036	64,036	12,167
Outlays	28,442	28,176	28,309	5,379
Impact aid		(18-10-0102	-X-1-501-A;	91-0102)
Budget Authority	717,500	717,500	717,500	136,325
Outlays	557,850	557,750	557,800	105,982
Chicago litigation settlement		(18-10-0220	-X-1-501-A;	91-0220)
Budget Authority	83,000	83,000	83,000	15,770
Compensatory education for the disadvantaged		(18-10-0900	-X-1-501-A;	91-0900)
Budget Authority	3,951,663	3,951,663	3,951,663	750,816
Outlays	277,141	197,583	237,362	45,099
Special programs		(18-10-1000	-X-1-501-A;	91-1000)
Budget Authority	939,490	939,490	939,490	178,503
Outlays	131,914	89,089	110,502	20,995
Off. of Bilingual Ed. & Minority Languages Affairs				
Bilingual education		(18-15-1300	-X-1-501-A;	91-1300)
Budget Authority	143,095	173,095	158,095	30,038
Outlays	5,724	6,058	5,891	1,119
Immigrant and refugee education		(18-15-1600	-X-1-501-A;	91-1600)
Budget Authority	45,886	15,886	30,886	5,868
Outlays	918	10,167	5,542	1,053
Office of Special Education & Rehabilitative Svcs.				
Education for the handicapped		(18-20-0300	-X-1-501-A;	91-0300)
Budget Authority	1,741,900	1,741,900	1,741,900	330,961
Outlays	78,342	81,869	80,106	15,220
Vocational rehabilitation		(18-20-0301	-X-1-506-A;	91-0301)
Budget Authority	203,758	203,758	203,758	38,714
Outlays	156,894	156,895	156,894	29,810
Special institutions for the handicapped (APHB)		(18-20-0604	-X-1-501-D;	91-0600)
Budget Authority	5,500	5,500	5,500	1,045
Outlays	5,500	5,500	5,500	1,045
Special institutions for the handicapped (NTID)		(18-20-0604	-X-1-502-B;	91-0601)
Budget Authority	32,000	32,000	32,000	6,080
Outlays	32,000	32,000	32,000	6,080
Special institutions for the handicapped (Gallaudet)		(18-20-0604	-X-1-502-C;	91-0602)
Budget Authority	62,000	62,000	62,000	11,780
Outlays	58,279	62,000	60,140	11,427
Promotion of education for the blind		(18-20-8893	-X-7-501-A;	91-8893)
401(C) Authority	10	10	10	2
Outlays	5	0	2	0
Office of Vocational and Adult Education				
Vocational and adult education		(18-30-0400	-X-1-501-A;	91-0400)
Budget Authority	987,700	987,700	987,700	187,663
401(C) Authority	7,148	7,148	7,148	1,358
Outlays	119,382	19,897	69,640	13,232
Office of Postsecondary Education				
Student financial assistance		(18-40-0200	-X-1-502-A;	91-0200)
Budget Authority	5,483,000	5,483,000	5,483,000	1,041,770
Outlays	1,017,200	1,017,200	1,017,200	193,268
Higher education		(18-40-0201	-X-1-502-A;	91-0201)
Budget Authority	482,428	482,428	482,428	91,661
Outlays	57,816	84,442	71,129	13,515
Guaranteed student loans		(18-40-0230	-X-1-502-A;	91-0230)
Budget Authority--Spec. Rules	35,516	0	17,758	17,758
401(C) Authority--Spec. Rules	0	39,230	19,615	19,615
Outlays	22,556	24,910	23,733	23,733
Higher education facilities loans and insurance		(18-40-0240	-X-1-502-A;	91-0240)
Budget Authority	19,205	1,076	10,140	1,927
Outlays	1,074	1,074	1,074	204
Howard University		(18-40-0603	-X-1-502-A;	91-0603)
Budget Authority	170,230	170,230	170,230	32,344
Outlays	162,101	163,421	162,761	30,925
College housing loans		(18-40-4250	-X-3-502-A;	91-4250)
401(C) Authority--Off. Coll.	1,926	1,926	1,926	366
Direct Loan Limitation	60,000	60,000	60,000	11,400
Outlays	1,922	1,922	1,922	365
Office of Educational Research and Improvement				
Libraries		(18-50-0104	-X-1-503-A;	91-0104)
Budget Authority	132,500	132,500	132,500	25,175
Outlays	69,270	32,475	50,872	9,666
Education research and statistics		(18-50-1100	-X-1-503-A;	91-1100)
Budget Authority	63,578	63,578	63,578	12,080
Outlays	39,418	35,604	37,511	7,127
Departmental Management				
Salaries and expenses (Research and general education		(18-80-0800	-X-1-503-A;	91-0800)
Budget Authority	234,692	234,692	234,692	44,591
Outlays	194,794	194,794	194,794	37,011

Account Title	OMB	CBO	Average	Sequester
Salaries and expenses (Federal law enforcement activit		(18-80-0800	-X-1-751-A;	91-0800)
Budget Authority	59,378	59,378	59,378	11,282
Outlays	49,284	48,212	48,748	9,262
Department of Education		Total		
Budget Authority	15,622,539	15,604,410	15,613,474	2,966,560
Budget Authority--Spec. Rules	35,516	0	17,758	17,758
401(C) Authority	7,158	7,158	7,158	1,360
401(C) Authority--Off. Coll.	1,926	1,926	1,926	366
401(C) Authority--Spec. Rules	0	39,230	19,615	19,615
Direct Loan Limitation	60,000	60,000	60,000	11,400
Outlays	3,067,826	2,851,038	2,959,432	581,517
Department of Energy				
Atomic Energy Defense Activities				
Atomic energy defense activities		(19-10-0220	-X-1-053-A;	89-0220)
Budget Authority	7,477,750	7,477,750	7,477,750	964,630
Unobligated Balances--Defense	45,000	500,000	272,500	35,152
Outlays	4,664,105	5,177,854	4,920,980	634,806
Energy Programs				
Geothermal resources development fund		(19-20-0206	-X-1-271-A;	89-0206)
Budget Authority	72	72	72	14
Outlays	72	72	72	14
Federal Energy Regulatory Commission		(19-20-0212	-X-1-276-A;	89-0212)
Budget Authority	99,079	99,079	99,079	18,825
Outlays	95,329	84,464	89,896	17,080
Fossil energy research and development		(19-20-0213	-X-1-271-A;	89-0213)
Budget Authority	295,866	295,866	295,866	56,215
Outlays	88,760	118,347	103,554	19,675
Energy conservation (Energy conservation)		(19-20-0215	-X-1-272-A;	89-0215)
Budget Authority	233,612	233,612	233,612	44,386
Outlays	92,976	46,722	69,849	13,271
Energy information administration		(19-20-0216	-X-1-276-A;	89-0216)
Budget Authority	60,301	60,301	60,301	11,457
Outlays	40,100	45,225	42,662	8,106
Economic regulation		(19-20-0217	-X-1-276-A;	89-0217)
Budget Authority	23,400	23,400	23,400	4,446
Outlays	14,747	14,747	14,747	2,802
Strategic petroleum reserve		(19-20-0218	-X-1-274-A;	89-0218)
Budget Authority	147,433	147,433	147,433	28,012
Outlays	129,991	81,088	105,540	20,053
Naval petroleum and shale reserves		(19-20-0219	-X-1-271-A;	89-0219)
Budget Authority	122,177	122,177	122,177	23,214
Outlays	64,659	67,197	65,928	12,526
General science and research activities		(19-20-0222	-X-1-251-A;	89-0222)
Budget Authority	708,400	708,400	708,400	134,596
Outlays	482,420	528,467	505,444	96,034
Energy supply, R&D activities		(19-20-0224	-X-1-271-A;	89-0224)
Budget Authority	1,347,048	1,347,048	1,347,048	255,939
Outlays	700,464	673,574	687,019	130,534
Uranium supply and enrichment activities		(19-20-0226	-X-1-271-A;	89-0226)
Budget Authority	1,210,400	1,210,400	1,210,400	229,976
Outlays	935,536	821,943	878,740	166,961
Emergency preparedness		(19-20-0234	-X-1-274-A;	89-0234)
Budget Authority	6,044	6,044	6,044	1,148
Outlays	3,898	4,835	4,366	830
Payments to states under Federal Power Act		(19-20-5105	-X-2-852-A;	89-5105)
401(C) Other--incl. ob. limit	0	727	364	69
Outlays	0	727	364	69
Nuclear waste disposal fund		(19-20-5227	-X-2-271-A;	89-5227)
Budget Authority	499,000	499,000	499,000	94,810
Outlays	249,518	249,500	249,509	47,407
Power Marketing Administration				
Operation and maintenance, Southeastern Power Administ		(19-50-0302	-X-1-271-A;	89-0302)
Budget Authority	901	901	901	171
Outlays	793	793	793	151
Operation and maintenance, Southwestern Power Administ		(19-50-0303	-X-1-271-A;	89-0303)
Budget Authority	3,585	3,585	3,585	681
Outlays	3,155	3,155	3,155	599
Operation and maintenance, Alaska Power Administration		(19-50-0304	-X-1-271-A;	89-0304)
Budget Authority	776	776	776	147
Outlays	683	683	683	130
Bonneville Power Administration fund		(19-50-4045	-X-3-271-A;	89-4045)
401(C) Authority--Off. Coll.	47,600	47,600	47,600	9,044
Outlays	45,200	41,900	43,550	8,274
Colorado river basins power marketing fund, WAPA		(19-50-4452	-X-3-271-A;	89-4452)
401(C) Authority--Off. Coll.	8,434	8,434	8,434	1,602
Outlays	7,422	7,422	7,422	1,410
Construction, rehabilitation, operation and maintenanc		(19-50-5068	-X-2-271-A;	89-5068)
Budget Authority	35,856	35,856	35,856	6,813
Outlays	31,553	31,553	31,553	5,995

Account Title	OMB	CBO	Average	Sequester
Departmental Administration				
Departmental administration (Energy information, polic		(19-60-0228	-X-1-276-A;	89-0228)
Budget Authority	395,558	395,558	395,558	75,156
Outlays	217,557	237,334	227,446	43,215
Department of Energy		Total		
Budget Authority	12,667,258	12,667,258	12,667,258	1,950,636
401(C) Authority--Off. Coll.	56,034	56,034	56,034	10,646
401(C) Other--incl. ob. limit	0	727	364	69
Unobligated Balances--Defense	45,000	500,000	272,500	35,152
Outlays	7,868,938	8,237,602	8,053,272	1,229,942
Department of Health and Human Services				
Food and Drug Administration				
Program expenses		(09-10-0600	-X-1-554-A;	75-0600)
Budget Authority	448,430	448,430	448,430	85,202
Outlays	390,134	390,934	390,534	74,201
Buildings and facilities		(09-10-0603	-X-1-554-A;	75-0603)
Budget Authority	1,879	1,879	1,879	357
Outlays	868	589	728	138
Revolving fund for certification and other services		(09-10-4309	-X-3-554-A;	75-4309)
401(C) Authority--Off. Coll.	2,799	2,799	2,799	532
Outlays	2,799	2,799	2,799	532
Health Resources and Services				
Health resources and services (health care services)		(09-15-0350	-X-1-551-A;	75-0350)
Budget Authority	882,458	882,458	882,458	167,667
401(C) Authority--Off. Coll.	375	375	375	71
Direct Loan Limitation	1,000	1,000	1,000	190
Outlays	758,160	495,551	626,856	119,103
Health resources and services (2% G-R-H)		(09-15-0350	-X-1-551-G;	75-0350)
Budget Authority--Spec. Rules	8,908	8,908	8,908	8,908
Outlays	7,644	4,988	6,316	6,316
Health resources and services (education and training)		(09-15-0350	-X-1-553-A;	75-0350)
Budget Authority	202,210	202,210	202,210	38,420
Outlays	68,751	60,663	64,707	12,294
Indian health services		(09-15-0390	-X-1-551-A;	75-0390)
Budget Authority	71,390	71,390	71,390	13,564
Outlays	58,158	57,670	57,914	11,004
Indian health services 2% split (G-R-H)		(09-15-0390	-X-1-551-G;	75-0390)
Budget Authority--Spec. Rules	16,026	16,026	16,026	16,026
401(C) Authority--Spec. Rules	689	689	689	689
Outlays	13,962	13,178	13,570	13,570
Indian health facilities 2% split (G-R-H)		(09-15-0391	-X-1-551-G;	75-0391)
Budget Authority--Spec. Rules	1,421	1,421	1,421	1,421
Outlays	411	355	383	383
Medical facilities guarantee and loan fund		(09-15-4430	-X-3-551-A;	75-4430)
Budget Authority	20,000	0	10,000	1,900
Outlays	15,789	0	7,894	1,500
Centers for Disease Control				
Disease control (Health care services)		(09-20-0943	-X-1-551-A;	75-0943)
Budget Authority	517,368	517,368	517,368	98,300
401(C) Authority--Off. Coll.	767	767	767	146
Outlays	321,958	328,157	325,058	61,761
Disease control (Health research)		(09-20-0943	-X-1-552-A;	75-0943)
Budget Authority	69,936	69,936	69,936	13,286
Outlays	43,710	46,158	44,934	8,537
National Institutes of Health				
National Library of Medicine (Health research)		(09-25-0807	-X-1-552-A;	75-0807)
Budget Authority	19,228	19,228	19,228	3,653
Outlays	12,305	12,306	12,306	2,338
National Library of Medicine (Education and training)		(09-25-0807	-X-1-553-A;	75-0807)
Budget Authority	42,610	42,610	42,610	8,096
Outlays	27,320	27,270	27,295	5,186
John E. Fogarty International Center		(09-25-0819	-X-1-552-A;	75-0819)
Budget Authority	11,420	11,420	11,420	2,170
Outlays	7,309	6,509	6,909	1,313
Buildings and facilities		(09-25-0838	-X-1-552-A;	75-0838)
Budget Authority	31,900	31,900	31,900	6,061
Outlays	18,379	8,932	13,656	2,595
National Institute on Aging (Health research)		(09-25-0843	-X-1-552-A;	75-0843)
Budget Authority	170,139	170,139	170,139	32,326
Outlays	59,548	79,965	69,756	13,254
National Institute on Aging (Education and training)		(09-25-0843	-X-1-553-A;	75-0843)
Budget Authority	7,542	7,542	7,542	1,433
Outlays	2,640	3,545	3,092	587
Nat. Inst. Child Health and Human Development (Health		(09-25-0844	-X-1-552-A;	75-0844)
Budget Authority	351,175	351,175	351,175	66,723
Outlays	123,244	154,517	138,880	26,387
Nat. Inst. Child Health and Human Development (Ed. & t		(09-25-0844	-X-1-553-A;	75-0844)
Budget Authority	15,605	15,605	15,605	2,965
Outlays	1,950	1,561	1,756	334

Account Title	OMB	CBO	Average	Sequester
Office of the Director (Health research)		(09-25-0846	-X-1-552-A;	75-0846)
Budget Authority	54,846	54,846	54,846	10,421
Outlays	26,540	41,803	34,172	6,493
Office of the Director (Education and training)		(09-25-0846	-X-1-553-A;	75-0846)
Budget Authority	2,362	2,362	2,362	449
Outlays	2,029	2,244	2,136	406
Research resources (Health research)		(09-25-0848	-X-1-552-A;	75-0848)
Budget Authority	321,590	321,590	321,590	61,102
Outlays	178,317	176,875	177,596	33,743
Research resources (Education and training)		(09-25-0848	-X-1-553-A;	75-0848)
Budget Authority	1,270	1,270	1,270	241
Outlays	70	64	67	13
National Cancer Institute (Health research)		(09-25-0849	-X-1-552-A;	75-0849)
Budget Authority	1,369,746	1,369,746	1,369,746	260,252
401(C) Authority--Off. Coll.	10	10	10	2
Outlays	617,691	686,883	652,287	123,935
National Cancer Institute (Education and training)		(09-25-0849	-X-1-553-A;	75-0849)
Budget Authority	33,091	33,091	33,091	6,287
Outlays	662	662	662	126
National Institute of General Medical Sciences (Health		(09-25-0851	-X-1-552-A;	75-0851)
Budget Authority	504,841	504,841	504,841	95,920
Outlays	250,321	247,372	248,846	47,281
National Institute of General Medical Sciences (Ed. &		(09-25-0851	-X-1-553-A;	75-0851)
Budget Authority	66,075	66,075	66,075	12,554
Outlays	7,447	7,268	7,358	1,398
National Institute of Environmental Health Sciences (R		(09-25-0862	-X-1-552-A;	75-0862)
Budget Authority	200,026	200,026	200,026	38,005
Outlays	117,602	114,015	115,808	22,004
National Institute of Environmental Health Sciences (E		(09-25-0862	-X-1-553-A;	75-0862)
Budget Authority	9,268	9,268	9,268	1,761
Outlays	5,458	2,224	3,841	730
National Heart, Lung and Blood Institute (Health resea		(09-25-0872	-X-1-552-A;	75-0872)
Budget Authority	889,141	889,141	889,141	168,937
Outlays	370,136	382,331	376,234	71,484
National Heart, Lung and Blood Institute (Education &		(09-25-0872	-X-1-553-A;	75-0872)
Budget Authority	40,860	40,860	40,860	7,763
Outlays	1,634	1,634	1,634	310
National Institute of Dental Research (Health research		(09-25-0873	-X-1-552-A;	75-0873)
Budget Authority	112,419	112,419	112,419	21,360
Outlays	52,494	61,830	57,162	10,861
National Institute of Dental Research (Education and t		(09-25-0873	-X-1-553-A;	75-0873)
Budget Authority	5,526	5,526	5,526	1,050
Outlays	3,214	3,039	3,126	594
National Insti. of Diabetes, and Digestive and Kidney		(09-25-0884	-X-1-552-A;	75-0884)
Budget Authority	489,351	489,351	489,351	92,977
Outlays	87,220	215,314	151,267	28,741
National Insti. of Diabetes, and Digestive and Kidney		(09-25-0884	-X-1-553-A;	75-0884)
Budget Authority	21,773	21,773	21,773	4,137
Outlays	5,437	4,355	4,896	930
National Institute of Allergy & Infectious Diseases (R		(09-25-0885	-X-1-552-A;	75-0885)
Budget Authority	534,987	534,987	534,987	101,648
Outlays	212,966	256,794	234,880	44,627
National Institute of Allergy & Infectious Diseases (E		(09-25-0885	-X-1-553-A;	75-0885)
Budget Authority	10,536	10,536	10,536	2,002
Outlays	1,581	1,475	1,528	290
National Institute of Neurological & Communicative Dis		(09-25-0886	-X-1-552-A;	75-0886)
Budget Authority	475,646	475,646	475,646	90,373
401(C) Authority--Off. Coll.	12	12	12	2
Outlays	182,385	199,763	191,074	36,304
National Institute of Neurological & Communicative Dis		(09-25-0886	-X-1-553-A;	75-0886)
Budget Authority	14,587	14,587	14,587	2,772
Outlays	4,149	4,230	4,190	796
National Eye Institute (Health research)		(09-25-0887	-X-1-552-A;	75-0887)
Budget Authority	210,703	210,703	210,703	40,034
Outlays	75,735	92,709	84,222	16,002
National Eye Institute (Education and training)		(09-25-0887	-X-1-553-A;	75-0887)
Budget Authority	5,934	5,934	5,934	1,127
Outlays	629	1,484	1,056	201
National Ins. of Arthritis and Musculoskeletal and Ski		(09-25-0888	-X-1-552-A;	75-0888)
Budget Authority	132,100	132,100	132,100	25,099
Outlays	124,584	58,124	91,354	17,357
National Ins. of Arthritis and Musculoskeletal and Ski		(09-25-0888	-X-1-553-A;	75-0888)
Budget Authority	6,613	6,613	6,613	1,256
Outlays	6,030	1,322	3,676	698
National Center for Nursing Research		(09-25-0889	-X-1-552-A;	75-0889)
Budget Authority	17,919	17,919	17,919	3,405
Outlays	8,134	8,064	8,099	1,539

Account Title	OMB	CBO	Average	Sequester
National Center for Nursing Research		(09-25-0889	-X-1-553-A;	75-0889)
Budget Authority	2,081	2,081	2,081	395
Outlays	953	936	944	179
Alcohol,Drug Abuse, & Mental Health Administration				
Federal subsidy for St. Elizabeths Hospital		(09-30-1300	-X-1-551-A;	75-1300)
Budget Authority	40,781	40,781	40,781	7,748
401(C) Authority--Off. Coll.	49,189	49,189	49,189	9,346
Outlays	89,970	89,970	89,970	17,094
Alcohol, drug abuse, and mental health (Health care se		(09-30-1361	-X-1-551-A;	75-1361)
Budget Authority	747,915	747,915	747,915	142,104
Outlays	616,240	598,332	607,286	115,384
Alcohol, drug abuse, and mental health (Health researc		(09-30-1361	-X-1-552-A;	75-1361)
Budget Authority	578,005	578,005	578,005	109,821
Outlays	369,558	369,923	369,740	70,251
Alcohol, drug abuse, and mental health (Education and		(09-30-1361	-X-1-553-A;	75-1361)
Budget Authority	38,750	38,750	38,750	7,362
Outlays	15,115	10,463	12,789	2,430
Office of Assistant Secretary for Health				
Retirement pay and medical benefits for commissioned o		(09-37-0379	-X-1-551-A;	75-0379)
Budget Authority	10,329	0	5,164	981
401(C) Authority	0	10,858	5,429	1,032
Outlays	6,920	7,166	7,043	1,338
Public health service management (Health care services		(09-37-1101	-X-1-551-A;	75-1101)
Budget Authority	46,151	46,151	46,151	8,769
401(C) Authority--Off. Coll.	25	25	25	5
Outlays	19,421	24,024	21,722	4,127
Public health service management (Health research)		(09-37-1101	-X-1-552-A;	75-1101)
Budget Authority	70,915	70,915	70,915	13,474
Outlays	50,620	38,294	44,457	8,447
Public health emergency fund		(09-37-1104	-X-1-551-A;	75-1104)
Budget Authority	30,000	30,000	30,000	5,700
Outlays	6,000	16,800	11,400	2,166
Health Care Financing Administration				
Program management (Health care services)		(09-38-0511	-X-1-551-A;	75-0511)
Budget Authority	80,901	80,901	80,901	15,371
Outlays	73,591	68,766	71,178	13,524
Program management (Health research)		(09-38-0511	-X-1-552-A;	75-0511)
Budget Authority	10,000	10,000	10,000	1,900
Outlays	10,000	8,000	9,000	1,710
Federal supplementary medical insurance trust fund		(09-38-8004	-X-7-571-A;	20-8004)
401(C) Other--incl. ob. limit	0	72,627	36,314	6,900
Obligation Limitation	1,053,089	974,524	1,013,806	192,623
Outlays	870,251	906,948	888,600	168,834
FSMI 2% split (G-R-H)		(09-38-8004	-X-7-571-S;	20-8004)
401(C) Authority--Spec. Rules	310,000	410,000	360,000	360,000
Outlays	310,000	410,000	360,000	360,000
Federal hospital insurance trust fund		(09-38-8005	-X-7-571-A;	20-8005)
401(C) Other--incl. ob. limit	0	343,276	171,638	32,611
Obligation Limitation	1,138,928	800,819	969,874	184,276
Outlays	765,149	746,790	755,970	143,634
FHI 2% split (G-R-H)		(09-38-8005	-X-7-571-S;	20-8005)
401(C) Authority--Spec. Rules	880,000	980,000	930,000	930,000
Outlays	880,000	980,000	930,000	930,000
Social Security Administration				
Supplemental security income program		(09-60-0406	-X-1-609-A;	75-0406)
Budget Authority	823,283	0	411,642	78,212
401(C) Authority	0	823,283	411,642	78,212
Outlays	586,181	591,965	589,073	111,924
Special benefits for disabled coal miners		(09-60-0409	-X-1-601-A;	75-0409)
Budget Authority	6,437	0	3,218	611
401(C) Authority	0	6,437	3,218	611
Outlays	6,437	6,437	6,437	1,223
Family Support Administration				
Program administration **		(09-70-1500	-X-1-609-A;	75-1500)
Budget Authority	93,142	93,142	93,142	17,697
401(C) Authority--Off. Coll.	95	95	95	18
Outlays	72,611	72,746	72,678	13,809
Family support payments to States **		(09-70-1501	-X-1-609-A;	75-1501)
Budget Authority	943,250	0	471,625	89,609
401(C) Authority	0	990,000	495,000	94,050
Outlays	943,250	990,000	966,625	183,659
Low income home energy assistance		(09-70-1502	-X-1-609-A;	75-0420)
Budget Authority	1,822,265	1,822,265	1,822,265	346,230
Outlays	1,658,261	1,640,039	1,649,150	313,338
Refugee and Entrant Assistance		(09-70-1503	-X-1-609-A;	75-0473)
Budget Authority	339,597	339,597	339,597	64,523
Outlays	210,579	216,569	213,574	40,579

** $2,850 thousand of sequester shown under Program administration (09-70-1500) is to be applied against child support enforcement under Family support payments to States (09-70-1501) due to the application of a special rule under the Act.

Account Title	OMB	CBO	Average	Sequester
Community services block grant		(09-70-1504	-X-1-506-A;	75-1635)
Budget Authority	405,036	405,036	405,036	76,957
Outlays	278,250	278,665	278,458	52,907
Work incentives		(09-70-1505	-X-1-504-A;	75-1639)
Budget Authority	126,000	126,000	126,000	23,940
Outlays	112,009	112,009	112,009	21,282
Interim assistance to States for legalization		(09-70-1508	-X-1-506-A;	75-1508)
401(C) Authority	930,000	930,000	930,000	176,700
401(C) Other--incl. ob. limit	300,000	121,000	210,500	39,995
Outlays	300,000	121,000	210,500	39,995
Payments to States from receipts for child support		(09-70-5734	-X-2-609-A;	75-5734)
401(C) Other--incl. ob. limit	450	450	450	86
Outlays	337	337	337	64
Human Development Services				
Social services block grant		(09-80-1634	-X-1-506-A;	75-1634)
Budget Authority	2,700,000	0	1,350,000	256,500
401(C) Authority	0	2,700,000	1,350,000	256,500
Outlays	2,637,227	2,590,380	2,613,804	496,623
Human development services		(09-80-1636	-X-1-506-A;	75-1636)
Budget Authority	2,100,335	2,100,335	2,100,335	399,064
Outlays	1,233,278	1,176,708	1,204,993	228,949
Family social services		(09-80-1645	-X-1-506-A;	75-1645)
Budget Authority	287,663	242,663	265,163	50,381
Budget Authority--Spec. Rules	11,611	0	5,806	5,806
401(C) Authority	0	45,000	22,500	4,275
401(C) Authority--Spec. Rules	0	11,611	5,806	5,806
Outlays	228,765	210,317	219,541	48,902
Departmental Management				
General Departmental management		(09-90-0120	-X-1-609-A;	75-0120)
Budget Authority	124,019	124,019	124,019	23,564
Outlays	105,417	113,056	109,236	20,755
Policy research		(09-90-0122	-X-1-609-A;	75-0122)
Budget Authority	8,200	8,200	8,200	1,558
Outlays	4,920	3,772	4,346	826
Office of the Inspector General		(09-90-0128	-X-1-609-A;	75-0128)
Budget Authority	30,516	30,516	30,516	5,798
Outlays	24,413	26,314	25,364	4,819
Office for Civil Rights		(09-90-0135	-X-1-751-A;	75-0135)
Budget Authority	15,285	15,285	15,285	2,904
Outlays	13,909	13,451	13,680	2,599
Office of Consumer Affairs		(09-90-0137	-X-1-506-A;	75-0137)
Budget Authority	1,768	1,768	1,768	336
Outlays	1,645	1,645	1,645	313
Department of Health and Human Services		Total		
Budget Authority	19,877,124	15,328,825	17,602,974	3,344,566
Budget Authority--Spec. Rules	37,966	26,355	32,161	32,161
401(C) Authority	930,000	5,505,578	3,217,789	611,380
401(C) Authority--Off. Coll.	53,272	53,272	53,272	10,122
401(C) Other--incl. ob. limit	300,450	537,353	418,902	79,592
401(C) Authority--Spec. Rules	1,190,689	1,402,300	1,296,495	1,296,495
Direct Loan Limitation	1,000	1,000	1,000	190
Obligation Limitation	2,192,017	1,775,343	1,983,680	376,899
Outlays	16,778,781	16,709,347	16,744,063	4,249,880
Health and Human Services - Social Security				
Social Security				
Federal old-age and survivors insurance trust fund		(16-05-8006	-X-7-651-A;	20-8006)
Obligation Limitation	1,357,449	1,562,483	1,459,966	277,394
Outlays	1,384,843	1,286,420	1,335,632	253,770
Federal disability insurance trust fund		(16-05-8007	-X-7-651-A;	20-8007)
Obligation Limitation	473,024	502,739	487,882	92,698
Outlays	389,067	375,608	382,338	72,644
Health and Human Services - Social Security		Total		
Obligation Limitation	1,830,473	2,065,222	1,947,848	370,092
Outlays	1,773,910	1,662,028	1,717,970	326,414
Department of Housing and Urban Development				
Housing Programs				
Housing counseling assistance		(25-02-0156	-X-1-506-A;	86-0156)
Budget Authority	3,500	3,500	3,500	665
Subsidized housing programs (Community development)		(25-02-0164	-X-1-451-A;	86-0164)
Budget Authority	319,550	319,550	319,550	60,714
Outlays	20,000	42,000	31,000	5,890
Subsidized housing programs (Housing assistance)		(25-02-0164	-X-1-604-A;	86-0164)
Budget Authority	7,541,118	7,541,118	7,541,118	1,432,812
Outlays	19,278	11,390	15,334	2,913
Congregate services program		(25-02-0178	-X-1-604-A;	86-0178)
Budget Authority	3,400	3,400	3,400	646
Shelter programs		(25-02-0181	-X-1-604-A;	86-0181)
Budget Authority	160,000	160,000	160,000	30,400
Outlays	49,000	57,950	53,475	10,160

Account Title	OMB	CBO	Average	Sequester
Rental housing assistance fund		(25-02-4041	-X-3-604-A;	86-4041)
401(C) Authority--Off. Coll.	60,000	51,000	55,500	10,545
Outlays	60,000	51,000	55,500	10,545
Nonprofit sponsor assistance		(25-02-4042	-X-3-604-A;	86-4042)
Direct Loan Limitation	1,000	1,000	1,000	190
Outlays	0	236	118	22
Federal Housing Administration fund		(25-02-4070	-X-3-371-A;	86-4070)
401(C) Authority--Off. Coll.	360,516	382,896	371,756	70,634
Direct Loan Limitation	73,800	73,800	73,800	14,022
Guaranteed Loan Limitation	100,000,000	100,000,000	100,000,000	19,000,000
Obligation Limitation	306,962	306,962	306,962	58,323
Outlays	667,578	698,197	682,888	129,749
Housing for the elderly or handicapped fund		(25-02-4115	-X-3-371-A;	86-4115)
Budget Authority	3,907	3,907	3,907	742
Direct Loan Limitation	592,661	592,661	592,661	112,606
Outlays	3,907	3,907	3,907	742
Interstate land sales		(25-02-5270	-X-2-376-A;	86-5270)
401(C) Authority	800	814	807	153
Outlays	800	749	774	147
Manufactured home inspection and monitoring		(25-02-5271	-X-2-376-A;	86-5271)
401(C) Authority	5,760	5,967	5,864	1,114
Outlays	4,452	2,984	3,718	706
Public and Indian Housing Programs				
Payments for operation of low income housing projects		(25-03-0163	-X-1-604-A;	86-0163)
Budget Authority	1,350,000	1,350,000	1,350,000	256,500
Outlays	567,000	675,000	621,000	117,990
Government National Mortgage Association				
Payment of participation sales insufficiencies		(25-04-0145	-X-1-371-A;	86-0145)
Budget Authority	1,079	1,079	1,079	205
Guarantees of mortgage-backed securities		(25-04-4238	-X-3-371-A;	86-4238)
401(C) Authority--Off. Coll.	38,084	18,785	28,934	5,497
Guaranteed Loan Limitation	150,000,000	150,000,000	150,000,000	28,500,000
Outlays	39,084	16,363	27,724	5,268
Solar Energy and Energy Conservation Bank				
Assistance for solar and conservation improvements		(25-05-0179	-X-1-272-A;	86-0179)
Budget Authority	600	600	600	114
Outlays	0	500	250	48
Community Planning and Development				
Community development grants		(25-06-0162	-X-1-451-A;	86-0162)
Budget Authority	3,000,000	3,000,000	3,000,000	570,000
Guaranteed Loan Limitation	150,000	150,000	150,000	28,500
Outlays	60,000	60,000	60,000	11,400
Urban development action grants		(25-06-0170	-X-1-451-A;	86-0170)
Budget Authority	225,000	225,000	225,000	42,750
Outlays	11,250	11,250	11,250	2,138
Urban homesteading		(25-06-0171	-X-1-451-A;	86-0171)
Budget Authority	12,000	12,000	12,000	2,280
Outlays	10,000	8,400	9,200	1,748
Rehabilitation loan fund		(25-06-4036	-X-3-451-A;	86-4036)
401(C) Authority--Off. Coll.	23,044	23,791	23,418	4,449
Direct Loan Limitation	85,000	80,000	82,500	15,675
Outlays	65,558	63,791	64,675	12,286
Policy Development and Research				
Research and technology		(25-28-0108	-X-1-451-A;	86-0108)
Budget Authority	17,000	17,000	17,000	3,230
Outlays	5,100	5,100	5,100	969
Fair Housing and Equal Opportunity				
Fair housing assistance		(25-29-0144	-X-1-751-A;	86-0144)
Budget Authority	6,341	6,341	6,341	1,205
Outlays	1,300	0	650	124
Management and Administration				
Salaries & expenses, incl. transfer of funds (Communit		(25-35-0143	-X-1-451-A;	86-0143)
Budget Authority	168,850	168,850	168,850	32,082
Outlays	140,990	140,990	140,990	26,788
Salaries & expenses, incl. transfer of funds (Public a		(25-35-0143	-X-1-604-A;	86-0143)
Budget Authority	157,616	157,616	157,616	29,947
Outlays	131,620	131,620	131,620	25,008
Salaries & expenses, incl. transfer of funds (Federal		(25-35-0143	-X-1-751-A;	86-0143)
Budget Authority	13,957	13,957	13,957	2,652
Outlays	11,654	11,654	11,654	2,214
Department of Housing and Urban Development		Total		
Budget Authority	12,983,918	12,983,918	12,983,918	2,466,944
401(C) Authority	6,560	6,781	6,671	1,267
401(C) Authority--Off. Coll.	482,744	476,472	479,608	91,125
Direct Loan Limitation	752,461	747,461	749,961	142,493
Guaranteed Loan Limitation	250,150,000	250,150,000	250,150,000	47,528,500
Obligation Limitation	306,962	306,962	306,962	58,323
Outlays	1,868,572	1,993,081	1,930,827	366,857

Account Title	OMB	CBO	Average	Sequester
Department of the Interior				
Bureau of Land Management				
Management of lands and resources		(10-04-1109	-X-1-302-A;	14-1109)
Budget Authority	495,138	495,138	495,138	94,076
401(C) Authority--Off. Coll.	2,000	2,000	2,000	380
Outlays	413,807	434,999	424,403	80,637
Construction and access		(10-04-1110	-X-1-302-A;	14-1110)
Budget Authority	2,800	2,800	2,800	532
Outlays	2,800	700	1,750	332
Payments in lieu of taxes		(10-04-1114	-X-1-852-A;	14-1114)
Budget Authority	105,000	105,000	105,000	19,950
Outlays	105,000	105,000	105,000	19,950
Oregon and California grant lands		(10-04-1116	-X-1-302-A;	14-1116)
Budget Authority	55,818	55,818	55,818	10,605
Outlays	41,864	41,590	41,727	7,928
Special acquisition of lands and minerals		(10-04-1117	-X-1-302-A;	14-1117)
401(C) Authority	1,300	1,300	1,300	247
Service charges, deposits, and forfeitures		(10-04-5017	-X-2-302-A;	14-5017)
Budget Authority	7,195	7,195	7,195	1,367
Outlays	5,095	5,095	5,095	968
Land acquisition	/	(10-04-5033	-X-2-302-A;	14-5033)
Budget Authority	6,220	6,220	6,220	1,182
Outlays	1,426	3,086	2,256	429
Operation and maintenance of quarters		(10-04-5048	-X-2-302-A;	14-5048)
401(C) Authority	250	266	258	49
Outlays	210	221	216	41
Range improvements		(10-04-5132	-X-2-302-A;	14-5132)
Budget Authority	9,253	9,253	9,253	1,758
Outlays	5,446	5,848	5,647	1,073
Miscellaneous permanent appropriations		(10-04-9921	-X-2-302-A;	14-9921)
401(C) Other--incl. ob. limit	5,600	6,071	5,836	1,109
Outlays	4,100	5,852	4,976	945
Misc. permanent appropriations (Otr. gen. pur. fiscal		(10-04-9921	-X-2-852-A;	14-9921)
401(C) Other--incl. ob. limit	78,456	80,287	79,372	15,081
Miscellaneous trust funds		(10-04-9971	-X-7-302-A;	14-9971)
401(C) Other--incl. ob. limit	0	764	382	73
Outlays	0	385	192	36
Minerals Management Service				
Minerals and royalty management		(10-06-1917	-X-1-302-A;	14-1917)
Budget Authority	161,497	161,497	161,497	30,684
Outlays	109,818	105,053	107,436	20,413
Payments to states from receipts under Mineral Leasing		(10-06-5003	-X-2-852-A;	14-5003)
401(C) Other--incl. ob. limit	439,035	435,528	437,282	83,084
Outlays	439,035	431,664	435,350	82,716
Office of Surface Mining Reclamation & Enforcement				
Regulation and technology		(10-08-1801	-X-1-302-A;	14-1801)
Budget Authority	100,003	100,003	100,003	19,001
Outlays	67,443	58,252	62,848	11,941
Abandoned mine reclamation fund		(10-08-5015	-X-2-302-A;	14-5015)
Budget Authority	203,720	203,720	203,720	38,707
Outlays	66,280	56,430	61,355	11,657
Bureau of Reclamation				
Loan program		(10-10-0667	-X-1-301-A;	14-0667)
Budget Authority	37,480	37,480	37,480	7,121
Direct Loan Limitation	43,806	43,806	43,806	8,323
Outlays	37,480	18,020	27,750	5,272
Construction program		(10-10-0684	-X-1-301-A;	14-0684)
Budget Authority	607,542	607,542	607,542	115,433
Outlays	533,543	511,962	522,752	99,323
Lower Colorado River basin development fund		(10-10-4079	-X-3-301-A;	14-4079)
401(C) Authority--Off. Coll.	100,798	100,798	100,798	19,152
Outlays	100,798	100,798	100,798	19,152
Upper Colorado River basin fund		(10-10-4081	-X-3-301-A;	14-4081)
401(C) Authority--Off. Coll.	41,485	41,485	41,485	7,882
Outlays	41,485	41,485	41,485	7,882
Working capital fund		(10-10-4524	-X-4-301-A;	14-4524)
Budget Authority	6,400	6,400	6,400	1,216
Outlays	730	4,480	2,605	495
Emergency fund		(10-10-5043	-X-2-301-A;	14-5043)
Budget Authority	1,000	1,000	1,000	190
Outlays	723	605	664	126
General investigations		(10-10-5060	-X-2-301-A;	14-5060)
Budget Authority	29,409	29,409	29,409	5,588
401(C) Authority--Off. Coll.	50	50	50	10
Outlays	21,345	18,989	20,167	3,832
Operation and maintenance		(10-10-5064	-X-2-301-A;	14-5064)
Budget Authority	143,375	143,375	143,375	27,241
401(C) Authority--Off. Coll.	8,000	8,000	8,000	1,520
Outlays	131,206	88,800	110,003	20,901

Account Title	OMB	CBO	Average	Sequester
General administrative expenses		(10-10-5065	-X-2-301-A;	14-5065)
Budget Authority	51,200	51,200	51,200	9,728
Outlays	47,299	46,080	46,690	8,871
Colorado River Dam Fund, Boulder Canyon Project		(10-10-5656	-X-2-301-A;	14-5656)
401(C) Other--incl. ob. limit	55,814	55,814	55,814	10,605
Outlays	44,983	40,970	42,976	8,165
Reclamation trust funds		(10-10-8070	-X-7-301-A;	14-8070)
401(C) Other--incl. ob. limit	48,000	32,085	40,042	7,608
Outlays	45,140	30,288	37,714	7,166
Miscellaneous permanent appropriations		(10-10-9922	-X-2-852-A;	14-9922)
401(C) Other--incl. ob. limit	287	379	333	63
Outlays	287	170	228	43
Geological Survey				
Surveys, investigations and research		(10-12-0804	-X-1-306-A;	14-0804)
Budget Authority	431,540	431,540	431,540	81,993
401(C) Authority--Off. Coll.	73,333	73,333	73,333	13,933
Outlays	489,727	483,408	486,568	92,448
Bureau of Mines				
Mines and minerals		(10-14-0959	-X-1-306-A;	14-0959)
Budget Authority	140,412	140,412	140,412	26,678
Outlays	93,514	96,113	94,814	18,015
Helium fund		(10-14-4053	-X-3-306-A;	14-4053)
401(C) Authority--Off. Coll.	3,674	3,674	3,674	698
Outlays	3,674	3,674	3,674	698
United States Fish and Wildlife Service				
Resource management		(10-18-1611	-X-1-303-A;	14-1611)
Budget Authority	323,638	323,638	323,638	61,491
401(C) Authority--Off. Coll.	2,392	2,392	2,392	454
Outlays	236,970	262,864	249,917	47,484
Construction		(10-18-1612	-X-1-303-A;	14-1612)
Budget Authority	41,513	41,513	41,513	7,887
Outlays	8,718	6,053	7,386	1,403
Land acquisition		(10-18-5020	-X-2-303-A;	14-5020)
Budget Authority	48,240	48,240	48,240	9,166
Outlays	9,220	24,906	17,063	3,242
Operations and maintenance of quarters		(10-18-5050	-X-2-303-A;	14-5050)
401(C) Other--incl. ob. limit	1,662	1,662	1,662	316
Outlays	363	1,163	763	145
National wildlife refuge fund		(10-18-5091	-X-2-852-A;	14-5091)
Budget Authority	5,645	5,645	5,645	1,073
401(C) Other--incl. ob. limit	7,040	7,040	7,040	1,338
Outlays	7,609	7,841	7,725	1,468
Migratory bird conservation account		(10-18-5137	-X-2-303-A;	14-5137)
Budget Authority	7,000	7,000	7,000	1,330
401(C) Other--incl. ob. limit	31,878	31,878	31,878	6,057
Outlays	26,408	29,315	27,862	5,294
Sport fish restoration		(10-18-8151	-X-7-303-A;	14-8151)
401(C) Other--incl. ob. limit	174,000	174,000	174,000	33,060
Outlays	50,359	69,600	59,980	11,396
Contributed funds		(10-18-8216	-X-7-303-A;	14-8216)
401(C) Other--incl. ob. limit	140	140	140	27
Outlays	140	140	140	27
Miscellaneous permanent appropriations		(10-18-9923	-X-2-303-A;	14-9923)
401(C) Other--incl. ob. limit	114,200	114,200	114,200	21,698
Outlays	38,972	57,100	48,036	9,127
National Park Service				
Operation of the national park system		(10-24-1036	-X-1-303-A;	14-1036)
Budget Authority	705,981	705,981	705,981	134,136
401(C) Authority--Off. Coll.	2,214	2,214	2,214	421
Outlays	567,199	572,892	570,046	108,309
John F. Kennedy Center for the Performing Arts		(10-24-1038	-X-1-303-A;	14-1038)
Budget Authority	4,771	4,771	4,771	906
Outlays	3,340	3,578	3,459	657
Construction		(10-24-1039	-X-1-303-A;	14-1039)
Budget Authority	88,095	88,095	88,095	16,738
401(C) Authority--Off. Coll.	8,500	8,500	8,500	1,615
Outlays	22,900	21,714	22,307	4,238
National recreation and preservation		(10-24-1042	-X-1-303-A;	14-1042)
Budget Authority	10,928	10,928	10,928	2,076
Outlays	8,742	9,853	9,298	1,767
Illinois & Michigan Canal National Heritage-Corridor C		(10-24-1043	-X-1-303-A;	14-1043)
Budget Authority	250	250	250	48
Outlays	125	125	125	24
Jefferson National Expansion Memorial Commission		(10-24-1044	-X-1-303-A;	14-1044)
Budget Authority	75	75	75	14
Outlays	75	29	52	10
Land acquisition		(10-24-5035	-X-2-303-A;	14-5035)
Budget Authority	110,130	110,130	110,130	20,925
401(C) Authority	30,000	30,000	30,000	5,700
401(C) Authority--Off. Coll.	1,000	500	750	142
Outlays	55,646	53,937	54,792	10,410

Account Title	OMB	CBO	Average	Sequester
Operations and maintenance of quarters		(10-24-5049	-X-2-303-A;	14-5049)
401(C) Other--incl. ob. limit	8,722	8,722	8,722	1,657
Outlays	7,400	5,844	6,622	1,258
Historic preservation fund		(10-24-5140	-X-2-303-A;	14-5140)
Budget Authority	24,250	24,250	24,250	4,608
Outlays	9,479	12,489	10,984	2,087
Miscellaneous permanent appropriations		(10-24-9924	-X-2-303-A;	14-9924)
401(C) Other--incl. ob. limit	1,045	1,045	1,045	199
Outlays	263	418	340	65
Bureau of Indian Affairs				
Operation of Indian programs (Conservation and land ma		(10-76-2100	-X-1-302-A;	14-2100)
Budget Authority	144,428	144,428	144,428	27,441
Outlays	122,904	124,217	123,560	23,476
Operation of Indian programs (Area and regional develo		(10-76-2100	-X-1-452-A;	14-2100)
Budget Authority	516,389	516,389	516,389	98,114
401(C) Authority--Off. Coll.	3,000	3,000	3,000	570
Outlays	444,022	422,052	433,037	82,277
Operation of Indian programs (Elementary, secondary, &		(10-76-2100	-X-1-501-A;	14-2100)
Budget Authority	277,783	277,783	277,783	52,779
Outlays	240,585	226,278	233,432	44,352
Payment to the White Earth econ. dev. and tribal gover		(10-76-2204	-X-1-452-A;	14-2364)
Budget Authority	6,600	6,600	6,600	1,254
Outlays	6,600	6,600	6,600	1,254
Construction		(10-76-2301	-X-1-452-A;	14-2301)
Budget Authority	88,601	88,601	88,601	16,834
Outlays	23,721	20,380	22,050	4,190
Road construction		(10-76-2364	-X-1-452-A;	14-2364)
401(C) Authority--Off. Coll.	1,000	1,000	1,000	190
Outlays	1,000	1,000	1,000	190
Revolving fund for loans		(10-76-4409	-X-3-452-A;	14-4409)
Direct Loan Limitation	16,320	16,320	16,320	3,101
Outlays	13,000	12,500	12,750	2,422
Indian loan guaranty and insurance fund		(10-76-4410	-X-3-452-A;	14-4410)
Budget Authority	2,452	2,452	2,452	466
Direct Loan Limitation	100	100	100	19
Guaranteed Loan Limitation	33,500	33,500	33,500	6,365
Outlays	1,382	1,250	1,316	250
Operations and maintenance of quarters		(10-76-5051	-X-2-452-A;	14-5051)
401(C) Other--incl. ob. limit	8,000	8,636	8,318	1,580
Outlays	2,800	1,848	2,324	442
Miscellaneous permanent appropriations (Area and regio		(10-76-9925	-X-2-452-A;	14-9925)
401(C) Other--incl. ob. limit	47,001	64,000	55,500	10,545
Outlays	13,932	36,608	25,270	4,801
Miscellaneous permanent appropriations (Other general		(10-76-9925	-X-2-806-A;	14-9925)
401(C) Autnority	2,000	2,000	2,000	380
Outlays	1,975	1,976	1,976	375
Office of Territorial Affairs				
Administration of territories		(10-82-0412	-X-1-806-A;	14-0412)
Budget Authority	43,864	43,864	43,864	8,334
Outlays	43,000	32,898	37,949	7,210
Trust Territory of the Pacific Islands		(10-82-0414	-X-1-806-A;	14-0414)
Budget Authority	67,387	67,387	67,387	12,804
Outlays	45,470	60,000	52,735	10,020
Compact of free association		(10-82-0415	-X-1-806-A;	14-0415)
401(C) Authority	0	27,920	13,960	2,652
Outlays	0	27,920	13,960	2,652
Office of the Secretary				
Salaries and Expenses		(10-84-0102	-X-1-306-A;	14-0102)
Budget Authority	43,191	43,191	43,191	8,206
Outlays	40,210	36,755	38,482	7,312
Construction management		(10-84-0103	-X-1-306-A;	14-0103)
Budget Authority	684	684	684	130
Outlays	647	616	632	120
Office of the Solicitor				
Office of the Solicitor		(10-86-0107	-X-1-306-A;	14-0107)
Budget Authority	21,280	21,280	21,280	4,043
Outlays	20,429	19,177	19,803	3,763
Office of Inspector General				
Office of Inspector General		(10-88-0104	-X-1-306-A;	14-0104)
Budget Authority	16,725	16,725	16,725	3,178
Outlays	14,852	15,078	14,965	2,843
Operation and maintenance of quarters		(10-88-5052	-X-2-306-A;	14-5052)
401(C) Authority	52	74	63	12
Outlays	36	66	51	10
Department of the Interior		Total		
Budget Authority	5,194,902	5,194,902	5,194,902	987,031
401(C) Authority	33,602	61,560	47,581	9,040
401(C) Authority--Off. Coll.	247,446	246,946	247,196	46,967
401(C) Other--incl. ob. limit	1,020,880	1,022,251	1,021,566	194,100
Direct Loan Limitation	60,226	60,226	60,226	11,443
Guaranteed Loan Limitation	33,500	33,500	33,500	6,365
Outlays	4,944,751	4,927,097	4,935,928	937,825

Account Title	OMB	CBO	Average	Sequester
Department of Justice				
General Administration				
Salaries and expenses		(11-03-0129	-X-1-751-A;	15-0129)
Budget Authority	75,953	75,953	75,953	14,431
Outlays	56,509	68,358	62,434	11,862
United States Parole Commission				
Salaries and expenses		(11-04-1061	-X-1-751-A;	15-1061)
Budget Authority	10,539	10,539	10,539	2,002
Outlays	10,063	9,086	9,574	1,819
Legal Activities				
Salaries and expenses, Foreign Claims Settlement Commi		(11-05-0100	-X-1-153-A;	15-0100)
Budget Authority	564	564	564	107
Outlays	512	408	460	87
Salaries and expenses, General legal activities		(11-05-0128	-X-1-752-A;	15-0128)
Budget Authority	220,893	220,893	220,893	41,970
Outlays	173,459	189,429	181,444	34,474
Fees and expenses of witnesses		(11-05-0311	-X-1-752-A;	15-0311)
Budget Authority	52,187	52,187	52,187	9,916
Outlays	50,047	36,607	43,327	8,232
Salaries and expenses, Antitrust Division		(11-05-0319	-X-1-752-A;	15-0319)
Budget Authority	43,945	43,945	43,945	8,350
Outlays	30,698	36,122	33,410	6,348
Salaries and expenses, United States Attorneys		(11-05-0322	-X-1-752-A;	15-0322)
Budget Authority	357,328	357,328	357,328	67,892
Outlays	309,089	313,453	311,271	59,141
Salaries and expenses, United States Marshals Service		(11-05-0324	-X-1-752-A;	15-0324)
Budget Authority	164,445	164,445	164,445	31,245
401(C) Authority--Off. Coll.	660	660	660	125
Outlays	142,740	148,932	145,836	27,709
Salaries and expenses, Community Relations Service		(11-05-0500	-X-1-752-A;	15-0500)
Budget Authority	29,786	29,786	29,786	5,659
Outlays	20,403	25,334	22,868	4,345
Support of United States prisoners		(11-05-1020	-X-1-752-A;	15-1020)
Budget Authority	69,630	69,630	69,630	13,230
Outlays	37,600	41,778	39,689	7,541
Assets forfeiture fund		(11-05-5042	-X-2-752-A;	15-5042)
Budget Authority	128,000	112,000	120,000	22,800
Outlays	5,504	44,800	25,152	4,779
United States trustees system fund		(11-05-5073	-X-2-752-A;	15-5073)
Budget Authority	23,743	23,743	23,743	4,511
Outlays	22,555	22,555	22,555	4,285
Federal Bureau of Investigation				
Salaries and expenses		(11-10-0200	-X-1-751-A;	15-0200)
Budget Authority	1,298,303	1,298,303	1,298,303	246,678
401(C) Authority--Off. Coll.	45,311	45,311	45,311	8,609
Outlays	1,019,038	1,083,953	1,051,496	199,784
Drug Enforcement Administration				
Salaries and expenses		(11-12-1100	-X-1-751-A;	15-1100)
Budget Authority	490,193	490,193	490,193	93,137
401(C) Authority--Off. Coll.	850	850	850	162
Outlays	388,102	424,521	406,312	77,199
Immigration and Naturalization Service				
Salaries and expenses		(11-15-1217	-X-1-751-A;	15-1217)
Budget Authority	745,990	745,990	745,990	141,738
401(C) Authority--Off. Coll.	183,686	183,686	183,686	34,900
Outlays	695,435	840,157	767,796	145,881
Immigration legalization		(11-15-5086	-X-2-751-A;	15-1217)
401(C) Authority	180,692	180,692	180,692	34,331
Outlays	168,668	168,668	168,668	32,047
Immigration user fee		(11-15-5087	-X-2-751-A;	15-1217)
401(C) Authority	74,000	74,000	74,000	14,060
Outlays	74,000	74,000	74,000	14,060
Federal Prison System				
Buildings and facilities		(11-20-1003	-X-1-753-A;	15-1003)
Budget Authority	219,249	219,249	219,249	41,657
Outlays	42,670	43,210	42,940	8,159
National Institute of Corrections		(11-20-1004	-X-1-754-A;	15-1004)
Budget Authority	9,149	9,149	9,149	1,738
Outlays	2,304	3,747	3,026	575
Salaries and expenses		(11-20-1060	-X-1-753-A;	15-1060)
Budget Authority	647,792	647,792	647,792	123,080
401(C) Authority--Off. Coll.	12,671	12,671	12,671	2,407
Outlays	565,626	613,654	589,640	112,032
Federal Prison Industries, Incorporated		(11-20-4500	-X-4-753-A;	15-4500)
Obligation Limitation	2,535	2,535	2,535	482
Outlays	2,535	2,535	2,535	482
Office of Justice Programs				
Justice assistance		(11-21-0401	-X-1-754-A;	15-0401)
Budget Authority	416,032	416,032	416,032	79,046
Outlays	62,405	114,677	88,541	16,823

Account Title	OMB	CBO	Average	Sequester
Crime Victims Fund		(11-21-5041	-X-2-754-A;	15-5041)
401(C) Other--incl. ob. limit	80,000	70,000	75,000	14,250
Obligation Limitation	64,000	64,000	64,000	12,160
Outlays	2,180	19,200	10,690	2,031
Department of Justice		Total		
Budget Authority	5,003,721	4,987,721	4,995,721	949,187
401(C) Authority	254,692	254,692	254,692	48,391
401(C) Authority--Off. Coll.	243,178	243,178	243,178	46,203
401(C) Other--incl. ob. limit	80,000	70,000	75,000	14,250
Obligation Limitation	66,535	66,535	66,535	12,642
Outlays	3,882,142	4,325,184	4,103,664	779,695
Department of Labor				
Employment and Training Administration				
Program administration		(12-05-0172	-X-1-504-A;	16-0172)
Budget Authority	67,363	67,363	67,363	12,799
Outlays	57,609	57,609	57,609	10,946
Training and employment services		(12-05-0174	-X-1-504-A;	16-0174)
Budget Authority	3,705,913	3,705,913	3,705,913	704,123
Outlays	98,111	98,105	98,108	18,641
Community service employment for older Americans		(12-05-0175	-X-1-504-A;	16-0175)
Budget Authority	336,000	336,000	336,000	63,840
Outlays	67,200	67,200	67,200	12,768
State unemployment insurance and employment services		(12-05-0179	-X-1-504-A;	16-0179)
Budget Authority	23,400	23,400	23,400	4,446
Outlays	5,240	5,240	5,240	996
Federal unemployment benefits and allowances		(12-05-0326	-X-1-603-A;	16-0326)
Budget Authority	118,000	0	59,000	11,210
401(C) Authority	0	137,000	68,500	13,015
Outlays	117,000	137,000	127,000	24,130
Unemployment trust fund (Training and employment)		(12-05-8042	-X-7-504-A;	20-8042)
401(C) Authority	0	950,356	475,178	90,284
Obligation Limitation	950,356	0	475,178	90,284
Outlays	351,718	351,718	351,718	66,826
Unemployment trust fund (Unemployment compensation)		(12-05-8042	-X-7-603-A;	20-8042)
401(C) Other--incl. ob. limit	191,200	191,000	191,100	36,309
Obligation Limitation	1,699,935	1,699,935	1,699,935	322,988
Outlays	1,891,135	1,890,935	1,891,035	359,297
Labor-Management Services				
Salaries and expenses		(12-10-0104	-X-1-505-A;	16-0104)
Budget Authority	62,275	62,275	62,275	11,832
Outlays	54,218	54,218	54,218	10,301
Pension Benefit Guaranty Corporation				
Pension Benefit Guaranty Corporation fund		(12-12-4204	-X-3-601-A;	16-4204)
Obligation Limitation	36,874	36,874	36,874	7,006
Outlays	31,822	36,874	34,348	6,526
Employment Standards Administration				
Salaries and expenses		(12-15-0105	-X-1-505-A;	16-0105)
Budget Authority	191,050	191,050	191,050	36,300
401(C) Authority--Off. Coll.	1,000	0	500	95
Outlays	165,406	164,617	165,012	31,352
Special benefits (Federal employee retirement and disa		(12-15-1521	-X-1-602-A;	16-1521)
Budget Authority	210,000	0	105,000	19,950
401(C) Authority	0	227,000	113,500	21,565
Outlays	178,910	227,000	202,955	38,561
Black lung disability trust fund		(12-15-8144	-X-7-601-A;	20-8144)
Budget Authority	158,309	0	79,154	15,039
401(C) Authority	0	162,535	81,268	15,441
Outlays	158,309	162,535	160,422	30,480
Special workers' compensation expenses		(12-15-9971	-X-7-601-A;	16-9971)
401(C) Authority	0	2,920	1,460	277
401(C) Other--incl. ob. limit	2,000	0	1,000	190
Obligation Limitation	441	441	441	84
Outlays	2,441	3,361	2,901	551
Occupational Safety and Health Administration				
Salaries and expenses		(12-18-0400	-X-1-554-A;	16-0400)
Budget Authority	225,811	225,811	225,811	42,904
Outlays	203,889	200,358	202,124	38,404
Mine Safety and Health Administration				
Salaries and expenses		(12-18-1200	-X-1-554-A;	16-1200)
Budget Authority	156,480	156,480	156,480	29,731
Outlays	143,620	141,552	142,586	27,091
Bureau of Labor Statistics				
Salaries and expenses		(12-20-0200	-X-1-505-A;	16-0200)
Budget Authority	167,925	167,925	167,925	31,906
401(C) Authority--Off. Coll.	626	626	626	119
Outlays	150,509	150,509	150,509	28,597
Departmental Management				
Inspector General salaries and expenses		(12-25-0106	-X-1-505-A;	16-0106)
Budget Authority	35,389	35,389	35,389	6,724
Outlays	27,314	27,314	27,314	5,190

Account Title	OMB	CBO	Average	Sequester
Special foreign currency program		(12-25-0151	-X-1-505-A;	16-0151)
Budget Authority	47	47	47	9
Outlays	47	47	47	9
Salaries and expenses		(12-25-0165	-X-1-505-A;	16-0165)
Budget Authority	109,455	109,455	109,455	20,796
Outlays	95,543	100,037	97,790	18,580
Department of Labor		Total		
Budget Authority	5,567,417	5,081,108	5,324,262	1,011,609
401(C) Authority	0	1,479,811	739,906	140,582
401(C) Authority--Off. Coll.	1,626	626	1,126	214
401(C) Other--incl. ob. limit	193,200	191,000	192,100	36,499
Obligation Limitation	2,687,606	1,737,250	2,212,428	420,362
Outlays	3,800,041	3,876,229	3,838,136	729,246
Department of State				
Administration of Foreign Affairs				
Salaries and expenses		(14-05-0113	-X-1-153-A;	19-0113)
Budget Authority	1,612,384	1,612,384	1,612,384	306,353
Outlays	1,431,787	1,273,784	1,352,790	257,030
Protection of foreign missions and officials		(14-05-0520	-X-1-153-A;	19-0520)
Budget Authority	9,100	9,100	9,100	1,729
Outlays	6,715	3,640	5,178	984
Emergencies in the diplomatic and consular service		(14-05-0522	-X-1-153-A;	19-0522)
Budget Authority	4,000	4,000	4,000	760
Direct Loan Limitation	700	700	700	133
Outlays	4,000	2,744	3,372	641
Payment to the American Institute in Taiwan		(14-05-0523	-X-1-153-A;	19-0523)
Budget Authority	9,379	9,379	9,379	1,782
Outlays	7,822	7,897	7,860	1,493
Acquisition and maintenance of buildings abroad		(14-05-0535	-X-1-153-A;	19-0535)
Budget Authority	449,480	449,480	449,480	85,401
401(C) Authority--Off. Coll.	4,000	4,000	4,000	760
Outlays	38,160	86,604	62,382	11,853
Representation allowances		(14-05-0545	-X-1-153-A;	19-0545)
Budget Authority	4,460	4,460	4,460	847
Outlays	3,840	3,831	3,836	729
International Organizations and Conferences				
Contributions for international peacekeeping activitie		(14-10-1124	-X-1-153-A;	19-1124)
Budget Authority	29,400	29,400	29,400	5,586
Outlays	29,165	26,460	27,812	5,284
International conferences and contingencies		(14-10-1125	-X-1-153-A;	19-1125)
Budget Authority	5,460	5,460	5,460	1,037
Outlays	3,112	3,713	3,412	648
Contributions to international organizations		(14-10-1126	-X-1-153-A;	19-1126)
Budget Authority	385,269	385,269	385,269	73,201
401(C) Authority--Off. Coll.	3,950	3,950	3,950	750
Outlays	396,924	369,956	383,440	72,854
International Commissions				
Salaries and expenses, IBWC		(14-15-1069	-X-1-301-A;	19-1069)
Budget Authority	10,800	10,800	10,800	2,052
401(C) Authority--Off. Coll.	72	72	72	14
Outlays	9,252	9,360	9,306	1,768
Construction, IBWC		(14-15-1078	-X-1-301-A;	19-1078)
Budget Authority	3,900	3,900	3,900	741
Outlays	780	780	780	148
American sections, international commissions		(14-15-1082	-X-1-301-A;	19-1082)
Budget Authority	4,174	4,174	4,174	793
Outlays	3,069	2,822	2,946	560
International fisheries commissions		(14-15-1087	-X-1-302-A;	19-1087)
Budget Authority	10,800	10,800	10,800	2,052
Outlays	9,979	10,790	10,384	1,973
Other				
United States emergency refugee and migration assistan		(14-25-0040	-X-1-151-A;	11-0040)
Budget Authority	14,000	14,000	14,000	2,660
Anti-terrorism assistance		(14-25-0114	-X-1-152-A;	19-0114)
Budget Authority	9,840	9,840	9,840	1,870
Outlays	6,335	4,428	5,382	1,023
Soviet-East European research and training		(14-25-0118	-X-1-153-A;	19-0118)
Budget Authority	4,600	4,600	4,600	874
Outlays	2,369	2,760	2,564	487
Payment to the Asia Foundation		(14-25-0525	-X-1-153-A;	19-0525)
Budget Authority	8,800	8,800	8,800	1,672
Outlays	8,800	7,480	8,140	1,547
International narcotics control		(14-25-1022	-X-1-151-A;	11-1022)
Budget Authority	118,445	118,445	118,445	22,505
Outlays	23,689	41,456	32,572	6,189
Migration and refugee assistance		(14-25-1143	-X-1-151-A;	19-1143)
Budget Authority	346,856	346,856	346,856	65,903
Outlays	225,456	232,394	228,925	43,496

Account Title	OMB	CBO	Average	Sequester
U.S. bilateral science and technology agreements		(14-25-1151	-X-1-153-A;	19-1151)
Budget Authority	1,900	1,900	1,900	361
Outlays	1,900	1,900	1,900	361
Fisherman's guaranty fund		(14-25-5121	-X-2-376-A;	19-5121)
Budget Authority	1,800	1,800	1,800	342
Outlays	1,800	1,350	1,575	299
International Center, Washington, D.C.		(14-25-5151	-X-2-153-A;	19-5151)
401(C) Authority	945	945	945	180
Outlays	945	945	945	180
Department of State		Total		
Budget Authority	3,044,847	3,044,847	3,044,847	578,521
401(C) Authority	945	945	945	180
401(C) Authority--Off. Coll.	8,022	8,022	8,022	1,524
Direct Loan Limitation	700	700	700	133
Outlays	2,215,909	2,095,094	2,155,501	409,547
Department of Transportation				
Federal Highway Administration				
Access highways to public recreation areas on certain		(21-05-0503	-X-1-401-A;	69-0503)
Budget Authority	5,000	5,000	5,000	950
Outlays	1,000	840	920	175
Motor carrier safety		(21-05-0552	-X-1-401-A;	69-0552)
Budget Authority	19,515	19,515	19,515	3,708
Outlays	16,966	16,588	16,777	3,188
Railroad-highway crossings demonstration projects		(21-05-0557	-X-1-401-A;	69-0557)
Budget Authority	3,917	3,917	3,917	744
Outlays	783	392	588	112
Waste isolation pilot projects roads		(21-05-0562	-X-1-401-A;	69-0562)
Budget Authority	10,000	10,000	10,000	1,900
Outlays	2,000	1,690	1,845	351
Expressway gap closing demonstration project		(21-05-0563	-X-1-401-A;	69-0563)
Budget Authority	6,200	6,200	6,200	1,178
Outlays	1,240	1,048	1,144	217
Trust fund share of other highway programs		(21-05-8009	-X-7-401-A;	69-8009)
Budget Authority	7,833	7,833	7,833	1,488
Outlays	1,567	783	1,175	223
Baltimore-Washington Parkway		(21-05-8014	-X-7-401-A;	69-8014)
Budget Authority	10,000	10,000	10,000	1,900
Outlays	2,000	1,452	1,726	328
Highway safety research and development		(21-05-8017	-X-7-401-A;	69-8017)
Budget Authority	7,000	7,000	7,000	1,330
Outlays	1,400	1,190	1,295	246
Highway-related safety grants		(21-05-8019	-X-7-401-A;	69-8019)
401(C) Authority	10,000	10,000	10,000	1,900
Obligation Limitation	10,000	10,000	10,000	1,900
Outlays	2,000	2,000	2,000	380
Motor carrier safety grants		(21-05-8027	-X-7-401-A;	69-8027)
Budget Authority	50,000	269	25,134	4,775
401(C) Authority	0	50,000	25,000	4,750
Outlays	12,791	17,594	15,192	2,886
Federal-aid highways		(21-05-8083	-X-7-401-A;	20-8102)
401(C) Authority	13,702,429	13,704,000	13,703,214	2,603,611
401(C) Authority--Off. Coll.	20,213	20,213	20,213	3,840
Obligation Limitation	12,350,000	12,350,000	12,350,000	2,346,500
Outlays	2,236,713	2,253,213	2,244,963	426,543
Right-of-way revolving fund (trust revolving fund)		(21-05-8402	-X-8-401-A;	69-8402)
Direct Loan Limitation	47,850	47,850	47,850	9,092
Outlays	47,850	47,850	47,850	9,092
Miscellaneous appropriations		(21-05-9911	-X-1-401-A;	69-9911)
Budget Authority	1,887	1,887	1,887	359
Outlays	377	321	349	66
Miscellaneous trust funds--Highway		(21-05-9972	-X-7-401-A;	69-9972)
Budget Authority	50,800	50,800	50,800	9,652
Outlays	10,160	8,636	9,398	1,786
National Highway Traffic Safety Administration				
Operations and research		(21-10-0650	-X-1-401-A;	69-0650)
Budget Authority	55,767	55,767	55,767	10,596
Outlays	39,152	36,464	37,808	7,184
Trust fund share of operations and research		(21-10-8016	-X-7-401-A;	69-8016)
Budget Authority	34,172	34,172	34,172	6,493
Outlays	20,479	22,212	21,346	4,056
State and community highway safety grants		(21-10-8020	-X-7-401-A;	69-8020)
401(C) Authority	126,000	126,000	126,000	23,940
Obligation Limitation	142,150	142,150	142,150	27,008
Outlays	61,664	56,860	59,262	11,260
Federal Railroad Administration				
Northeast corridor improvement program		(21-16-0123	-X-1-401-A;	69-0123)
Budget Authority	16,962	16,962	16,962	3,223
Outlays	1,018	1,696	1,357	258

Account Title	OMB	CBO	Average	Sequester
Office of the Administrator		(21-16-0700	-X-1-401-A;	69-0700)
Budget Authority	23,375	23,375	23,375	4,441
Outlays	16,213	16,706	16,460	3,127
Railroad safety		(21-16-0702	-X-1-401-A;	69-0702)
Budget Authority	36,746	36,746	36,746	6,982
Outlays	29,075	27,498	28,286	5,374
Grants to National Railroad Passenger Corporation		(21-16-0704	-X-1-401-A;	69-0704)
Budget Authority	594,791	594,791	594,791	113,010
Outlays	594,791	594,791	594,791	113,010
Settlements of railroad litigation		(21-16-0708	-X-1-401-A;	69-0708)
401(C) Authority	5,214	5,214	5,214	991
Commuter rail service		(21-16-0747	-X-1-401-A;	69-0747)
Budget Authority	5,000	5,000	5,000	950
Outlays	5,000	1,000	3,000	570
Railroad rehabilitation and improvement financing fund		(21-16-4411	-X-3-401-A;	69-4411)
Budget Authority	7,993	7,993	7,993	1,519
Direct Loan Limitation	6,500	6,500	6,500	1,235
Outlays	325	325	325	62
Urban Mass Transportation Administration				
Urban mass transportation fund, administrative expense		(21-20-1120	-X-1-401-A;	69-1120)
Budget Authority	31,000	31,000	31,000	5,890
Outlays	27,701	27,900	27,800	5,282
Research, training and human resources		(21-20-1121	-X-1-401-A;	69-1121)
Budget Authority	17,400	17,400	17,400	3,306
Outlays	7,830	5,220	6,525	1,240
Interstate transfer grants		(21-20-1127	-X-1-401-A;	69-1127)
Budget Authority	200,000	200,000	200,000	38,000
Outlays	30,000	10,000	20,000	3,800
Washington metro		(21-20-1128	-X-1-401-A;	69-1128)
Budget Authority	201,120	201,120	201,120	38,213
Outlays	10,056	10,056	10,056	1,911
Formula grants		(21-20-1129	-X-1-401-A;	69-1129)
Budget Authority	2,000,000	2,000,000	2,000,000	380,000
Outlays	745,434	626,456	685,945	130,330
Discretionary grants		(21-20-8191	-X-7-401-A;	69-8191)
401(C) Authority	1,200,000	1,200,000	1,200,000	228,000
Obligation Limitation	1,002,500	1,002,500	1,002,500	190,475
Outlays	100,250	91,375	95,812	18,204
Federal Aviation Administration				
Operations		(21-25-1301	-X-1-402-A;	69-1301)
Budget Authority	2,302,832	2,302,832	2,302,832	437,538
401(C) Authority--Off. Coll.	9,100	9,100	9,100	1,729
Outlays	2,013,684	2,077,629	2,045,656	388,675
Headquarters administration		(21-25-1302	-X-1-402-A;	69-1302)
Budget Authority	35,121	35,121	35,121	6,673
Outlays	27,339	29,904	28,622	5,438
Operation and maintenance, Metropolitan Washington Air		(21-25-1332	-X-1-402-A;	69-1332)
Budget Authority	22,760	22,760	22,760	4,324
Outlays	19,347	19,347	19,347	3,676
Aircraft purchase loan guarantee program		(21-25-1399	-X-1-402-A;	69-1399)
Budget Authority	723	1,727	1,225	233
Outlays	723	0	362	69
Trust fund share of FAA Operations		(21-25-8104	-X-7-402-A;	69-8104)
Budget Authority	621,168	621,168	621,168	118,022
Outlays	621,168	621,168	621,168	118,022
Grants-in-aid for airports (Airport and airway trust f		(21-25-8106	-X-7-402-A;	69-8106)
Obligation Limitation	1,025,000	1,025,000	1,025,000	194,750
Facilities and equipment (Airport and airway trust fun		(21-25-8107	-X-7-402-A;	69-8107)
Budget Authority	804,584	804,584	804,584	152,871
401(C) Authority--Off. Coll.	3,600	3,600	3,600	684
Outlays	91,300	67,967	79,634	15,130
Research, engineering & development (Airport & airway		(21-25-8108	-X-7-402-A;	69-8108)
Budget Authority	141,700	141,700	141,700	26,923
401(C) Authority--Off. Coll.	600	600	600	114
Outlays	89,425	92,705	91,065	17,302
Coast Guard				
Operating expenses		(21-30-0201	-X-1-403-A;	69-0201)
Budget Authority	1,802,275	1,802,275	1,802,275	342,432
401(C) Authority--Off. Coll.	4,000	4,000	4,000	760
Outlays	1,379,500	1,521,985	1,450,742	275,641
Acquisition, construction, and improvements		(21-30-0240	-X-1-403-A;	69-0240)
Budget Authority	298,000	298,000	298,000	56,620
Outlays	52,000	40,255	46,128	8,764
Retired pay (Coast Guard)		(21-30-0241	-X-1-403-A;	69-0241)
Budget Authority	33,000	0	16,500	3,135
401(C) Authority	0	34,980	17,490	3,323
Outlays	33,000	34,980	33,990	6,458

Account Title	OMB	CBO	Average	Sequester
Reserve training		(21-30-0242	-X-1-403-A;	69-0242)
Budget Authority	64,400	64,400	64,400	12,236
Outlays	57,867	55,770	56,818	10,795
Research, development, test, and evaluation		(21-30-0243	-X-1-403-A;	69-0243)
Budget Authority	20,000	20,000	20,000	3,800
Outlays	9,889	6,720	8,304	1,578
Offshore oil pollution compensation fund		(21-30-5167	-X-2-304-A;	69-5167)
Budget Authority	1,000	1,000	1,000	190
Obligation Limitation	60,000	60,000	60,000	11,400
Outlays	0	100	50	10
Pollution fund		(21-30-5168	-X-2-304-A;	69-5168)
401(C) Authority	5,300	5,300	5,300	1,007
Outlays	35	2,099	1,067	203
Deepwater port liability fund		(21-30-5170	-X-2-304-A;	69-5170)
Budget Authority	1,000	1,000	1,000	190
Obligation Limitation	50,000	50,000	50,000	9,500
Boat safety		(21-30-8149	-X-7-403-A;	69-8149)
Budget Authority	48,000	18,000	33,000	6,270
401(C) Authority	0	15,973	7,986	1,517
Obligation Limitation	30,000	30,000	30,000	5,700
Outlays	36,402	33,000	34,701	6,593
Maritime Administration				
Research and development		(21-35-1716	-X-1-403-A;	69-1716)
Budget Authority	3,500	3,500	3,500	665
Outlays	1,050	2,100	1,575	299
Operations and training		(21-35-1750	-X-1-403-A;	69-1750)
Budget Authority	64,000	64,000	64,000	12,160
Outlays	56,320	57,600	56,960	10,822
Federal ship financing fund		(21-35-4301	-X-3-403-A;	69-4301)
401(C) Authority--Off. Coll.	3,000	3,000	3,000	570
Guaranteed Loan Limitation	70,000	0	35,000	6,650
Outlays	3,000	3,000	3,000	570
Saint Lawrence Seaway Development Corporation				
Saint Lawrence Seaway Development Corporation		(21-40-4089	-X-3-403-A;	69-4089)
Budget Authority	2,000	2,000	2,000	380
401(C) Authority--Off. Coll.	800	800	800	152
Obligation Limitation	1,985	1,985	1,985	377
Outlays	2,700	4,708	3,704	704
Operations and maintenance		(21-40-8003	-X-7-403-A;	69-8003)
Budget Authority	4,000	4,000	4,000	760
Outlays	3,800	0	1,900	361
Office of the Inspector General				
Salaries and expenses		(21-45-0130	-X-1-407-A;	69-0130)
Budget Authority	27,200	27,200	27,200	5,168
Outlays	22,591	23,501	23,046	4,379
Research and Special Programs Administration				
Research and special programs		(21-50-0104	-X-1-407-A;	69-0104)
Budget Authority	19,950	19,950	19,950	3,790
Outlays	13,780	13,169	13,474	2,560
Office of the Secretary				
Salaries and expenses		(21-55-0102	-X-1-407-A;	69-0102)
Budget Authority	51,000	51,000	51,000	9,690
Outlays	51,000	45,900	48,450	9,206
Transportation planning, research, and development		(21-55-0142	-X-1-407-A;	69-0142)
Budget Authority	3,349	3,349	3,349	636
Outlays	1,829	1,328	1,578	300
Payments to air carriers, DOT		(21-55-0150	-X-1-402-A;	69-0150)
Budget Authority	30,000	30,000	30,000	5,700
Outlays	24,304	24,000	24,152	4,589
Department of Transportation		Total		
Budget Authority	9,798,040	9,686,313	9,742,176	1,851,013
401(C) Authority	15,048,943	15,151,467	15,100,204	2,869,039
401(C) Authority--Off. Coll.	41,313	41,313	41,313	7,849
Direct Loan Limitation	54,350	54,350	54,350	10,327
Guaranteed Loan Limitation	70,000	0	35,000	6,650
Obligation Limitation	14,671,635	14,671,635	14,671,635	2,787,610
Outlays	8,637,888	8,661,091	8,649,488	1,643,405
Department of the Treasury				
Departmental Offices				
Salaries and expenses		(15-05-0101	-X-1-803-A;	20-0101)
Budget Authority	80,947	80,947	80,947	15,380
401(C) Authority--Off. Coll.	4,342	4,342	4,342	825
Outlays	66,929	62,466	64,698	12,293
Office of Revenue Sharing				
Salaries and expenses		(15-07-0107	-X-1-851-A;	20-0107)
Budget Authority	5,560	5,560	5,560	1,056
Outlays	5,332	5,560	5,446	1,035

Account Title	OMB	CBO	Average	Sequester
Federal Law Enforcement Training Center				
Salaries and expenses		(15-08-0104	-X-1-751-A;	20-0104)
Budget Authority	29,666	29,666	29,666	5,637
Outlays	25,311	26,710	26,010	4,942
Financial Management Service				
Salaries and expenses		(15-10-1801	-X-1-803-A;	20-1801)
Budget Authority	243,181	243,181	243,181	46,204
Outlays	206,229	211,545	208,887	39,689
Saint Lawrence Seaway toll rebate program		(15-10-8865	-X-1-806-A;	20-8865)
Budget Authority	6,250	6,250	6,250	1,188
Outlays	6,250	6,250	6,250	1,188
Federal Financing Bank Activities				
Federal Financing Bank		(15-11-4521	-X-4-803-A;	20-4521)
401(C) Authority--Off. Coll.	2,000	2,000	2,000	380
Outlays	2,000	2,000	2,000	380
Bureau of Alcohol, Tobacco and Firearms				
Salaries and expenses		(15-13-1000	-X-1-751-A;	20-1000)
Budget Authority	198,463	198,463	198,463	37,708
Outlays	177,551	178,617	178,084	33,836
United States Customs Service				
Salaries and expenses		(15-15-0602	-X-1-751-A;	20-0602)
Budget Authority	840,186	840,186	840,186	159,635
401(C) Authority	79,400	72,950	76,175	14,473
Outlays	955,872	833,891	894,882	170,028
Operation and maintenance, air interdiction program		(15-15-0604	-X-1-751-A;	20-0604)
Budget Authority	166,830	166,830	166,830	31,698
Outlays	132,640	75,074	103,857	19,733
Payments to the Government of Puerto Rico		(15-15-0606	-X-1-751-A;	20-0606)
Budget Authority	7,800	7,800	7,800	1,482
Outlays	7,800	7,800	7,800	1,482
Customs forfeiture fund		(15-15-5693	-X-2-803-A;	20-5693)
Budget Authority	18,000	18,000	18,000	3,420
Outlays	18,000	18,000	18,000	3,420
Customs services at small airports		(15-15-5694	-X-2-806-A;	20-5694)
Budget Authority	0	396	198	38
401(C) Authority	487	0	244	46
Outlays	365	396	380	72
Refunds, transfers and expenses, unclaimed and seized		(15-15-8789	-X-7-803-A;	20-8789)
401(C) Authority	7,537	7,861	7,699	1,463
Outlays	7,537	7,861	7,699	1,463
Bureau of Engraving and Printing				
Bureau of Engraving and Printing fund		(15-20-4502	-X-4-803-A;	20-4502)
401(C) Authority--Off. Coll.	11,086	36,491	23,788	4,520
Outlays	11,086	36,491	23,788	4,520
United States Mint				
Salaries and expenses		(15-25-1616	-X-1-803-A;	20-1616)
Budget Authority	42,930	42,930	42,930	8,157
401(C) Authority--Off. Coll.	111,793	111,793	111,793	21,241
Outlays	151,006	148,331	149,668	28,437
Expansion and improvements		(15-25-9911	-X-1-803-A;	20-9911)
Budget Authority	694	694	694	132
Bureau of the Public Debt				
Administering the public debt		(15-35-0560	-X-1-803-A;	20-0560)
Budget Authority	199,622	199,622	199,622	37,928
Outlays	153,850	159,869	156,860	29,803
Internal Revenue Service				
Salaries and expenses		(15-45-0911	-X-1-803-A;	20-0911)
Budget Authority	88,785	88,785	88,785	16,869
Outlays	62,295	69,253	65,774	12,497
Processing tax returns and executive direction		(15-45-0912	-X-1-803-A;	20-0912)
Budget Authority	1,470,248	1,470,248	1,470,248	279,347
Outlays	1,202,421	1,202,505	1,202,463	228,468
Examinations and appeals		(15-45-0913	-X-1-803-A;	20-0913)
Budget Authority	1,668,104	1,668,104	1,668,104	316,940
Outlays	1,503,898	1,536,980	1,520,439	288,883
Investigation, collection, and taxpayer service		(15-45-0914	-X-1-803-A;	20-0914)
Budget Authority	1,217,545	1,217,545	1,217,545	231,334
Outlays	1,073,731	1,098,297	1,086,014	206,343
Federal tax lien revolving fund		(15-45-4413	-X-3-803-A;	20-4413)
401(C) Authority--Off. Coll.	6,780	6,780	6,780	1,288
Outlays	6,780	6,780	6,780	1,288
United States Secret Service				
Contribution for annuity benefits		(15-55-1407	-X-1-751-A;	20-1407)
401(C) Authority	15,000	15,000	15,000	2,850
Outlays	15,000	15,000	15,000	2,850
Salaries and expenses		(15-55-1408	-X-1-751-A;	20-1408)
Budget Authority	334,109	334,109	334,109	63,481
Outlays	257,042	268,160	262,601	49,894

Account Title	OMB	CBO	Average	Sequester
Department of the Treasury		Total		
Budget Authority	6,618,920	6,619,316	6,619,118	1,257,634
401(C) Authority	102,424	95,811	99,118	18,832
401(C) Authority--Off. Coll.	136,001	161,406	148,703	28,254
Outlays	6,048,925	5,977,836	6,013,380	1,142,544
Environmental Protection Agency				
Environmental Protection Agency				
Construction grants		(20-00-0103	-X-1-304-A;	68-0103)
Budget Authority	2,361,000	2,361,000	2,361,000	448,590
Outlays	24,000	15,060	19,530	3,711
Research and development (Energy supply)		(20-00-0107	-X-1-271-A;	68-0107)
Budget Authority	54,152	54,152	54,152	10,289
Outlays	14,350	21,661	18,006	3,421
Research and development (Pollution control and abatem		(20-00-0107	-X-1-304-A;	68-0107)
Budget Authority	143,348	143,348	143,348	27,236
Outlays	37,987	38,021	38,004	7,221
Abatement, control, and compliance		(20-00-0108	-X-1-304-A;	68-0108)
Budget Authority	609,685	609,685	609,685	115,840
Direct Loan Limitation	35,851	35,851	35,851	6,812
Outlays	274,597	269,478	272,038	51,687
Buildings and facilities		(20-00-0110	-X-1-304-A;	68-0110)
Budget Authority	7,500	7,500	7,500	1,425
Outlays	1,731	1,950	1,840	350
Salaries and expenses		(20-00-0200	-X-1-304-A;	68-0200)
Budget Authority	727,107	727,107	727,107	138,150
401(C) Authority--Off. Coll.	1,800	1,800	1,800	342
Outlays	627,512	619,781	623,646	118,493
Advances to the hazardous substance superfund		(20-00-0250	-X-1-304-A;	68-0250)
Budget Authority	148,500	148,500	148,500	28,215
Revolving fund for certification and other services		(20-00-4311	-X-3-304-A;	68-4311)
401(C) Authority--Off. Coll.	1,500	1,500	1,500	285
Outlays	1,500	1,500	1,500	285
Hazardous substance superfund		(20-00-8145	-X-7-304-A;	20-8145)
Budget Authority	1,411,300	1,411,300	1,411,300	268,147
401(C) Authority--Off. Coll.	40,000	40,000	40,000	7,600
Obligation Limitation	135,000	135,000	135,000	25,650
Outlays	364,000	322,260	343,130	65,195
Leaking underground storage tank trust fund		(20-00-8153	-X-7-304-A;	20-8153)
Budget Authority	50,000	50,000	50,000	9,500
Outlays	7,500	7,500	7,500	1,425
Environmental Protection Agency		Total		
Budget Authority	5,512,592	5,512,592	5,512,592	1,047,392
401(C) Authority--Off. Coll.	43,300	43,300	43,300	8,227
Direct Loan Limitation	35,851	35,851	35,851	6,812
Obligation Limitation	135,000	135,000	135,000	25,650
Outlays	1,353,177	1,297,211	1,325,194	251,788
General Services Administration				
Real Property Activities				
Federal buildings fund		(23-05-4542	-X-4-804-A;	47-4542)
401(C) Authority--Off. Coll.	12,994	12,994	12,994	2,469
Outlays	16,660	18,615	17,638	3,351
Personal Property Activities				
Federal supply service		(23-10-0116	-X-1-804-A;	47-0116)
Budget Authority	164,485	164,485	164,485	31,252
Outlays	149,517	159,538	154,528	29,360
Expenses of transportation audit contracts		(23-10-5246	-X-2-804-A;	47-5246)
401(C) Other--incl. ob. limit	10,929	13,040	11,984	2,277
Outlays	10,929	8,252	9,590	1,822
Information Resources Management Service				
Operating expenses, information resources management s		(23-15-0900	-X-1-804-A;	47-0900)
Budget Authority	29,128	29,128	29,128	5,534
Outlays	21,409	24,796	23,102	4,389
Federal Property Resources Activities				
Operating expenses, federal property resources service		(23-25-0533	-X-1-054-A;	47-0533)
Budget Authority	28,317	28,317	28,317	3,653
Outlays	25,174	24,688	24,931	3,216
Operating expenses, federal property resources service		(23-25-0533	-X-1-804-A;	47-0533)
Budget Authority	11,081	11,081	11,081	2,105
Outlays	11,081	7,059	9,070	1,723
National defense stockpile transaction fund		(23-25-4550	-X-3-054-A;	47-4550)
Budget Authority	10,000	10,000	10,000	1,290
Unobligated Balances--Defense	598,660	598,660	598,660	77,227
Outlays	23,829	23,857	23,843	3,076
Expenses, disposal of surplus real and related persona		(23-25-5254	-X-2-804-A;	47-5254)
401(C) Other--incl. ob. limit	3,819	3,800	3,810	724
Outlays	2,540	2,280	2,410	458
General Activities				
Allowances and office staff for former Presidents		(23-30-0105	-X-1-802-A;	47-0105)
Budget Authority	888	888	888	169
Outlays	803	795	799	152

Account Title	OMB	CBO	Average	Sequester
Office of Inspector General		(23-30-0108	-X-1-804-A;	47-0108)
Budget Authority	21,681	21,681	21,681	4,119
Outlays	18,732	19,749	19,240	3,656
General management and administration, salaries and ex		(23-30-0110	-X-1-804-A;	47-0110)
Budget Authority	119,573	119,573	119,573	22,719
Outlays	92,430	95,855	94,142	17,887
Consumer information center fund		(23-30-4549	-X-3-376-A;	47-4549)
Budget Authority	1,286	1,286	1,286	244
401(C) Authority--Off. Coll.	382	392	387	74
Obligation Limitation	0	1,678	839	159
Outlays	-612	1,058	223	42
General Services Administration		Total		
Budget Authority	386,439	386,439	386,439	71,085
401(C) Authority--Off. Coll.	13,376	13,386	13,381	2,543
401(C) Other--incl. ob. limit	14,748	16,840	15,794	3,001
Obligation Limitation	0	1,678	839	159
Unobligated Balances--Defense	598,660	598,660	598,660	77,227
Outlays	372,492	386,542	379,516	69,132
National Aeronautics and Space Administration				
National Aeronautics and Space Administration				
Research and program management		(26-00-0103	-X-1-250-A;	80-0103)
401(C) Authority--Off. Coll.	5,378	5,378	5,378	1,022
Outlays	5,378	5,378	5,378	1,022
Research and program management (Space flight)		(26-00-0103	-X-1-253-A;	80-0103)
Budget Authority	661,779	661,779	661,779	125,738
Outlays	624,719	608,175	616,447	117,125
Research & program management (Space science, applicat		(26-00-0103	-X-1-254-A;	80-0103)
Budget Authority	466,292	466,292	466,292	88,595
Outlays	406,940	424,326	415,633	78,970
Research & program management (Supporting space activi		(26-00-0103	-X-1-255-A;	80-0103)
Budget Authority	56,619	56,619	56,619	10,758
Outlays	50,708	50,957	50,832	9,658
Research and program management (Air transportation)		(26-00-0103	-X-1-402-A;	80-0103)
Budget Authority	269,294	269,294	269,294	51,166
Outlays	245,973	244,249	245,111	46,571
Space Flight, Control, and Data Comm.		(26-00-0105	-X-1-250-A;	80-0105)
401(C) Authority--Off. Coll.	123,977	123,977	123,977	23,556
Outlays	123,977	123,977	123,977	23,556
Space Flight, Control, and Data Comm. (space flight)		(26-00-0105	-X-1-253-A;	80-0105)
Budget Authority	5,254,200	5,254,200	5,254,200	998,298
Outlays	2,883,000	2,130,960	2,506,980	476,326
Space Flight, Control, and Data Comm. (supporting act.		(26-00-0105	-X-1-255-A;	80-0105)
Budget Authority	845,300	845,300	845,300	160,607
Outlays	387,147	511,406	449,276	85,362
Construction of facilities (Space flight)		(26-00-0107	-X-1-253-A;	80-0107)
Budget Authority	16,300	16,300	16,300	3,097
Outlays	1,141	1,141	1,141	217
Construction of facilities (Space science, application		(26-00-0107	-X-1-254-A;	80-0107)
Budget Authority	9,400	9,400	9,400	1,786
Outlays	658	658	658	125
Construction of facilities (Supporting space activitie		(26-00-0107	-X-1-255-A;	80-0107)
Budget Authority	111,400	111,400	111,400	21,166
Outlays	7,799	7,798	7,798	1,482
Construction of facilities (Air transportation)		(26-00-0107	-X-1-402-A;	80-0107)
Budget Authority	32,200	32,200	32,200	6,118
Outlays	2,254	2,254	2,254	428
Research and development		(26-00-0108	-X-1-250-A;	80-0108)
401(C) Authority--Off. Coll.	17,249	17,249	17,249	3,277
Outlays	17,249	17,249	17,249	3,277
Research and development (Space flight)		(26-00-0108	-X-1-253-A;	80-0108)
Budget Authority	910,600	910,600	910,600	173,014
Outlays	439,820	488,084	463,952	88,151
Research and development (Space science, applications,		(26-00-0108	-X-1-254-A;	80-0108)
Budget Authority	1,827,516	1,827,516	1,827,516	347,228
Outlays	871,725	952,216	911,970	173,274
Research and development (Supporting space activities)		(26-00-0108	-X-1-255-A;	80-0108)
Budget Authority	17,100	17,100	17,100	3,249
Outlays	10,346	10,346	10,346	1,966
Research and development (Air transportation)		(26-00-0108	-X-1-402-A;	80-0108)
Budget Authority	397,000	397,000	397,000	75,430
Outlays	201,510	240,185	220,848	41,961
National Aeronautics and Space Administration		Total		
Budget Authority	10,875,000	10,875,000	10,875,000	2,066,250
401(C) Authority--Off. Coll.	146,604	146,604	146,604	27,855
Outlays	6,280,344	5,819,359	6,049,850	1,149,471
Office of Personnel Management				
Office of Personnel Management				
Salaries and expenses		(27-00-0100	-X-1-805-A;	24-0100)
Budget Authority	100,129	100,129	100,129	19,025
Outlays	85,104	85,236	90,170	17,132

Account Title	OMB	CBO	Average	Sequester
Government payment for annuitants, employees health be		(27-00-0206	-X-1-551-A;	24-0206)
Budget Authority	1,459,000	1,459,000	1,459,000	277,210
Revolving fund		(27-00-4571	-X-4-805-A;	24-4571)
401(C) Authority--Off. Coll.	1,319	1,051	1,185	225
Outlays	1,319	1,051	1,185	225
Civil service retirement and disability fund		(27-00-8135	-X-7-602-A;	24-8135)
Obligation Limitation	52,651	51,969	52,310	9,939
Outlays	52,606	48,924	50,765	9,645
Employees life insurance fund		(27-00-8424	-X-8-602-A;	24-8424)
Obligation Limitation	1,117	1,117	1,117	212
Outlays	1,117	1,117	1,117	212
Employees health benefits fund		(27-00-8440	-X-8-551-A;	24-8440)
Obligation Limitation	8,880	8,880	8,880	1,687
Outlays	8,880	8,880	8,880	1,687
Retired employees health benefits fund		(27-00-8445	-X-8-551-A;	24-8445)
Obligation Limitation	134	134	134	25
Outlays	134	134	134	25
Office of Personnel Management		Total		
Budget Authority	1,559,129	1,559,129	1,559,129	296,235
401(C) Authority--Off. Coll.	1,319	1,051	1,185	225
Obligation Limitation	62,782	62,100	62,441	11,863
Outlays	159,160	145,342	152,251	28,926
Small Business Administration				
Small Business Administration				
Salaries and expenses		(28-00-0100	-X-1-376-A;	73-0100)
Budget Authority	201,800	201,800	201,800	38,342
Outlays	145,648	164,087	154,868	29,425
Pollution control equipment contract guarantee revolvi		(28-00-4147	-X-3-376-A;	73-4147)
Guaranteed Loan Limitation	50,000	50,000	50,000	9,500
Disaster loan fund		(28-00-4153	-X-3-453-A;	73-4153)
Direct Loan Limitation	300,000	364,000	332,000	63,080
Outlays	135,000	189,000	162,000	30,780
Business loan and investment fund		(28-00-4154	-X-3-376-A;	73-4154)
Budget Authority	109,200	109,200	109,200	20,748
Direct Loan Limitation	97,000	97,000	97,000	18,430
Guaranteed Loan Limitation	3,741,000	3,741,000	3,741,000	710,790
Outlays	74,400	74,400	74,400	14,136
Surety bond guarantees revolving fund		(28-00-4156	-X-3-376-A;	73-4156)
Guaranteed Loan Limitation	1,096,000	1,096,000	1,096,000	208,240
Small Business Administration		Total		
Budget Authority	311,000	311,000	311,000	59,090
Direct Loan Limitation	397,000	461,000	429,000	81,510
Guaranteed Loan Limitation	4,887,000	4,887,000	4,887,000	928,530
Outlays	355,048	427,487	391,268	74,341
Veterans Administration				
Veterans Administration				
Veterans job training		(29-00-0103	-X-1-702-A;	36-0103)
Budget Authority	30,000	30,000	30,000	5,700
Outlays	5,500	1,763	3,632	690
Construction, major projects		(29-00-0110	-X-1-703-A;	36-0110)
Budget Authority	382,708	382,708	382,708	72,715
Outlays	11,481	12,247	11,864	2,254
Construction, minor projects		(29-00-0111	-X-1-703-A;	36-0111)
Budget Authority	80,000	80,000	80,000	15,200
Outlays	40,521	37,362	38,942	7,399
Readjustment benefits		(29-00-0137	-X-1-702-A;	36-0137)
Budget Authority	712,938	0	356,469	67,729
401(C) Authority	0	587,432	293,716	55,806
Outlays	576,732	559,483	568,108	107,941
Grants to the Republic of the Philippines		(29-00-0144	-X-1-703-A;	36-0144)
Budget Authority	500	500	500	95
Outlays	79	79	79	15
General operating expenses		(29-00-0151	-X-1-705-A;	36-0151)
Budget Authority	770,500	770,500	770,500	146,395
Outlays	712,713	709,230	710,972	135,085
Medical administration and miscellaneous operating exp		(29-00-0152	-X-1-703-A;	36-0152)
Budget Authority	41,769	41,769	41,769	7,936
Outlays	29,405	31,412	30,408	5,778
Burial benefits and miscellaneous assistance		(29-00-0155	-X-1-701-A;	36-0155)
Budget Authority	115,319	0	57,660	10,955
401(C) Authority	0	121,400	60,700	11,533
Outlays	115,157	121,220	118,188	22,456
Medical care		(29-00-0160	-X-1-703-A;	36-0160)
Budget Authority	741,259	749,010	745,134	141,575
Outlays	696,783	703,776	700,280	133,053
VA medical care 2% split (G-R-H)		(29-00-0160	-X-1-703-G;	36-0160)
Budget Authority--Spec. Rules	179,739	179,484	179,612	179,612
401(C) Authority--Spec. Rules	618	618	618	618
Outlays	154,025	151,393	152,709	152,709

Account Title	OMB	CBO	Average	Sequester
Medical and prosthetic research		(29-00-0161	-X-1-703-A;	36-0161)
Budget Authority	212,798	212,798	212,798	40,432
Outlays	184,709	173,864	179,286	34,064
Grants for construction of state extended care facilit		(29-00-0181	-X-1-703-A;	36-0181)
Budget Authority	42,400	42,400	42,400	8,056
Direct loan revolving fund		(29-00-4024	-X-3-704-A;	36-4024)
Direct Loan Limitation	1,000	1,000	1,000	190
Outlays	0	230	115	22
Loan guaranty revolving fund		(29-00-4025	-X-3-704-A;	36-4025)
Guaranteed Loan Limitation	35,000,000	32,600,000	33,800,000	6,422,000
Outlays	-264,300	-234,000	-249,150	-47,338
Vocational rehabilitation revolving fund		(29-00-4114	-X-3-702-A;	36-4114)
Direct Loan Limitation	900	900	900	171
Outlays	900	884	892	169
Education loan fund		(29-00-4118	-X-3-702-A;	36-4118)
Direct Loan Limitation	35	40	38	7
Outlays	35	40	38	7
Parking garage revolving fund		(29-00-4538	-X-3-703-A;	36-4538)
Budget Authority	26,000	26,000	26,000	4,940
401(C) Authority--Off. Coll.	200	200	200	38
Outlays	893	893	893	170
Veterans Administration		Total		
Budget Authority	3,156,191	2,335,685	2,745,938	521,728
Budget Authority--Spec. Rules	179,739	179,484	179,612	179,612
401(C) Authority	0	708,832	354,416	67,339
401(C) Authority--Off. Coll.	200	200	200	38
401(C) Authority--Spec. Rules	618	618	618	618
Direct Loan Limitation	1,935	1,940	1,938	368
Guaranteed Loan Limitation	35,000,000	32,600,000	33,800,000	6,422,000
Outlays	2,264,633	2,269,876	2,267,256	554,474
Other Independent Agencies				
ACTION				
Operating expenses		(30-01-0103	-X-1-506-A;	44-0103)
Budget Authority	156,287	156,287	156,287	29,695
Outlays	94,663	94,663	94,663	17,986
Administrative Conference of the United States				
Salaries and expenses		(30-02-1700	-X-1-751-A;	95-1700)
Budget Authority	1,483	1,483	1,483	282
Outlays	1,283	1,189	1,236	235
Advisory Committee on Federal Pay				
Salaries and expenses		(30-05-1800	-X-1-805-A;	95-1800)
Budget Authority	206	203	204	39
Outlays	203	163	183	35
Advisory Council on Historic Preservation				
Salaries and expenses		(30-10-2300	-X-1-303-A;	95-2300)
Budget Authority	1,533	1,533	1,533	291
Outlays	1,472	1,257	1,364	259
American Battle Monuments Commission				
Salaries and expenses		(30-12-0100	-X-1-705-A;	74-0100)
Budget Authority	14,813	14,813	14,813	2,814
Outlays	11,169	10,039	10,604	2,015
Architectural & Transportation Barriers Compliance				
Salaries and expenses		(30-14-3200	-X-1-751-A;	95-3200)
Budget Authority	1,890	1,890	1,890	359
Outlays	1,399	1,372	1,386	263
Arms Control and Disarmament Agency				
Arms control and disarmament activities		(30-17-0100	-X-1-153-A;	94-0100)
Budget Authority	29,300	29,300	29,300	5,567
Outlays	24,905	19,426	22,166	4,212
Barry Goldwater Scholarship Foundation				
Payment to the Barry Goldwater Scholarship and Exc.		in (30-18-0500	-X-1-502-A;	95-0500)
Budget Authority	40,000	40,000	40,000	7,600
Barry Goldwater Scholarship and Excellence in Educ.		Fo (30-18-8281	-X-7-502-A;	95-8281)
401(C) Authority	2,397	0	1,198	228
401(C) Other--incl. ob. limit	0	1,085	542	103
Outlays	987	987	987	188
Board for International Broadcasting				
Grants and expenses		(30-19-1145	-X-1-154-A;	95-1145)
Budget Authority	173,195	173,195	173,195	32,907
Outlays	148,255	155,876	152,066	28,893
Commission of Fine Arts				
Salaries and expenses		(30-32-2600	-X-1-451-A;	95-2600)
Budget Authority	450	450	450	86
Outlays	440	413	426	81
Commission on Civil Rights				
Salaries and expenses		(30-35-1900	-X-1-751-A;	95-1900)
Budget Authority	7,519	7,519	7,519	1,429
Outlays	5,737	6,394	6,066	1,153

Account Title	OMB	CBO	Average	Sequester
Committee for Purchase from the Blind & others				
Salaries and expenses		(30-37-2000	-X-1-505-A;	95-2000)
Budget Authority	778	778	778	148
Outlays	739	739	739	140
Commodity Futures Trading Commission				
Commodity Futures Trading Commission		(30-38-1400	-X-1-376-A;	95-1400)
Budget Authority	29,761	29,761	29,761	5,655
Outlays	25,896	25,892	25,694	4,920
Consumer Product Safety Commission				
Product safety		(30-41-0100	-X-1-554-A;	61-0100)
Budget Authority	34,600	34,600	34,600	6,574
401(C) Authority--Off. Coll.	5	5	5	1
Outlays	29,415	29,475	29,445	5,595
Corporation for Public Broadcasting				
Public broadcasting fund		(30-42-0151	-X-1-503-A;	20-0151)
401(C) Authority	214,000	214,000	214,000	40,660
Outlays	214,000	214,000	214,000	40,660
District of Columbia				
Federal payment to the District of Columbia		(30-43-1700	-X-1-852-A;	20-1700)
Budget Authority	444,500	444,500	444,500	84,455
Outlays	444,500	444,500	444,500	84,455
Federal payment to D.C. (water and sewer services)		(30-43-1700	-X-1-852-B;	20-1700)
Budget Authority	28,810	28,810	28,810	5,474
Outlays	28,810	28,810	28,810	5,474
Federal payment to D.C. (federal pension contribution)		(30-43-1700	-X-1-852-C;	20-1700)
Budget Authority	52,070	52,070	52,070	9,893
Outlays	52,070	52,070	52,070	9,893
Federal payment to D.C. (St. Elizabeth's Hospital)		(30-43-1700	-X-1-852-D;	20-1700)
Budget Authority	35,000	35,000	35,000	6,650
Outlays	35,000	35,000	35,000	6,650
Federal payment to D.C. (D.C. prison)		(30-43-1700	-X-1-852-F;	20-1700)
Budget Authority	20,000	20,000	20,000	3,800
Outlays	0	20,000	10,000	1,900
Equal Employment Opportunity Commission				
Salaries and expenses		(30-46-0100	-X-1-751-A;	45-0100)
Budget Authority	169,529	169,529	169,529	32,211
Outlays	151,071	147,905	149,488	28,403
Export-Import Bank of the United States				
Export-Import Bank of the United States		(30-48-4027	-X-3-155-A;	83-4027)
Budget Authority	100,000	100,000	100,000	19,000
Direct Loan Limitation	680,000	680,000	680,000	129,200
Guaranteed Loan Limitation	11,355,000	11,355,000	11,355,000	2,157,450
Obligation Limitation	18,756	18,756	18,756	3,564
Outlays	13,600	120,887	67,244	12,776
Farm Credit Administration				
Revolving fund for administrative expenses		(30-52-4131	-X-3-351-A;	78-4131)
Obligation Limitation	39,420	39,420	39,420	7,490
Outlays	0	39,420	19,710	3,745
Federal Communications Commission				
Salaries and expenses		(30-60-0100	-X-1-376-A;	27-0100)
Budget Authority	96,954	96,954	96,954	18,421
401(C) Authority--Off. Coll.	75	50	62	12
Outlays	95,570	90,768	93,169	17,702
Federal Election Commission				
Salaries and expenses		(30-65-1600	-X-1-806-A;	95-1600)
Budget Authority	12,883	12,883	12,883	2,448
Outlays	11,585	11,595	11,590	2,202
Federal Emergency Management Agency				
Salaries and expenses (Defense-related activities)		(30-67-0100	-X-1-054-A;	58-0100)
Budget Authority	69,989	69,989	69,989	13,298
Outlays	62,990	66,229	64,610	12,276
Salaries and expenses (Disaster relief and insurance)		(30-67-0100	-X-1-453-A;	58-0100)
Budget Authority	54,011	54,011	54,011	10,262
Outlays	48,610	46,990	47,800	9,082
Emergency planning and assistance (Defense-related act		(30-67-0101	-X-1-054-A;	58-0101)
Budget Authority	236,216	236,216	236,216	44,881
Outlays	106,297	180,941	143,619	27,288
Emergency planning and assistance (Community developme		(30-67-0101	-X-1-453-A;	58-0101)
Budget Authority	25,784	25,784	25,784	4,899
Outlays	11,603	14,181	12,892	2,449
Emergency food and shelter		(30-67-0103	-X-1-605-A;	58-0103)
Budget Authority	125,000	125,000	125,000	23,750
Outlays	125,000	125,000	125,000	23,750
National insurance development fund		(30-67-4235	-X-3-451-A;	58-4235)
401(C) Authority	220	220	220	42
Outlays	220	220	220	42
Federal Labor Relations Authority				
Salaries and expenses		(30-70-0100	-X-1-805-A;	54-0100)
Budget Authority	16,550	16,550	16,550	3,144
Outlays	15,236	15,236	15,236	2,895

Account Title	OMB	CBO	Average	Sequester
Federal Maritime Commission				
Salaries and expenses		(30-72-0100	-X-1-403-A;	65-0100)
Budget Authority	11,947	11,947	11,947	2,270
Outlays	10,741	10,765	10,753	2,043
Federal Mediation and Conciliation Service				
Salaries and expenses		(30-76-0100	-X-1-505-A;	93-0100)
Budget Authority	23,892	23,892	23,892	4,539
Outlays	21,906	21,906	21,906	4,162
Federal Mine Safety and Health Review Commission				
Salaries and expenses		(30-79-2800	-X-1-554-A;	95-2800)
Budget Authority	3,785	3,785	3,785	719
Outlays	3,522	3,547	3,534	671
Federal Retirement Thrift Investment Board				
Salaries and expenses		(30-81-0100	-X-1-602-A;	26-0200)
Budget Authority	5,250	5,250	5,250	998
Outlays	0	5,250	2,625	499
Federal retirement thrift investment fund		(30-81-8141	-X-7-602-A;	26-8141)
Obligation Limitation	11,695	0	5,848	1,111
Outlays	11,695	0	5,848	1,111
Federal Trade Commission				
Salaries and expenses		(30-84-0100	-X-1-376-A;	29-0100)
Budget Authority	65,000	65,000	65,000	12,350
Outlays	59,809	59,475	59,642	11,332
Harry S Truman Scholarship Foundation				
Harry S Truman memorial scholarship trust fund		(31-01-8296	-X-7-502-A;	95-8296)
401(C) Other--incl. ob. limit	2,113	2,113	2,113	401
Outlays	2,113	2,113	2,113	401
Christopher Columbus Quincentennary Jubilee Commis				
Salaries and expenses		(31-03-0800	-X-1-376-A;	76-0800)
Budget Authority	220	220	220	42
Outlays	220	198	209	40
Commission on the Bicentennial of the U.S. Constit				
Salaries and expenses		(31-04-0054	-X-1-806-A;	76-0054)
Budget Authority	13,200	13,200	13,200	2,508
Franklin Delano Roosevelt Memorial Commission				
Salaries and expenses		(31-05-0700	-X-1-806-A;	76-0700)
Budget Authority	5	5	5	1
Outlays	5	5	5	1
Intelligence Community Staff				
Intelligence community staff		(31-07-0400	-X-1-054-A;	95-0400)
Budget Authority	21,893	21,893	21,893	2,824
Outlays	17,059	19,738	18,398	2,373
Advisory Commission on Intergovernmental Relations				
Salaries and expenses		(31-08-0100	-X-1-806-A;	55-0100)
Budget Authority	1,750	1,750	1,750	332
Outlays	1,474	1,488	1,481	281
Appalachian Regional Commission				
Appalachian regional development programs		(31-09-0200	-X-1-452-A;	46-0200)
Budget Authority	105,000	105,000	105,000	19,950
Outlays	9,155	7,316	8,236	1,565
Delaware River Basin Commission				
Salaries and expenses		(31-10-0100	-X-1-301-A;	46-0100)
Budget Authority	185	185	185	35
Outlays	185	172	178	34
Contribution to Delaware River Basin Commission		(31-10-0102	-X-1-301-A;	46-0102)
Budget Authority	200	200	200	38
Outlays	200	200	200	38
Interstate Commission on the Potomac River Basin				
Contribution to Interstate Commission on the Potomac R		(31-11-0446	-X-1-304-A;	46-0446)
Budget Authority	79	79	79	15
Outlays	79	79	79	15
Susquehanna River Basin Commission				
Salaries and expenses		(31-12-0500	-X-1-301-A;	46-0500)
Budget Authority	179	179	179	34
Outlays	179	169	174	33
Contribution to Susquehanna River Basin Commission		(31-12-0501	-X-1-301-A;	46-0501)
Budget Authority	240	240	240	46
Outlays	240	240	240	46
Washington Metropolitan Area Transit Authority				
Interest payments		(31-14-0300	-X-1-401-A;	46-0300)
Budget Authority	51,664	0	25,832	4,908
Outlays	51,664	0	25,832	4,908
International Trade Commission				
Salaries and expenses		(31-17-0100	-X-1-153-A;	34-0100)
Budget Authority	33,900	33,900	33,900	6,441
Outlays	30,425	29,187	29,806	5,663
Interstate Commerce Commission				
Salaries and expenses		(31-19-0100	-X-1-401-A;	30-0100)
Budget Authority	46,802	46,802	46,802	8,892
Outlays	43,575	42,121	42,848	8,141

Account Title	OMB	CBO	Average	Sequester
James Madison Memorial Fellowship Foundation				
James Madison Memorial Fellowship Foundation		(31-20-0200	-X-1-502-A;	95-0200)
401(C) Authority	13,200	13,200	13,200	2,508
Outlays	13,200	13,200	13,200	2,508
James Madison Memorial Fellowship Trust Fund		(31-20-8282	-X-7-502-A;	95-8282)
401(C) Other--incl. ob. limit	0	450	225	43
Obligation Limitation	450	0	225	43
Outlays	405	405	405	77
Japan-United States Friendship Commission				
Japan-United States friendship trust fund		(31-21-8025	-X-7-154-A;	95-8025)
Budget Authority	1,408	1,408	1,408	268
Outlays	1,408	1,408	1,408	268
Legal Services Corporation				
Payment to the Legal Services Corporation		(31-22-0501	-X-1-752-A;	20-0501)
Budget Authority	305,500	305,500	305,500	58,045
Outlays	268,900	266,090	267,495	50,824
Marine Mammal Commission				
Salaries and expenses		(31-23-2200	-X-1-302-A;	95-2200)
Budget Authority	910	910	910	173
Outlays	774	809	792	150
Merit Systems Protection Board				
Salaries and expenses		(31-24-0100	-X-1-805-A;	41-0100)
Budget Authority	19,412	19,412	19,412	3,688
Outlays	16,857	16,523	16,690	3,171
Office of the Special Counsel		(31-24-0101	-X-1-805-A;	41-0101)
Budget Authority	4,475	4,475	4,475	850
Outlays	4,099	4,119	4,109	781
National Archives and Records Administration				
Operating expenses		(31-26-0300	-X-1-804-A;	88-0300)
Budget Authority	101,659	101,659	101,659	19,315
Outlays	80,899	81,215	81,057	15,401
National archives trust fund		(31-26-8436	-X-8-804-A;	88-8436)
401(C) Authority--Off. Coll.	4,343	4,343	4,343	825
Outlays	-245	4,343	2,049	389
National Capital Planning Commission				
Salaries and expenses		(31-28-2500	-X-1-451-A;	95-2500)
Budget Authority	2,684	2,684	2,684	510
Outlays	2,485	2,469	2,477	471
National Commission on Agricultural Finance				
National Center for the Study of Afro-American Hist. a		(31-29-3800	-X-1-503-A;	95-3800)
Budget Authority	139	139	139	26
Outlays	90	90	90	17
National Commission on Libraries & Info. Science				
Salaries and expenses		(31-30-2700	-X-1-503-A;	95-2700)
Budget Authority	683	683	683	130
Outlays	615	615	615	117
National Council on the Handicapped				
Salaries and expenses		(31-32-3500	-X-1-506-A;	95-3500)
Budget Authority	860	860	860	163
Outlays	688	622	655	124
National Endowment for the Arts				
National Endowment for the Arts: Grants and administra		(31-35-0100	-X-1-503-A;	59-0100)
Budget Authority	165,281	165,281	165,281	31,403
Outlays	58,523	52,522	55,522	10,549
National Endowment for the Humanities				
National Endowment for the Humanities: Grants and admi		(31-36-0200	-X-1-503-A;	59-0200)
Budget Authority	142,890	142,890	142,890	27,149
Outlays	71,367	71,629	71,498	13,585
Institute of Museum Services				
Institute of Museum Services		(31-37-0300	-X-1-503-A;	59-0300)
Budget Authority	21,250	21,250	21,250	4,038
Outlays	5,277	5,333	5,305	1,008
National Institute of Building Sciences				
National Institute of Building Sciences trust fund		(31-38-8222	-X-7-376-A;	95-8222)
401(C) Other--incl. ob. limit	522	500	511	97
Outlays	500	500	500	95
National Labor Relations Board				
Salaries and expenses		(31-39-0100	-X-1-505-A;	63-0100)
Budget Authority	132,247	132,247	132,247	25,127
Outlays	124,484	124,484	124,484	23,652
National Mediation Board				
Salaries and expenses		(31-40-2400	-X-1-505-A;	95-2400)
Budget Authority	6,505	6,505	6,505	1,236
Outlays	5,175	5,175	5,175	983
National Science Foundation				
Research and related activities		(31-45-0100	-X-1-251-A;	49-0100)
Budget Authority	1,406,150	1,406,150	1,406,150	267,168
Outlays	639,200	700,263	669,732	127,249

Account Title	OMB	CBO	Average	Sequester
Scientific activities overseas (special foreign curren		(31-45-0102	-X-1-251-A;	49-0102)
Budget Authority	700	700	700	133
Outlays	0	105	52	10
Science and engineering education activities		(31-45-0106	-X-1-251-A;	49-0106)
Budget Authority	99,000	99,000	99,000	18,810
Outlays	11,250	14,751	13,000	2,470
U.S. Antarctic program		(31-45-0200	-X-1-251-A;	49-0200)
Budget Authority	117,000	117,000	117,000	22,230
Outlays	48,789	43,641	46,215	8,781
National Transportation Safety Board				
Salaries and expenses		(31-47-0310	-X-1-407-A;	95-0310)
Budget Authority	22,240	22,240	22,240	4,226
Outlays	20,008	20,016	20,012	3,802
Neighborhood Reinvestment Corporation				
Payment to the Neighborhood Reinvestment Corporation		(31-49-1300	-X-1-451-A;	82-1300)
Budget Authority	19,000	19,000	19,000	3,610
Outlays	19,000	19,000	19,000	3,610
Nuclear Regulatory Commission				
Salaries and expenses (NRC)		(31-50-0200	-X-1-276-A;	31-0200)
Budget Authority	401,000	401,000	401,000	76,190
Outlays	300,020	300,750	300,385	57,073
Occupational Safety and Health Review Commission				
Salaries and expenses		(32-02-2100	-X-1-554-A;	95-2100)
Budget Authority	5,750	5,750	5,750	1,092
Outlays	5,251	5,354	5,302	1,007
Pennsylvania Avenue Development Corporation				
Salaries and expenses		(32-08-0100	-X-1-451-A;	42-0100)
Budget Authority	2,397	2,397	2,397	455
Outlays	1,589	1,942	1,766	336
Public development		(32-08-0102	-X-1-451-A;	42-0102)
Budget Authority	3,924	3,924	3,924	746
Outlays	459	2,943	1,701	323
Land acquisition and development fund		(32-08-4084	-X-3-451-A;	42-4084)
401(C) Authority--Off. Coll.	14,000	14,000	14,000	2,660
Outlays	14,000	14,000	14,000	2,660
Postal Service				
Payment to the Postal Service fund		(32-10-1001	-X-1-372-A;	18-1001)
Budget Authority	650,000	650,000	650,000	123,500
Outlays	650,000	650,000	650,000	123,500
Postal Service		(32-10-4020	-X-3-372-A;	18-4020)
401(C) Authority	1,059,426	1,059,426	1,059,426	201,291
Outlays	1,140,000	0	570,000	108,300
Railroad Retirement Board				
Railroad social security equivalent benefit account		(32-20-8010	-X-7-601-A;	60-8010)
Obligation Limitation	28,000	28,000	28,000	5,320
Outlays	28,000	28,000	28,000	5,320
Rail Industry Pension Fund		(32-20-8011	-X-7-601-A;	60-8011)
Obligation Limitation	30,023	30,023	30,023	5,704
Outlays	29,523	29,523	29,523	5,609
Supplemental Annuity Pension Fund		(32-20-8012	-X-7-601-A;	60-8012)
Obligation Limitation	2,000	2,000	2,000	380
Outlays	2,000	2,000	2,000	380
Securities and Exchange Commission				
Salaries and expenses		(32-35-0100	-X-1-376-A;	50-0100)
Budget Authority	114,500	114,500	114,500	21,755
Outlays	105,942	104,269	105,106	19,970
Selective Service System				
Salaries and expenses		(32-40-0400	-X-1-054-A;	90-0400)
Budget Authority	26,128	26,128	26,128	3,371
Outlays	19,455	21,589	20,522	2,647
Smithsonian Institution				
Salaries and expenses		(32-50-0100	-X-1-503-A;	33-0100)
Budget Authority	188,974	188,974	188,974	35,905
Outlays	167,142	166,760	166,951	31,721
Construction and improvements, National Zoological Par		(32-50-0129	-X-1-503-A;	33-0129)
Budget Authority	2,500	2,500	2,500	475
Outlays	1,125	1,125	1,125	214
Restoration and renovation of buildings		(32-50-0132	-X-1-503-A;	33-0132)
Budget Authority	12,975	12,975	12,975	2,465
Outlays	4,264	5,190	4,727	898
Construction		(32-50-0133	-X-1-503-A;	33-0133)
Budget Authority	6,095	6,095	6,095	1,158
Outlays	2,491	2,438	2,464	468
Salaries and expenses, National Gallery of Art		(32-50-0200	-X-1-503-A;	33-0200)
Budget Authority	35,427	35,427	35,427	6,731
Outlays	30,494	30,446	30,470	5,789
Repair, restoration, and renovation of buildings		(32-50-0201	-X-1-503-A;	33-0201)
Budget Authority	2,400	2,400	2,400	456
Outlays	500	0	250	48

Account Title	OMB	CBO	Average	Sequester
Salaries and expenses, Woodrow Wilson International Ce		(32-50-0400	-X-1-503-A;	33-0400)
Budget Authority	3,362	3,362	3,362	639
Outlays	2,080	2,078	2,079	395
Endowment challenge fund		(32-50-8188	-X-7-503-A;	33-8188)
401(C) Authority	175	175	175	33
Outlays	150	150	150	28
Canal Zone biological area fund		(32-50-8190	-X-7-503-A;	33-8190)
401(C) Authority	125	125	125	24
Outlays	120	120	120	23
Other Temporary Commissions				
State Justice Institute		(33-02-0052	-X-1-752-A;	48-0052)
Budget Authority	7,200	7,200	7,200	1,368
Outlays	6,200	6,480	6,340	1,205
Aviation Safety Commission: Salaries and expenses		(33-02-0053	-X-1-402-A;	48-0053)
Budget Authority	2,000	2,000	2,000	380
Outlays	0	1,300	650	124
Commission on Education of the Deaf: Salaries and Expe		(33-02-0200	-X-1-503-A;	48-0200)
Budget Authority	750	750	750	142
Outlays	407	350	378	72
Navajo and Hopi Indian Relocation Commission		(33-02-1100	-X-1-806-A;	48-1100)
Budget Authority	22,335	22,335	22,335	4,244
Outlays	14,973	14,071	14,522	2,759
Comm. for the Study of Int. Mig. and Coop. Econ. Dev:		(33-02-1400	-X-1-153-A;	48-1400)
Budget Authority	217	217	217	41
Outlays	170	208	189	36
National Commission to Prevent Infant Mortality		(33-02-1500	-X-1-806-A;	48-1500)
Budget Authority	700	700	700	133
Outlays	600	175	388	74
National Council on Public Works Improvement		(33-02-1900	-X-1-806-A;	48-1900)
Budget Authority	1,750	1,750	1,750	332
Outlays	1,400	0	700	133
Tennessee Valley Authority				
TVA fund (Energy supply)		(33-16-4110	-X-3-271-A;	64-4110)
401(C) Authority--Off. Coll.	94,900	94,900	94,900	18,031
Outlays	94,900	83,512	89,206	16,949
TVA fund (Area and regional development)		(33-16-4110	-X-3-452-A;	64-4110)
Budget Authority	100,000	100,000	100,000	19,000
Outlays	45,007	24,599	34,803	6,613
United States Holocaust Memorial Council				
Holocaust Memorial Council		(33-19-3300	-X-1-806-A;	95-3300)
Budget Authority	2,075	2,075	2,075	394
Outlays	2,075	1,647	1,861	354
United States Information Agency				
Salaries and expenses		(33-22-0201	-X-1-154-A;	67-0201)
Budget Authority	588,232	588,232	588,232	111,764
Outlays	480,583	464,116	472,350	89,746
East West Center		(33-22-0202	-X-1-154-A;	67-0202)
Budget Authority	20,000	20,000	20,000	3,800
Outlays	19,811	18,910	19,360	3,678
Radio construction		(33-22-0204	-X-1-154-A;	67-0204)
Budget Authority	66,000	46,000	56,000	10,640
Outlays	28,908	7,360	18,134	3,445
Radio broadcasting to Cuba		(33-22-0208	-X-1-154-A;	67-0208)
Budget Authority	12,759	12,759	12,759	2,424
Outlays	10,016	10,207	10,112	1,921
Educational and cultural exchange program		(33-22-0209	-X-1-154-A;	67-0209)
Budget Authority	145,000	145,000	145,000	27,550
Outlays	71,522	65,975	68,748	13,062
National Endowment for Democracy		(33-22-0210	-X-1-154-A;	67-0210)
Budget Authority	15,000	15,000	15,000	2,850
Outlays	9,000	7,500	8,250	1,568
United States Institute of Peace				
United States Institute of Peace		(33-24-1300	-X-1-153-A;	95-1300)
Budget Authority	625	625	625	119
Outlays	625	375	500	95
United States Sentencing Commission				
Salaries and expenses		(33-31-0938	-X-1-752-A;	10-0938)
Budget Authority	5,800	5,800	5,800	1,102
Outlays	5,552	5,214	5,383	1,023
Other Independent Agencies		Total		
Budget Authority	7,380,170	7,308,503	7,344,336	1,392,493
401(C) Authority	1,289,543	1,287,146	1,288,344	244,786
401(C) Authority--Off. Coll.	113,323	113,298	113,310	21,529
401(C) Other--incl. ob. limit	2,635	4,148	3,391	644
Direct Loan Limitation	680,000	680,000	680,000	129,200
Guaranteed Loan Limitation	11,355,000	11,355,000	11,355,000	2,157,450
Obligation Limitation	130,344	118,199	124,272	23,612
Outlays	6,717,073	5,735,609	6,226,342	1,180,632

Account Title	OMB	CBO	Average	Sequester
Allowances				
Allowances				
Civilian agency pay raises		(51-05-6005	-X-1-921-A;	99-6005)
Budget Authority	0	275,000	137,500	26,125
Outlays	0	264,000	132,000	25,080
Coast Guard pay raises		(51-05-6006	-X-1-921-A;	99-6006)
Budget Authority	0	48,000	24,000	4,560
Outlays	0	48,000	24,000	4,560
Allowances		Total		
Budget Authority	0	323,000	161,500	30,685
Outlays	0	312,000	156,000	29,640
REPORT TOTAL				
Budget Authority	437,746,712	434,417,829	436,082,268	65,027,828
Budget Authority--Spec. Rules	253,221	205,839	229,531	229,531
401(C) Authority	34,231,373	41,640,585	37,935,980	7,201,095
401(C) Authority--Off. Coll.	2,714,990	2,730,922	2,722,955	517,363
401(C) Other--incl. ob. limit	2,633,416	2,798,401	2,715,908	516,026
401(C) Authority--ASI	4,100	4,100	4,100	4,100
401(C) Authority--Spec. Rules	1,191,307	1,442,148	1,316,728	1,316,728
Direct Loan Limitation	28,406,267	28,458,792	28,432,530	5,402,182
Direct Loan Floor	1,038,345	1,038,345	1,038,345	197,286
Guaranteed Loan Limitation	312,321,919	309,851,919	311,086,919	59,106,515
Guaranteed Loan Floor	933,075	933,075	933,075	177,284
Obligation Limitation	24,137,555	22,994,125	23,565,841	4,477,510
Unobligated Balances--Defense	47,218,369	47,673,369	47,445,869	6,120,518
Outlays	288,145,237	289,395,839	288,770,546	45,359,951

[FR Doc. 87-19228 Filed 8-19-87; 11:14 am]
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Vol. 52, No. 161

Thursday, August 20, 1987

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Code of Federal Regulations

General information, index, and finding aids	523-5227
Printing schedules and pricing information	523-3419

Laws 523-5230

Presidential Documents

Executive orders and proclamations	523-5230
Public Papers of the President	523-5230
Weekly Compilation of Presidential Documents	523-5230

United States Government Manual 523-5230

Other Services

Library	523-5240
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TDD for the deaf	523-5229

FEDERAL REGISTER PAGES AND DATES, AUGUST

28681-28814.....3
28815-28958.....4
28959-29172.....5
29173-29362.....6
29363-29496.....7
29497-29654.....10
29655-29832.....11
29833-30124.....12
30125-30324.....13
30325-30652.....14
30653-30878.....17
30879-31026.....18
31027-31372.....19
31373-31600.....20

CFR PARTS AFFECTED DURING AUGUST

At the end of each month, the Office of the Federal Register publishes separately a List of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

1 CFR

304.....29497

3 CFR

Proclamations:
5365 (Amended by Proc. 5690).....29655
5686.....28959
5687.....28961
5688.....29363
5689.....29365
5690.....29655
5691.....29833
5692.....30125
5693.....30653
5694.....30655

Executive Orders:
12519 (Amended by Proc. 5690).....29655
12528 (Amended by EO 12604).....29495
12604.....29495
12605.....30325

Administrative Orders:
Memorandums:
August 5, 1987.....29367

5 CFR

572.....28815
1603.....29835

Proposed Rules:
297.....28833
531.....29862
540.....28840
870.....28841
874.....28841
1303.....31036

7 CFR

2.....31373
28.....30879
29.....30280
46.....30327
210.....30127
215.....30127
220.....30127
272.....29657
275.....29657
301.....29173, 31373
319.....29369
704.....29836
713.....30884
910.....29371, 30657
916.....31375
917.....31375
921.....31375
923.....31375
924.....31375
931.....31375
945.....31375
946.....31375
947.....31375
948.....31375
1033.....30886
1036.....30886
1040.....30886
1250.....31376
1421.....30657
1924.....30658
1944.....29174, 31027
1951.....29174
2054.....30889

Proposed Rules:
800.....30167
801.....30167
802.....30167
907.....30167
908.....30167
920.....28724
994.....29531
1004.....31408
1030.....29196
1079.....30922
1421.....30689
1736.....29531

8 CFR

204.....30899

Proposed Rules:
214.....30329
286.....29863

9 CFR

78.....30900
93.....29498
94.....30901
99.....29498
101.....30128
102.....30128
103.....30128
104.....30128
107.....30128
114.....30128
115.....30132
118.....30132
318.....30136

Proposed Rules:
1.....29865
2.....29865
91.....28842
92.....30372
94.....30373
317.....30922
318.....30925
381.....30922

10 CFR

0.....30902
9.....29504
50.....28963
725.....30138
862.....29836

Proposed Rules:
2.....29024, 29196, 30512
9.....29196, 30512
600.....31016

11 CFR
106.....30904
9001.....30904
9002.....30904
9003.....30904
9004.....30904
9005.....30904
9006.....30904
9007.....30904
9012.....30904
9031.....30904
9032.....30904
9033.....30904
9034.....30904
9035.....30904
9036.....30904
9037.....30904
9038.....30904
9039.....30904

12 CFR
21.....28681, 31477
205.....30904
211.....30912
Proposed Rules:
206.....30690
221.....29701
338.....30928
501.....29387
522.....29030
523.....30140
543.....29387
544.....29387
545.....29387
546.....29387
551.....29387
620.....30374
621.....30374
1101.....29865

13 CFR
144.....31526
Proposed Rules:
107.....28842
121.....29532

14 CFR
39.....28682, 28683, 28817, 28973, 28976, 29353, 29371, 29372, 29505, 29506, 30143, 30330, 31377–31382
71.....28684–28686, 28818, 28819, 29353, 29506, 30914, 31383–31387
73.....28685
75.....28686, 28687
97.....28820, 30144
121.....28938
125.....28938
127.....28938
129.....28938
135.....28938
Proposed Rules:
39.....29032, 29387–29390, 29534, 30380, 31409, 31410
61.....29205
71.....28725, 28726, 29205, 29470, 29474, 29605, 29612, 30168, 30381, 30512, 31411
75.....30381, 30382
91.....29205

15 CFR
371.....29373
377.....29353
379.....29176
389.....29176
399.....29176, 29373, 29839
2301.....31496

16 CFR
429.....29507
1015.....28977
Proposed Rules:
13.....29535, 29537, 31412
429.....29539

17 CFR
1.....28980
30.....28980
32.....28980
33.....29508
166.....28980
211.....31027
229.....30145, 30917
230.....30145
239.....30145
240.....30145, 30331
249.....30917
Proposed Rules:
230.....29033, 29206
239.....29033

18 CFR
2.....30146, 30334
35.....30659
154.....29659, 30146
157.....29659, 30146
201.....30146
270.....29003, 29659, 30146
271.....29003, 29008, 29659, 30146
273.....29003
274.....29003
284.....29659, 30334, 31029
389.....30659
Proposed Rules:
385.....29216

19 CFR
353.....30660
355.....30660

20 CFR
404.....29659
416.....29840, 31477
Proposed Rules:
320.....30383
340.....30383
416.....30169

21 CFR
5.....29663
73.....29664
74.....28688
101.....28690
131.....29509, 31123
175.....29178
176.....29665
177.....29667
178.....29841, 30149, 30919
193.....29008
310.....30042
341.....30042
369.....30042
520.....30150
558.....29009
561.....29008
862.....29467
872.....30082
1240.....29509
Proposed Rules:
7.....30171
101.....28443
102.....30387
161.....30387
872.....30107, 30120
1308.....30174, 30175

22 CFR
22.....29514
41.....29374, 29842
42.....29842
51.....29514
307.....30151
Proposed Rules:
41.....29542
42.....29542

23 CFR
630.....31388
659.....28691

24 CFR
885.....29010
905.....29360
990.....29360
Proposed Rules:
115.....29038
511.....30388
791.....30388
812.....30388
813.....30388
882.....30388
887.....30388

25 CFR
22.....30920
62.....30159
76.....31391
Proposed Rules:
179.....29701

26 CFR
1.....29375, 29668, 30357
301.....30162
602.....29668, 30162
Proposed Rules:
1.....29391, 29704
301.....30177
601.....30996
602.....29704

27 CFR
Proposed Rules:
4.....30390
5.....30390
9.....29705

28 CFR
Proposed Rules:
2.....30691

29 CFR
2603.....30662
2676.....30358
Proposed Rules:
1.....31366
5.....31366
103.....29038
1910.....28727, 29620
1915.....28727
1917.....28727
1918.....28727
2580.....31039

30 CFR
816.....29180
935.....29515, 30666
946.....30668
Proposed Rules:
48.....30391
75.....30391
202.....29868, 30776, 30826
203.....29868, 30826
206.....29868, 30776, 30826
207.....30826
210.....30826
212.....29868
216.....29868
241.....30826
256.....29222
925.....29546
943.....30930
946.....28849

31 CFR
Proposed Rules:
223.....29039

32 CFR
40.....29844
174.....29181, 30766
292a.....29182
2003.....28802, 29793
Proposed Rules:
199.....29044, 30391

33 CFR
100.....29516, 30164, 31395
117.....28693, 28694, 30670
165.....30671, 31395

34 CFR
221.....28814
309.....29816
350.....30060
351.....30060
352.....30060
353.....30060
354.....30060
355.....30060
356.....30060
357.....30060
358.....30060
359.....30060
363.....30546
371.....30554
386.....30554
502.....30322
504.....30322
524.....30322
607.....30526
608.....30536
609.....30536
614.....30560
629.....29824
631.....29140
632.....29140
633.....29140
634.....29140
635.....29140
636.....29140, 30282
650.....29356
668.....30114
673.....29120
762.....29608
785.....30612

786.....30612
787.....30612
789.....30612
796.....30612

35 CFR

9.....31396

36 CFR

222.....30359
1250.....29517
1258.....29517

Proposed Rules:

9.....28850

37 CFR

202.....28821

Proposed Rules:

201.....28731

38 CFR

Proposed Rules:

21.....30178, 31416

39 CFR

10.....29697
20.....29697
111.....29011
965.....29012

40 CFR

1.....30359
12.....30598
22.....30671
50.....29382, 29467
51.....29383, 29385
52.....28694, 29383, 29385
60.....28946, 30674
61.....30920
180.....29013, 31029
228.....29845, 30360
261.....28696, 28697, 29846–29849
271.....29522, 30681, 30682
799.....28698

Proposed Rules:

2.....29045
22.....29222
24.....29222
50.....29392
52.....29392, 29394, 30189
60.....29548
80.....31162, 31274
86.....31162, 31274
122.....30931
123.....30931
180.....29050
228.....29550, 30189
260.....29708
265.....29708, 30570
268.....29992
270.....29708, 30570
271.....30192, 30570
600.....31162, 31274
763.....29228
795.....29395, 29990
796.....29395
799.....29395

41 CFR

101–26.....29522, 29523
201–8.....30280

42 CFR

400.....30362
405.....28823
409.....28823
410.....29353
412.....30362
442.....28823

Proposed Rules:

405.....29605
413.....29605
441.....29605
482.....29605
485.....29605

43 CFR

3450.....28824

Public Land Orders:

6653.....29525
6654.....29525

Proposed Rules:

3160.....30282, 30310, 30826
3480.....29868
5400.....28850
5440.....28850

44 CFR

64.....29184
65.....29014, 29015
67.....29016
80.....30683
81.....30683
82.....30683
83.....30683

Proposed Rules:

65.....29228
67.....31417

45 CFR

96.....31030
233.....28824
1612.....28777
2002.....28705
2010.....30582

Proposed Rules:

16.....30194
402.....30194
1612.....28777

46 CFR

Proposed Rules:

10.....31429
27.....29556
157.....31429
187.....31429
558.....29708
559.....29708
560.....29708
561.....29708
562.....29708
564.....29708
566.....29708
569.....29708
586.....29396

47 CFR

22.....29186, 29386
31.....29018
32.....29018
73.....28705, 28825, 29851–29854, 31031, 31398
74.....31398
80.....28825
90.....29855
94.....29855
97.....28826

Proposed Rules:

Ch. I.....28731
2.....31432
22.....31042
73.....28731, 27732, 29235, 29869–29872, 30692, 30694, 31043, 31044, 31432
90.....29051
95.....29396
97.....29052

48 CFR

1.....30074
5.....30074
7.....30074
13.....30074
19.....30074
22.....30074
25.....30074
28.....30074
31.....30074
32.....30074
45.....30074
52.....30074
53.....30074
204.....28705
215.....28705, 30687
230.....28705
232.....30368
252.....30368
253.....28705

Proposed Rules:

504.....30694
507.....28827
508.....28827
514.....30694
515.....30694
522.....30694
525.....28828, 30694
532.....30694
534.....30694
536.....30694
537.....30694
552.....28827, 30694
553.....28827, 30694
904.....28716
952.....28716
970.....28716, 30998

49 CFR

1.....30688
171.....29526
172.....29526
173.....29526
509.....29857
701.....31407
830.....30370
1011.....30165
1132.....30165
1161.....30165
1162.....30165

Proposed Rules:

Ch. X.....30393
172.....31486
571.....29873, 30393
580.....29556
647.....29709
1039.....29873
1165.....30933
1206.....28854
1249.....28854

50 CFR

17.....28780, 28828, 29751, 29754, 29784
20.....28717, 29187
25.....29858
285.....28831
611.....29528, 31032
655.....30166
661.....28721, 29019, 29020, 29528, 29700, 29860, 31033
663.....31034
674.....29020, 30766
675.....28722, 29021, 31032

Proposed Rules:

17.....28787, 31045–31051
20.....30395
32.....28931
611.....30212
649.....28732
663.....29400
675.....30212

LIST OF PUBLIC LAWS

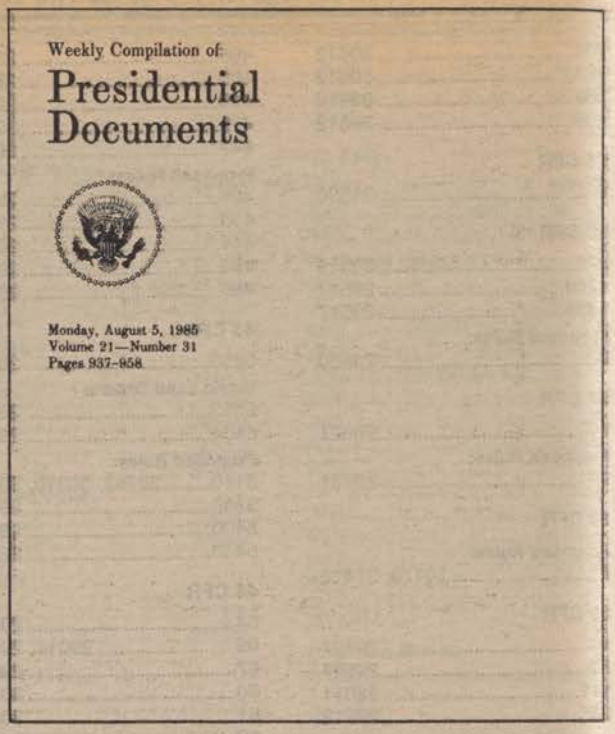
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Last List August 14, 1987

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