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WHO: The Office of the Federal Register.

WHAT: Free public briefings (approximately 3 hours) to present:

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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

(two briefings)

WHEN: October 19 at 9:00 am and 1:30 pm

WHERE: Office of the Federal Register, 7th Floor Conference Room, 800 North Capitol Street NW, Washington, DC (3 blocks north of Union Station Metro)

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Contents

Federal Register

Vol. 58, No. 188

Thursday, September 30, 1993

Agency for Toxic Substances and Disease Registry
NOTICES
Meetings:
Scientific Counselors Board, 51083

Agriculture Department
See Federal Grain Inspection Service
See Forest Service
See Rural Electrification Administration
See Soil Conservation Service
NOTICES
Agency information collection activities under OMB review, 51046
Reports; availability, etc.:
World Agricultural Outlook Board; market sensitive reports; release times, 51051

Antitrust Division
NOTICES
National cooperative research notifications:
Air Products & Chemicals, Inc., 51102
Bell Communications Research, Inc., 51102, 51103
Cable Television Laboratories, Inc., et al., 51103
DowBrands, Inc., 51103
General Electric Co., 51103
Human Genome Sciences, Inc., et al., 51103
Petroleum Environmental Research Forum, 51104
Portable Power Equipment Manufacturers Association, 51104

Army Department
RULES
Privacy Act; implementation, 51011

Commerce Department
See Export Administration Bureau
See International Trade Administration
See Technology Administration

Committee for the Implementation of Textile Agreements
NOTICES
Cotton, wool, and man-made textiles:
India, 51063
Philippines, 51063

Defense Department
See Army Department
PROPOSED RULES
Acquisition regulations:
Essential contractor services; continuation during crises, 51033
NOTICES
Civilian health and medical program of uniformed services (CHAMPUS):
Mental health per diem rates; 1994 FY, 51064

Drug Enforcement Administration
NOTICES
Applications, hearings, determinations, etc.:
Ricci, Dominick A., M.D., 51104

Education Department
RULES
Acquisition regulations:
Metric system use
Effective date, 51020
General Education Provisions Act; enforcement:
Administrative Law Judges Office procedural regulations and operating efficiency
Correction, 51013
NOTICES
Agency information collection activities under OMB review, 51065, 51066

Energy Department
See Federal Energy Regulatory Commission
NOTICES
Floodplain and wetlands protection; environmental review determinations; availability, etc.:
Savannah River Site, SC, 51066
Natural gas exportation and importation:
Amoco Energy Trading Corp., 51071
Associated Natural Gas, Inc., 51071
Midland Cogeneration Venture Limited Partnership, 51071
Mobil Natural Gas Inc., 51072
Natural Gas Clearinghouse, 51072

Environmental Protection Agency
RULES
Pesticides; tolerances in food, animal feeds, and raw agricultural commodities:
Puccinia canaliculata (ATCC 40199), 51013
PROPOSED RULES
Air quality implementation plans; approval and promulgation; various States:
Maryland, 51028
Pesticides; tolerances in food, animal feeds, and raw agricultural commodities:
Diallate, 51031
NOTICES
Clean Air Act:
Acid rain provisions—
Retired unit exemptions, 51072
State permits, 51072
Pesticides; receipts of State registration, 51073
Toxic and hazardous substances control:
Premanufacture notices receipts, 51077

Executive Office of the President
See Presidential Documents

Export Administration Bureau
NOTICES
Export privileges, actions affecting:
Tsai, Rudy Yujen, 51052

Federal Aviation Administration
RULES
VOR Federal airways, 51010

Federal Communications Commission
NOTICES
Radio services, special:
Aviation services—
Additional VHF channels for aircraft use; waiver, 51080

Federal Deposit Insurance Corporation
NOTICES
Meetings; Sunshine Act, 51129

Federal Election Commission
PROPOSED RULES
National Voter Registration Act:
National voter mail registration form; report to Congress, 51132
NOTICES
Meetings; Sunshine Act, 51129

Federal Emergency Management Agency
RULES
Flood elevation determinations:
California et al., 51016
Georgia, 51015
Indiana et al., 51018
PROPOSED RULES
Flood elevation determinations:
New York; correction, 51032
NOTICES
Disaster and emergency areas:
Illinois, 51081
Indiana, 51081
Iowa, 51080
North Carolina, 51081
North Dakota, 51081

Federal Energy Regulatory Commission
NOTICES
Electric rate, small power production, and interlocking directorate filings, etc.:
Calciner Industries, Inc., 51067
Tiger Bay Limited Partnership, 51067
Environmental statements; availability, etc.:
Smith, Lawrence E., et al., 51067
STS Hydropower, Ltd., et al., 51068
Applications, hearings, determinations, etc.:
Boston Edison Co., 51068
Gateway Pipeline Co., 51068
Hardee Power Partners Ltd., 51068
Iowa-Illinois Gas & Electric Co., 51069
Iowa Southern Utilities Co., 51069
OkTex Pipeline Co., 51071
PJM Interconnection Agreement, 51071
PSI Energy, Inc., 51071
Public Service Co. of—
New Mexico, 51071
Texas Eastern Transmission Co., 51071

Federal Grain Inspection Service
NOTICES
Agency designation actions:
California et al., 51046
Illinois et al., 51047
Nebraska et al., 51048

Federal Reserve System
NOTICES
Meetings; Sunshine Act, 51129
Applications, hearings, determinations, etc.:
Banco Santander, S.A., et al., 51081
First Interstate Bancorp, 51082
HNB Financial Group, 51082
JAM Family Partnership I, L.P., et al., 51083
Shulman, Jeffrey, et al., 51083

Fish and Wildlife Service
PROPOSED RULES
Endangered and threatened species:
Arctic peregrine falcon, 51035
Plant taxa, 51144
NOTICES
Endangered and threatened species:
Recovery plans—
Duskytail darter, 51098
Endangered and threatened species permit applications, 51098
Marine mammal permit applications, 51098

Food and Drug Administration
RULES
Animal drugs, feeds, and related products:
Hearing procedure; obsolete regulation removed, 51011
NOTICES
Committees; establishment, renewal, termination, etc.:
Center for Biologics Evaluation and Research public advisory committees, 51084
Nonprescription Drugs Advisory Committee, 51084

Forest Service
NOTICES
Appeal exemptions; timber sales:
Kootenai National Forest, MT, 51048, 51049

Geological Survey
NOTICES
Meetings:
Federal Geographic Data Committee, 51099

Health and Human Services Department
See Agency for Toxic Substances and Disease Registry
See Food and Drug Administration
See Health Care Financing Administration
See Health Resources and Services Administration
See National Institutes of Health

Health Care Financing Administration
RULES
Medicaid:
Provider-related donations and health care-related taxes, and disproportionate share hospitals payments; limitations
Correction, 51130
NOTICES
Medicare:
Fiscal intermediaries and carriers—
Criteria and standards for evaluating performance during 1994 FY, 51085

Health Resources and Services Administration
NOTICES
Grants and cooperative agreements; availability, etc.:
General internal medicine and pediatrics—
Faculty development, 51090
Nurse practitioner and midwifery program, 51092
Meetings; advisory committees:
November, 51094

Housing and Urban Development Department
NOTICES
Grants and cooperative agreements; availability, etc.:
Public and Indian housing—
Homeless veterans with severe psychiatric or substance abuse disorders; Section 8 rental voucher set-aside, 51192

Interior Department
See Fish and Wildlife Service
See Geological Survey
See Land Management Bureau

Internal Revenue Service
NOTICES
Employee benefit plans; prohibited transaction exemptions:
Apollo Fund, L.P., 51111

International Trade Administration
NOTICES
Antidumping:
Antifriction bearings (other than tapered roller bearings) and parts from—
France et al., 51055
Brass sheet and strip from—
Japan, 51054
Cast iron pipe fittings from—
Japan, 51054
Circular pipes and tubes from—
Taiwan, 51055
Impression fabric of man-made fiber from—
Japan, 51056
Industrial phosphoric acid from—
Belgium, 51056
Large power transformers from—
Italy, 51057
Malleable cast iron pipe fittings from—
Brazil, 51057
Malleable cast iron pipe fittings, other than grooved, from—
South Korea, 51057
Pipe fittings from—
Taiwan, 51058
Pistachio nuts, in-shell, from—
Iran, 51056
Solid urea from—
Armenia et al., 51058
Synthetic methionine from—
Japan, 51061
Tapered roller bearings and parts, finished and unfinished, etc., from—
Japan, 51058
Antidumping and countervailing duties:
Administrative review requests, 51053
Export trade certificates of review, 51061
United States-Canada free-trade agreement; binational panel reviews:
Corrosion-resistant carbon steel flat products from—
Canada, 51062

Interstate Commerce Commission
NOTICES
Environmental statements; availability, etc.:
Norfolk & Western Railway Co. et al., 51099
Railroad operation, acquisition, construction, etc.:
Walkersville Southern Railroad, Inc., 51100

Justice Department
See Antitrust Division
See Drug Enforcement Administration
NOTICES
Pollution control; consent judgments:
Hagadone Hospitality Co., 51101
Hercules, Inc., 51100
Klamut, Nicholas P., 51100
Washington Transportation Department et al., 51101

Labor Department
See Pension and Welfare Benefits Administration

Land Management Bureau
NOTICES
Coal leases, exploration licenses, etc.:
Oklahoma, 51095
Jurisdiction transfers:
Minnesota; correction, 51130
Motor vehicle use restrictions:
Wyoming, 51095
Oil and gas leases:
Wyoming, 51095
Realty actions; sales, leases, etc.:
Arizona, 51096
New Mexico, 51096
Survey plat filings:
Oregon and Washington, 51097

National Aeronautics and Space Administration
RULES
Acquisition regulations:
Miscellaneous amendments, 51136
Unclassified contracts; security requirements, 51019
NOTICES
Meetings:
Space Science Advisory Committee, 51112

National Highway Traffic Safety Administration
RULES
National Traffic and Motor Vehicle Safety Act; fee schedule, 51021
PROPOSED RULES
Motor vehicle safety standards:
Lamps, reflective devices, and associated equipment—
Dashboard indicator for center high-mounted stop lamps; petition denied, 51034
NOTICES
Motor vehicle safety standards:
Nonconforming vehicles—
Importation eligibility; determinations, 51125
Motor vehicle safety standards; exemption petitions, etc.:
Sekurit-Glas Union GmbH, 51126

National Institutes of Health
NOTICES
Meetings:
National Heart, Lung, and Blood Institute, 51094

National Science Foundation
NOTICES
Grant policy manual; changes, 51113
Meetings:
Biochemistry and Molecular Structure and Function Advisory Panel, 51113
Cognitive, Psychological and Language Sciences Advisory Panel, 51114
Cross-Disciplinary Activities Special Emphasis Panel, 51114
Developmental Mechanisms Advisory Panel, 51114

DOE/NSF Nuclear Science Advisory Committee, 51114
Education and Human Resources Directorate; diversity in scientific and technological workforce; conference, 51115
Federal Networking Council Advisory Committee, 51115
Genetics Advisory Panel, 51115
Industrial Innovation Interface Special Emphasis Panel, 51115
Mathematical Sciences Special Emphasis Panel, 51115
Networking and Communications Research and Infrastructure Special Emphasis Panel, 51116
Physiology and Behavior Advisory Panel, 51116

National Transportation Safety Board
NOTICES
Highway accidents; hearings, etc.:
New Orleans, LA; collision between towboat-pushed hopper barge and bridge, 51121

Nuclear Regulatory Commission
NOTICES
Committees; establishment, renewal, termination, etc.:
Reactor Safeguards Advisory Committee, 51118
Environmental statements; availability, etc.:
Portland General Electric Co. et al., 51116, 51117
Applications, hearings, determinations, etc.:
Sacramento Municipal Utility District, 51119
Tennessee Valley Authority, 51120

Pension and Welfare Benefits Administration
NOTICES
Employee benefit plans; prohibited transaction exemptions:
Apollo Fund, L.P., 51111
Atlanta Beverage Co., 51105
Navistar International Transportation Corp. et al., 51105

Presidential Documents
ADMINISTRATIVE ORDERS
Trading With the Enemy Act; extension of the exercise of certain authorities (Presidential Determination No. 93–38 of September 13, 1993), 51209

Public Health Service
See Agency for Toxic Substances and Disease Registry
See Food and Drug Administration
See Health Resources and Services Administration
See National Institutes of Health

Railroad Retirement Board
PROPOSED RULES
Railroad Retirement Act:
Survivor annuities computation, 51024
NOTICES
Agency information collection activities under OMB review, 51122

Rural Electrification Administration
RULES
Electric and telephone loans:
Federal Financing Bank loans; refinancing and prepayment guidelines, 51007

Securities and Exchange Commission
NOTICES
Self-regulatory organizations; proposed rule changes:
New York Stock Exchange, Inc., 51123
Self-regulatory organizations; unlisted trading privileges:
Chicago Stock Exchange, Inc., 51122
Cincinnati Stock Exchange, Inc., 51122
Pacific Stock Exchange, Inc., 51124
Philadelphia Stock Exchange, Inc., 51124

Soil Conservation Service
NOTICES
Environmental statements; availability, etc.:
T or C-Williamsburg Arroyos Watershed, NM, 51049

Technology Administration
NOTICES
Committees; establishment, renewal, termination, etc.:
National Medal of Technology Nomination Evaluation Committee, 51063
Meetings:
Government-owned inventions; licensing, 51062

Textile Agreements Implementation Committee
See Committee for the Implementation of Textile Agreements

Toxic Substances and Disease Registry Agency
See Agency for Toxic Substances and Disease Registry

Transportation Department
See Federal Aviation Administration
See National Highway Traffic Safety Administration
NOTICES
Aviation proceedings:
Hearings, etc.—
ValuJet Airlines, Inc., 51125

Treasury Department
See Internal Revenue Service
NOTICES
Agency information collection activities under OMB review, 51127

United States Information Agency
NOTICES
Meetings:
English Teaching Advisory Panel, 51128

Separate Parts In This Issue

Part II
Federal Election Commission, 51132

Part III
National Aeronautics and Space Administration, 51136

Part IV
Department of the Interior, Fish and Wildlife Service, 51144

Part V
Department of Housing and Urban Development, 51192

Part VI
The President, 51209

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.

3 CFR

Administrative Orders:

Presidential Determinations:

No. 92–45 of August 28, 1992 (Continued by Presidential Determination No. 93–38 of September 13, 1993)....51209

No. 93–38 of September 13, 1993....51209

7 CFR

1786....51007

11 CFR

Proposed Rules:

8....51132

14 CFR

71....51010

20 CFR

228....51024

237....51024

21 CFR

514....51011

32 CFR

505....51011

34 CFR

81....51013

40 CFR

180....51013

Proposed Rules:

52....51028

180....51031

42 CFR

433....51130

44 CFR

65 (2 documents)....51015, 51016

67....51018

Proposed Rules:

67....51032

48 CFR

Ch. 18....51136

1804....51019

1852....51019

1853....51019

3410....51020

Proposed Rules:

207....51033

237....51033

252....51033

49 CFR

594....51021

Proposed Rules:

571....51034

50 CFR

Proposed Rules:

17 (2 documents)....51035, 51144

Rules and Regulations

Federal Register
Vol. 58, No. 188
Thursday, September 30, 1993

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

Rural Electrification Administration

7 CFR Part 1786

Refinancing and Prepayment of FFB Loans

AGENCY: Rural Electrification Administration, USDA.

ACTION: Interim rule with request for comments.

SUMMARY: The Rural Electrification Administration (REA) is adding a new regulation to implement Subtitle B—Rural Electrification of the Omnibus Reconciliation Act of 1993. This new rule will provide guidelines to REA guaranteed Federal Financing Bank (FFB) borrowers who wish to refinance or prepay outstanding indebtedness on FFB loans, and at the borrower's option, add the prepayment premium to the principal of the refinanced loan advance after paying a fee of 2.5 percent of the premium.

DATES: Interim rule effective September 30, 1993.

Written comments must be received by REA or carry a postmark or equivalent no later than December 29, 1993.

ADDRESSES: Submit written comments to William E. Davis, Director, Program Support Staff, U.S. Department of Agriculture, Rural Electrification Administration, room 2234–S, 14th and Independence Avenue, SW., Washington, DC 20250–1500. REA requests an original and three copies of all comments (7 CFR part 1700). All comments received will be made available for inspection at room 2234–S between 8:30 a.m. and 5 p.m. (7 CFR 1.27(b)).

FOR FURTHER INFORMATION CONTACT: Patrick Shea, Financial Analyst, Program Support Staff, at the address listed above, telephone number (202) 720–0736.

SUPPLEMENTARY INFORMATION:

Executive Order 12291

This interim final rule has been issued in conformance with Executive Order 12291 and Departmental Regulation 1512–1. This action has been classified as "nonmajor" because it does not meet the criteria for a major regulation as established by the Order.

Executive Order 12778

This interim final rule has been reviewed under Executive Order 12778, Civil Justice Reform. If enacted, this interim final rule:

(1) Will not preempt any state or local laws, regulations, or policies, unless they present an irreconcilable conflict with this interim final rule;

(2) Will not have any retroactive effect beyond changing the terms of existing FFB loans in accordance with Public Law 103–66; and

(3) Will not require administrative proceedings before any parties may file suit challenging the provisions of this interim final rule.

Regulatory Flexibility Act Certification

The Administrator of REA certifies that this interim final rule and any final rule will not have a "significant economic impact on a substantial number of small entities" within the meaning of the Regulatory Flexibility Act (5 U.S.C. 601–12). Three principal grounds support this conclusion. First, less than 143 entities have loans which are covered by the interim final rule and this number is expected to remain stable. Second, the overwhelming majority of these borrowers of REA-guaranteed FFB loans are not small entities. Third, although voluntary participation in section 306C refinancing is expected to significantly benefit rural areas economically, this interim final rule is essentially procedural in nature and thus is itself not expected to have any significant economic impact on any entity.

Information Collection and Recordkeeping Requirements

In compliance with the Office of Management and Budget (OMB) regulations (5 CFR part 1320) which implements the Paperwork Reduction Act of 1980 (Pub. L. 96–511) and section 3504 of that Act, the information collection and recordkeeping requirements have been approved under number 0572–0032. Comments concerning these requirements should be directed to the Office of Information and Regulatory Affairs of OMB, Attention: Desk Officer for USDA, room 3201, NEOB, Washington, DC 20503.

National Environmental Policy Act Certification

The Administrator has determined that this interim final rule will not significantly affect the quality of the human environment as defined by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*). Therefore, this action does not require an environmental impact statement or assessment.

Catalog of Federal Domestic Assistance

The program described by this interim final rule is listed in the Catalog of Federal Domestic Assistance Programs under number 10.850 Rural Electrification Loans and Loan Guarantees and number 10.851 Rural Telephone Loans and Loan Guarantees. This catalog is available on a subscription basis from the Superintendent of Documents, the United States Government Printing Office, Washington, DC 20402–9325.

Executive Order 12372

This interim final rule is excluded from the scope of Executive Order 12372, Intergovernmental Consultation. A Notice of Final Rule entitled Department Programs and Activities Excluded from Executive Order 12372 (50 FR 47034) exempts REA loans from coverage under this Order.

Background

REA is adding a new subpart to part 1786 to implement Public Law 103–66 cited as Subtitle B—Rural Electrification of the Omnibus Reconciliation Act of 1993. Subtitle B of Public Law 103–66 added a new section 306C to the Rural Electrification Act of 1936 (RE Act) (7 U.S.C. 901 *et seq.*) to enable a borrower of REA guaranteed electric and telephone loans from the Federal Financing Bank (FFB) to prepay or refinance existing high interest FFB loans by paying a prepayment premium. Under section 306C the borrower may choose to pay the premium with internally generated funds or with

private financing, or to increase the principal of the refinanced FFB loan balance by the amount of the premium. The prepayment premiums will be calculated by the lender (FFB) pursuant to sec. 306C of the RE Act.

Generally FFB intends to limit refinancings and prepayments to minimums of $100,000 or to the full amount of an advance outstanding at the time of the refinancing or prepayment. Refinancings and prepayments of smaller amounts will be considered depending on practical constraints of the FFB and REA.

This interim final rule does provide procedures for all FFB borrowers to exercise additional options afforded to them under sec. 306C of the RE Act which were not previously available under existing notes. Specifically the borrowers can choose: To finance the amount of the premium through FFB; any of several short or long term market rate options; and one of three methods of amortization of principal offered by FFB.

Borrowers that require special considerations such as borrowers that would need to renegotiate the terms of their debt restructuring agreement, telephone borrowers who are required to meet certain terms of their indenture, those borrowers who have amended their old form note or have already repriced prior to the date of this interim final rule, or have been involved in a merger or consolidation, will have to be handled on a case by case basis. Generally borrowers whose situations require these special considerations will be expected to follow the general procedures specified in this interim final rule to the extent practicable, with such additions and modifications as REA deems appropriate in particular circumstances. It is anticipated that additional requirements for this class of borrower will be promulgated in a final rule.

The Omnibus Reconciliation Act of 1993 requires that the Administrator issue interim final regulations to implement sec. 306C of the RE Act not later than 45 days after enactment of that legislation which was August 10, 1993. The effective date is the date of publication because of the legislative requirement that it be issued within 45 days of the date of that legislation.

List of Subjects in 7 CFR Part 1786

Accounting, Administrative practice and procedure, Electric utilities, Loan programs—communications, Loan program—energy, Rural areas, Telephone.

For reasons set forth in the preamble, REA amends title 7, chapter XVII, of the Code of Federal Regulations as follows:

PART 1786—PREPAYMENT OF REA GUARANTEED AND INSURED LOANS TO ELECTRIC AND TELEPHONE BORROWERS

1. The authority citation for subpart B continues to read as follows:

Authority: 7 U.S.C. 901–950b; title I, subtitle B, Pub. L. 99–509; title I, Pub. L. 100–202; Pub. L. 100–203; title VI, Pub. L. 100–460; Delegation of authority by the Secretary of Agriculture, 7 CFR 2.23; Delegation of authority by the Under Secretary for Small Community and Rural Development, 7 CFR 2.72.

2. The heading for subpart B is revised to read as follows:

Subpart B—Prepayment of REA Guaranteed Federal Financing Bank Loans Pursuant to Section 306(A) of the RE Act

3. Subpart F is added and reserved and subpart G is added to part 1786 to read as follows:

Subpart F—[Reserved]

Sec.
1786.150–1786.199 [Reserved]

Subpart G—Refinancing and Prepayment of REA Guaranteed FFB Loans Pursuant to Section 306(c) of the RE Act

Sec.
1786.200 Purpose.
1786.201 Definitions and rules of construction.
1786.202 Prepayment and refinancing of REA guaranteed FFB loans.
1786.203 Special considerations.
1786.204 Limitations.
1786.205 Application procedure.
1786.206 Refinancing note.
1786.207 Prepayment premium.
1786.208 Increased principal.
1786.209 Outstanding loan documents.
1786.210 Approvals.

Subpart F—[Reserved]

§§ 1786.150–1786.199 [Reserved]

Subpart G—Refinancing and Prepayment of REA Guaranteed FFB Loans Pursuant to Section 306(c) of the RE Act

Authority: 7 U.S.C. 901 *et seq.*; Delegation of authority by the Secretary of Agriculture, 7 CFR 2.23, Delegation of authority by the Under Secretary for Small Community and Rural Development, 7 CFR 2.72; sec. 1201(b) of subtitle B of title 1 of Pub. L. 103–66, 107 Stat. 312.

§ 1786.200 Purpose.

This subpart sets forth the policies and procedures of REA through the existing FFB program, whereby borrowers may prepay and refinance, outstanding FFB Notes evidencing electric or telephone loans with FFB, pursuant to the provisions of section 306(C) of the RE Act as added by Public Law 103–66, 107 Stat. 312, enacted August 10, 1993.

§ 1786.201 Definitions and rules of construction.

(a) *Definitions.* As used in this subpart:

Administrator means the Administrator of the Rural Electrification Administration (REA).

Borrower means any organization which has an outstanding note(s) evidencing electric or telephone loans guaranteed by REA, from FFB.

Business day means any such day on which both the Federal Financing Bank and Federal Reserve Bank—New York are open for business.

Electric loan means a loan made by FFB and guaranteed by REA under section 306 of the RE Act for electric service.

FFB means the Federal Financing Bank, an instrumentality and wholly owned corporation of the United States.

Government means the United States of America, acting through the Administrator of the Rural Electrification Administration.

Loan guarantee means REA's guarantee under section 306 of the RE Act of a loan from FFB.

Payment date means the date that payment is due and is the last day in a calendar quarter.

Prepayment penalty means the same as prepayment premium.

Prepayment premium shall have the meaning set forth at § 1786.207.

RE Act means the Rural Electrification Act of 1936, as amended (7 U.S.C. 901 *et seq.*).

REA means the Rural Electrification Administration, an agency of the United States Department of Agriculture.

REA loan contract means the agreement, as amended, supplemented, or restated from time to time, between a borrower and REA providing for loans or loan guarantees pursuant to the RE Act.

REA mortgage means collectively those mortgages and security agreements made by and between the borrower and the Government, securing indebtedness evidencing electric and telephone loans or loan guarantees made pursuant to RE Act. The term includes such mortgages regardless whether third parties are mortgagees with REA.

Refinancing note shall have the meaning set forth at § 1786.206.

Supplemental lender means a private lender whose loan to the borrower is secured under an REA mortgage.

Telephone loan means a loan made by FFB and guaranteed by REA under section 306 of the RE Act for telephone service.

(b) *Rules of construction.* Unless the context shall otherwise indicate, the terms defined in paragraph (a) of this section include the plural as well as the singular, and the singular as well as the plural. The words "herein," "hereof" and "hereunder", and words of similar import, refer to this subpart as a whole.

§ 1786.202 Prepayment and refinancing of REA guaranteed FFB loans.

The borrower of an electric or telephone loan made by the FFB and guaranteed by REA under section 306 of the RE Act may, at the option of the borrower, refinance or prepay a loan or an advance on the loan, or any portion of the loan or advance in accordance with section 306C of the RE Act, after meeting certain conditions using the procedures prescribed in the note. After refinancing existing notes under this section, additional prepayments or refinancings will be governed by the terms of the refinancing note(s).

§ 1786.203 Special considerations.

Generally all FFB borrowers with loans guaranteed by REA whose FFB notes have not been accelerated are eligible to prepay or refinance under this part. All requests for prepayment or refinancing will be processed in accordance with this subpart except that some requests for refinancing and prepayments are more complicated and thus will involve special considerations. These requests will have to be handled on a case by case basis and include:

(a) Telephone borrowers who are required to meet certain terms of their indenture;

(b) Borrowers who have amended their old form note or have already repriced prior to September 30, 1993;

(c) Borrowers that have been involved in a merger or consolidation;

(d) Borrowers whose obligations to REA, FFB notes, or security instruments differ from those normally used;

(e) A request to prepay or refinance an amount of less than $100,000 or an amount of less than the full amount of an advance outstanding; or

(f) A request to prepay or refinance a note that includes unadvanced loan funds.

§ 1786.204 Limitations.

(a) No more than three refinancing notes will be executed for any borrower per calendar year.

(b) The borrower may not select a term for the refinanced advance that ends after the maturity date set for that advance.

§ 1786.205 Application procedure.

(a) Any borrower seeking to prepay or refinance an advance from the FFB under this subpart should apply by letter to the appropriate REA Regional Director or, in the case of power supply borrowers, to the Director of the Power Supply Division. The borrower will be required to submit applications and elections in a digital format to be supplied by REA. The application letter shall provide the following:

(1) Borrower's REA designation;

(2) Borrower's name and address;

(3) Listing of each note to be prepaid by loan designation, REA note number, REA account number, advance date, maturity date, original amount, outstanding balance, and date(s) of any substitute FFB note(s) amending the original FFB Note;

(4) A statement of the borrower's intention to finance the premium by an addition to principal balance or to pay the premium in cash or with unsecured debt;

(5) A statement of the maturity options that the borrower wishes to select;

(6) Such additional information as the Administrator may request.

(b) Requests for refinancing or prepayment will ordinarily be processed in the order that they are received. Borrower's may withdraw an application by notifying the appropriate REA office in which they filed the application.

(c) When the request for prepayment or refinancing is approved for processing the borrower will be provided with appropriate instructions, documents and forms which may include but are not limited to the following:

(1) An FFB refinancing note;

(2) Resolution of Board of Directors;

(3) Legal Opinion;

(4) Certificate of Secretary;

(5) Waiver of Notice;

(6) Notice to borrower electing an effective date other than a scheduled quarterly payment date (if applicable);

(7) Documentation of obligations secured pursuant to section 1786.208 if any; and

(8) Security instrument.

(Approved by the Office of Management and Budget under control number 0572–0032)

§ 1786.206 Refinancing note.

(a) REA will issue a replacement guaranty for refinancing notes delivered to FFB to replace and substitute for existing FFB notes in connection with any refinancing by FFB pursuant to section 306C of the RE Act.

(b) Generally, refinancing notes will, to the extent practicable, consolidate all of a borrower's existing FFB notes which have been guaranteed by REA and containing terms and conditions as FFB may require and REA and the borrower may accept.

(c) Notwithstanding any contrary provision contained in this subpart, REA will given preference to processing refinancings that utilize a generic form of refinancing note in the event that FFB prescribes one.

§ 1786.207 Prepayment premium.

(a) A premium shall be assessed against a borrower that refinances or prepays a loan or loan advance, or any portion of a loan or advance, under this section. REA will collect the prepayment premium as calculated by FFB. FFB will calculate this premium as described in this section. Except as provided in paragraph (b) of this section, the premium shall be equal to the lesser of:

(1) The difference between the outstanding principal balance of the loan being refinanced and the present value of the loan discounted at a rate equal to the then current cost of funds to the Department of the Treasury for obligations of comparable maturity to the loan being refinanced or prepaid;

(2) 100 percent of the amount of interest for 1 year on the outstanding principal balance of the loan or loan advance, or any portion of the loan or advance, being refinanced, multiplied by the ratio that:

(i) The number of quarterly payment dates between the date of the refinancing or prepayment and the maturity date for the loan advance; bears to

(ii) The number of quarterly payment dates between the first quarterly payment date that occurs 12 years after the end of the year in which the amount being refinanced was advanced and the maturity date of the loan advance; and

(3)(i) The present value of 100 percent of the amount of interest for 1 year on the outstanding principal balance of the loan or loan advance, or any portion of the loan or advance, being refinanced or prepaid; plus

(ii) For the interval between the date of the refinancing or prepayment and the first quarterly payment date that occurs 12 years after the end of the year in which the amount being refinanced or prepaid was advanced, the present value of the difference between:

(A) Each payment scheduled for the interval on the loan amount being refinanced or prepaid; and

(B) The payment amounts that would be required during the interval on the amounts being refinanced or prepaid if the interest rate on the loan were equal to the then current cost of funds to the Department of the Treasury for obligations of comparable maturity to the loan being refinanced or prepaid.

(b)(1) Except as provided in paragraph (b)(2) of this section, the premium provided by paragraph (a)(1) of this section shall be required for refinancing or prepayment under this section.

(2) In the case of a loan advanced under an agreement that permits the refinancing or prepayment of the loan advance based on the payment of 1 year of interest on the outstanding principal balance of the loan advance, a borrower may, in lieu of the premium required by paragraph (a)(1) of this section, pay a premium as provided by:

(i) Paragraph (a)(2) of this section, if the loan advance has reached the 12-year maturity required under the loan agreement for the refinancing or prepayment; or

(ii) Paragraph (a)(3) of this section, if the loan advance has not reached the 12-year maturity required under the loan agreement for the refinancing or prepayment.

§ 1786.208 Increased principal.

A borrower can meet the premium requirements by increasing the outstanding principal balance of the loan advance that is being refinanced. If it does so the borrower shall make a payment at the time of the refinancing equal to 2.5 percent of the amount of the premium that is added to the outstanding principal balance of the loan.

§ 1786.209 Outstanding loan documents.

(a) Except as expressly provided in this subpart, the borrower shall comply with all provisions of its REA loan contract, its outstanding notes issued to REA, and the REA mortgage.

(b) Nothing in this subpart shall affect any rights of supplemental lenders under the REA mortgage or the rights of any other creditors of the borrower.

(c) Nothing in this subpart shall prohibit a borrower from making prepayments on any loans pursuant to the RE Act in accordance with the terms thereof or as may be otherwise permitted by law.

§ 1786.210 Approvals.

The borrower shall be responsible for obtaining all approvals necessary to consummate the transaction as required by the refinancing note, including such approvals as may be required by regulatory bodies and other lenders.

Dated: September 24, 1993.

Bob J. Nash,

Under Secretary, Small Community and Rural Development.

[FR Doc. 93–23967 Filed 9–28–93; 8:50 am]

BILLING CODE 3410–15–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 93–ANM–23]

Alteration of VOR Federal Airways; Colorado

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action alters Federal Airways V–8 between Grand Junction, CO; Rifle, CO; and Kremmling, CO; V–220 between Grand Junction, CO; Rifle, CO; and Meeker, CO. This action will realign V–8 and V–220 over the non-Federal Very High Frequency Omnidirectional Range/Distance Measuring Equipment (VOR/DME) facility located on the Garfield County Regional Airport in Rifle, CO. Realignment of these airways will result in lower minimum en route altitudes and support an instrument approach procedure for the Garfield County Regional Airport. This action will realign V–361 between Montrose, CO, and Red Table, CO, to support the instrument landing system (ILS) approach procedure to Montrose Airport. The alteration of these airways will enhance pilot safety and traffic flow in inclement weather conditions.

EFFECTIVE DATE: 0901 u.t.c., November 11, 1993.

FOR FURTHER INFORMATION CONTACT: Norman W. Thomas, Airspace and Obstruction Evaluation Branch (ATP–240), Airspace-Rules and Aeronautical Information Division, Air Traffic Rules and Procedures Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267–9230.

SUPPLEMENTARY INFORMATION:

The Rule

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) alters VOR Federal Airways V–8 from Grand Junction, CO; Rifle, CO; to Kremmling, CO; V–220 from Grand Junction, CO; Rifle, CO; to Meeker, CO; and V–361 between Montrose, CO, and Red Table, CO. This action will realign V–8 and V–220 over the newly installed non-Federal VOR/DME navigational facility located on the Garfield County Regional Airport in Rifle, CO. Realignment of these airways will result in lower minimum en route altitudes and support an instrument approach procedure for the Garfield County Regional Airport. The alteration of these airways will enhance safety and traffic flow in inclement mountain weather conditions. I find that notice and public procedure under 5 U.S.C. 553(b) are impracticable because immediate corrective action is required in the interest of flight safety. Domestic VOR Federal airways are published in paragraph 6010(a) of FAA Order 7400.9A dated June 17, 1993, and effective September 16, 1993, which is incorporated by reference in 14 CFR 71.1 (58 FR 36298; July 6, 1993). The airways listed in this document will be published subsequently in the Order.

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

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 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. app. 1348(a), 1354(a), 1510; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 49 U.S.C. 106(g); 14 CFR 11.69.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9A,

Airspace Designations and Reporting Points, dated June 17, 1993, is amended as follows:

Paragraph 6010(a)—Domestic VOR Federal Airways

* * * * *

V–8 [Revised]

From INT Seal Beach, CA, 266° and Ventura, CA, 144° radials; Seal Beach; Paradise, CA; 35 miles, 7 miles wide (3 miles SE and 4 miles NW of centerline) Hector, CA; Goffs, CA; INT Goffs 033° and Morman Mesa, NV, 196° radials; Morman Mesa; Bryce Canyon, UT; Hanksville, UT; Grand Junction, CO; Rifle, CO; Kremmling, CO; 9 miles 130 MSL, 29 miles 144 MSL, 11 miles 127 MSL, Denver, CO; Akron, CO; Hayes Center, NE; Grand Island, NE; Omaha, NE; Des Moines, IA; Iowa City, IA; Moline, IL; Joliet, IL; Chicago Heights, IL; Goshen, IN; Findlay, OH; Mansfield, OH; Briggs, OH; Bellaire, OH; INT Bellaire 107° and Grantsville, MD, 285° radials; Grantsville; Martinsburg, WV; to Washington, DC. The portion outside the United States has no upper limit.

* * * * *

V–220 [Revised]

From Grand Junction, CO; INT Grand Junction 075° and Rifle, CO, 163° radials; Rifle; Meeker, CO; Hayden, CO; Kremmling, CO; 12 miles, 130 MSL, 32 miles, 147 MSL, 8 miles, 115 MSL INT Kremmling 081° and Denver, CO, 325° radials; Denver; INT Denver 058° and Akron, CO, 273° radials; Akron; INT Akron 094° and McCook, NE, 264° radials; McCook; INT McCook 072° and Grand Island, NE, 241° radials; Kearney, NE; Hastings, NE; Columbus, NE. From Norfolk, NE; Yankton, SD; INT Yankton 015° and Sioux Falls, SD, 231° radials; Sioux Falls; INT Sioux Falls 004° and Watertown, SD, 154° radials; Watertown; INT Watertown 021° and Fargo, ND, 172° radials; Fargo; INT Fargo 004° and Grand Forks, ND, 152° radials; to Grand Forks.

* * * * *

V–361 [Revised]

From Farmington, NM; Montrose, CO; INT Montrose 025° and Red Table, CO, 224° radials; Red Table; Kremmling, CO; via INT Kremmling 059° and Cheyenne, WY, 215° radials; to Cheyenne.

* * * * *

Issued in Washington, DC, on September 22, 1993.

Harold W. Becker,

Manager, Airspace-Rules and Aeronautical Information Division.

[FR Doc. 93–23882 Filed 9–29–93; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 514

New Animal Drugs; Removal of an Obsolete Regulation

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending its animal drug regulations by removing a section pertaining to hearing procedures. The agency published a document entitled "New Animal Drugs; Removal of Obsolete Regulations" that removed certain procedural regulations. At that time, the agency inadvertently omitted the removal of the section on hearing procedures. This document removes that section.

EFFECTIVE DATE: September 30, 1993.

FOR FURTHER INFORMATION CONTACT: John W. Borders, Center for Veterinary Medicine (HFV–238), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301–594–1737.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of May 26, 1989 (54 FR 22741), FDA removed obsolete regulations from parts 510 and 514 (21 CFR parts 510 and 514) that contain procedures for the certification of new animal drugs that are composed wholly or partly of any kind of penicillin, streptomycin, chlortetracycline, chloramphenicol, or bacitracin. The agency inadvertently omitted the removal of § 514.210 that pertains to hearings pursuant to § 514.155, which was removed by the May 26, 1989, document. Therefore, FDA is removing § 514.210.

Under section 553(b), (d), and (e) of the Administrative Procedure Act (5 U.S.C. 553(b), (d), and (e)) and under 21 CFR 10.40(c)(4)(ii), (d), and (e), the Commissioner has determined that public procedure and delayed effective date are unnecessary and contrary to the public interest because this action merely removes hearing procedures which are no longer applicable in light of the previous removal of § 514.155 by the May 26, 1989, document.

List of Subjects in 21 CFR Part 514

Administrative practice and procedure, Animal drugs, Confidential business information, Reporting and recordkeeping requirements.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, part 514 is amended as follows:

PART 514—NEW ANIMAL DRUG APPLICATIONS

1. The authority citation for 21 CFR part 514 is revised to read as follows:

Authority: Secs. 501, 502, 512, 701, 721, 801 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351, 352, 360b, 371, 379e, 381).

§ 514.210 [Removed]

2. Section 514.210 *Hearing procedure* is removed.

Dated: September 24, 1993.

Michael R. Taylor,

Deputy Commissioner for Policy.

[FR Doc. 93–23910 Filed 9–29–93; 8:45 am]

BILLING CODE 4160–01–F

DEPARTMENT OF DEFENSE

Department of the Army

32 CFR Part 505

[Department of the Army Pamphlet 25–51]

Army Privacy Program

AGENCY: Department of the Army, DOD.

ACTION: Final rule.

SUMMARY: The Department of the Army amends the Army Privacy Program, by reassigning responsibilities for Access and Amendment Refusal Authority to conform with the reorganization of the Department of the Army as a result of the Goldwater-Nichols Department of Defense Reorganization Act of 1986, and other organizational realignments. The final rule also established policy for the delegation of Access and Amendment Refusal Authority responsibilities and the disclosure of records for agency use in litigation.

EFFECTIVE DATE: September 30, 1993.

FOR FURTHER INFORMATION CONTACT: Mr. William Walker at (703) 614–3729.

SUPPLEMENTARY INFORMATION: **Executive Order 12291.** The Director, Administration and Management, Office of the Secretary of Defense has determined that this Privacy Act rule for

the Department of Defense is not a major rule. Analysis of the rule indicates that it does not have an annual effect on the economy of $100 million or more; does not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; and does not have a significant adverse effect on competition, employment, investment, productivity, or innovation.

Regulatory Flexibility Act of 1980. The Director, Administration and Management, Office of the Secretary of Defense certifies that this Privacy Act rule for the Department of Defense does not have significant economic impact on a substantial number of small entities because it is concerned only with the administration of Privacy Act systems of records within the Department of Defense.

Paperwork Reduction Act. The Director, Administration and Management, Office of the Secretary of Defense certifies that this Privacy Act rule for the Department of Defense imposes no information requirements beyond the Department of Defense and that the information collected within the Department of Defense is necessary and consistent with 5 U.S.C. 552a, known as the Privacy Act of 1974.

The Department of the Army published an amendment to 32 CFR part 505, The Army Privacy Program, on December 31, 1992, at 57 FR 62531. No comments were received, therefore, the Department of the Army has adopted the revision.

List of Subjects in 32 CFR Part 505

Privacy.

Accordingly, the Department of the Army amends 32 CFR part 505 as follows:

1. The authority citation for 32 CFR part 505 reads as follows:

Authority: Pub. L. 93–579, 88 Stat 1896 (5 U.S.C. 552a).

2. Section 505.1 is amended by revising paragraphs (d)(1) and (d)(2); (g), introductory text, (g)(1) through (g)(20); and (h).

§ 505.1 General information.

* * * * *

(d) *Responsibilities.* (1) The Director of Information Systems for Command, Control, Communications, and Computers (DISC4) is responsible for issuing policy and guidance for the Army Privacy Program in consultation with the Army General Counsel.

(2) The Commander, U.S. Army Information Systems Command is responsible for developing policy for and executing the Privacy Act Program under the policy and guidance of the DISC4.

* * * * *

(g) *Access and Amendment Refusal Authority (AARA).* Each Access and Amendment Refusal Authority (AARA) is responsible for action on requests for access to, or amendment of, records referred to them under this part. The officials listed below are the only AARA for records in their authority. Authority may be delegated to an officer or subordinate commander. All delegations must be in writing. If an AARA's delegate denies access or amendment, the delegate must clearly state that he or she is acting on behalf of the AARA and identify the AARA by name and position in the written response to the requester. Denial of access or amendment by an AARA's delegate must have appropriate legal review. Delegations will not be made below the colonel (06) or GS/GM-15 level. Such delegations must not slow Privacy actions. AARAs will send the names, offices, telephone numbers of heir delegates to the Director of Information Systems for Command, Control, Communications and Computers, Headquarters, Department of the Army, ATTN: SAIS-IDP, Washington, DC 20310–0107; and the Department of the Army Privacy Review Board, Crystal Square 1, Suite 201, 1725 Jefferson Davis Highway, Arlington, VA 22202.

(1) The Administrative Assistant to the Secretary of the Army (AASA) for records of the Secretariat and its serviced activities, to include the personnel records maintained by the General Officer Management Office, personnel records pertaining to Senior Executive Service personnel serviced by the Office of the Secretary of the Army (OSA), and Equal Employment Opportunity (EEO) records from offices serviced by the OSA. The AASA will also serve as AARA for those records requiring the personal attention of the Secretary of the Army.

(2) The Inspector General (TIG) for TIG investigative records.

(3) The president or executive secretary of boards, councils, and similar bodies established by the Department of the Army to consider personnel matters, including the Army Board of Correction of Military Appeals, for records under their purview.

(4) The Deputy Chief of Staff for Personnel (DCSPER) for records of active and former non-appropriated fund employees (except those in the Army and Air Force Exchange Service), alcohol and drug abuse treatment records, behavioral science records, recruiting, Armed Services Vocational Aptitude Battery (ASVAB), equal opportunity, Junior Reserve Officers' Training Corps (ROTC), Senior ROTC Instructor, military academy cadet, selection, promotion, and reduction boards; special review boards; professional staff informational records; and entrance processing records (when records pertain to those not entering active duty).

(5) The Deputy Chief of Staff for Operations and Plans (DCSOPS) for military police records and reports and prisoner confinement and correctional records.

(6) Chief of Engineers (COE) for records pertaining to civil work (including litigation), military construction, engineer procurement, other engineering matters not under the purview of another AARA, ecology, and contractor qualifications.

(7) The Surgeon General (TSG) for medical records, except properly part of the Official Personnel Folder (OPM/GOVT–1 system of records).

(8) Chief of Chaplains (CCH) for ecclesiastical records.

(9) The Judge Advocate General (TJAG) for legal records under TJAG responsibility.

(10) Chief, National Guard Bureau (NGB) for personnel records of the Army National Guard.

(11) Chief, Army Reserve (CAR) for personnel records of Army retired, separated and reserve military personnel members.

(12) Commander, United States Army Material Command (USAMC) for records of Army contractor personnel of the Army Material Command.

(13) Commander, United States Army Criminal Investigation Command (USACIDC) for criminal investigation reports and military police reports included therein.

(14) Commander, United States Total Army Personnel Command (PERSCOM) for personnel and personnel related records of Army members on active duty and current Federal appropriated fund civilian employees. (Requests from former civilian employees to amend a record in any OPM system of records such as the Official Personnel Folder should be sent to the Office of Personnel Management, Assistant Director for Workforce Information, Compliance and Investigations Group, 1900 E Street, NW, Washington, DC 20415-0001.

(15) Commander, U.S. Army Community and Family Support Center (USACFSC) for records relating to morale, welfare and recreation

activities; community life programs; family action programs, retired activities, club management, Army emergency relief, consumer protection, retiree survival benefits, and records dealing with Department of the Army relationships and social security veteran's affairs, United Service Organizations, U.S. Soldiers' and Airmen's home and American Red Cross.

(16) Commander, U.S. Army Intelligence and Security Command (INSCOM) for intelligence, investigative and security records; foreign scientific and technological information; intelligence training, mapping and geodesy information; ground surveillance records; intelligence threat assessments; and missile intelligence data relating to tactical land warfare systems.

(17) Commander, Army and Air Force Exchange Service (AAFES) for records pertaining to employees, patrons, and other matters which are the responsibility of the Exchange Service.

(18) Commander, Military Traffic Management Command (MTMC) for transportation records.

(19) Director of Army Safety for safety records.

(20) Commander, U.S. Army Information Systems Command (USAISC) for records which do not fall within the functional area of another AARA.

(h) *Department of the Army Privacy Review Board.* The Department of the Army Privacy Review Board acts on behalf of the Secretary of the Army in deciding appeals from refusal of the appropriate AARAs to amend records. Board membership is comprised of the AASA, the Commander, USAISC, Pentagon, and TJAG, or their representatives. The AARA may serve as a nonvoting member when the Board considers matters in the AARA's area of functional specialization. The Commander, USAISC, Pentagon, chairs the Board and provides the recording secretary.

* * * * *

3. Section 505.3 is amended by revising paragraphs (b)(10)(i) through (iv) and (b)(11)(i) through (iv).

§ 505.3 Disclosure of personal information to other agencies and third parties.

* * * * *

(b) * * *

(10) *Disclosure to the Department of Justice for Litigation.* Records may be disclosed as a routine use to any component of the Department of Justice when—

(i) The agency, or any component there of, or

(ii) Any employee of the agency in his or her official capacity, or

(iii) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee, or

(iv) The United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which it is collected.

(11) *Disclosure for Agency use in Litigation.* A record may be disclosed in a matter before a court or adjudicative body before which the agency is authorized to appear when—

(i) The agency, or any component there of, or

(ii) Any employee of the agency in his or her official capacity, or

(iii) Any employee of the agency in his or her official capacity where the Department of Justice has agreed to represent the employee, or

(iv) The United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the agency determines that their use of such records is relevant and necessary to the litigation, provided; however, that in each case, the agency determines that disclosure of the records to the court or adjudicative body is a use of the information contained in the records that is compatible with the purpose for which it is collected.

* * * * *

Dated: September 13, 1993.

L. M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 93–23904 Filed 9–29–93; 8:45 am]

BILLING CODE 5000–04–F

DEPARTMENT OF EDUCATION

34 CFR Part 81

RIN 1880–AA35

General Education Provisions Act; Enforcement

AGENCY: Department of Education.

ACTION: Final regulations; correction.

SUMMARY: This document corrects an error made in the final regulations amending 34 CFR part 81 (General Education Provisions Act—Enforcement) published in the Federal Register on August 16, 1993 (58 FR 43472).

FOR FURTHER INFORMATION CONTACT: Frank J. Furey, Director, Office of Hearings and Appeals, U.S. Department of Education, 400 Maryland Avenue SW., Washington, DC 20202–3644. Telephone (202) 732–1828. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

Dated: September 27, 1993.

Judith A. Winston,

General Counsel.

(Catalog of Federal Domestic Assistance Number does not apply)

The following correction is made in FR Doc. 93–19796, 58 FR 43472 in the issue of August 16, 1993:

§ 81.37 [Corrected]

On page 43474, column 1, item 8, § 81.37(a), add "Office of Administrative Law Judges, c/o Docket Clerk," before the words "Office of Hearings and Appeals".

[FR Doc. 93–24005 Filed 9–29–93; 8:45 am]

BILLING CODE 4000–01–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[PP 2F4098/R2016; FRL–4646–1]

RIN 2070–AB78

Puccinia Canaliculata (ATCC 40199); Exemption from the Requirement of a Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This document establishes an exemption from the requirement of a tolerance for residues of the biological

pesticide *Puccinia canaliculata* (ATCC 40199) in or on all raw agricultural commodities when used as a herbicide for the control of the weed yellow nutsedge (*Cyperus esculentus*) in agricultural crops in accordance with good agricultural practices. This exemption was requested by Tifton Innovation Corp.

EFFECTIVE DATE: This regulation becomes effective September 30, 1993.

ADDRESSES: Written objections, identified by the document control number, [PP 2F4098/R2016], may be submitted to: Hearing Clerk (A-110), Environmental Protection Agency, Rm. M3708, 401 M St., SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: By mail: Clarence O. Lewis, III, Acting Product Manager (PM) 21, Registration Division (H7505C), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 227, CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703)-305-6900.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of June 10, 1992 (57 FR 24644), EPA issued a notice announcing that Tifton Innovation Corp., 1009 N. Central Ave., Tifton, GA 31794, had submitted pesticide petition (PP) 2F4098 to EPA proposing to amend 40 CFR part 180 by establishing a regulation pursuant to the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 346a and 371, to exempt from the requirement of a tolerance, the residues of the biological pesticide *Puccinia canaliculata* (ATCC 40199) in or on all raw agricultural commodities when used as a herbicide in agricultural crops in accordance with good agricultural practices. No comments were received in response to the notice.

This organism is a naturally occurring indigenous strain of *Puccinia canaliculata* which is a macrocyclic, heteroecious fungal rust and which has an obligate parasite-host relationship with the weed yellow nutsedge (*Cyperus esculentus*). This rust is found throughout North America and Central America and has been reported in other parts of the world. The product containing this organism is intended to control yellow nutsedge in crop areas infested with this weed. The product will be foliarly applied to nutsedge plants when they are at least 6 inches in height.

The data submitted in the petition and other relevant material have been evaluated. The toxicological data considered in support of the exemption from the requirement of a tolerance include an acute oral toxicity/pathogenicity study, an acute pulmonary toxicity/pathogenicity study, and an acute intraperitoneal toxicity/pathogenicity study.

A review of these studies indicated that the organism was not pathogenic or infective to test animals in any of the studies. *Puccinia canaliculata* was toxic to the mouse at high levels in the acute intraperitoneal toxicity/pathogenicity study. Treatment-related toxicity to the rat was not evident in the submitted acute oral toxicity test data. No toxicity was demonstrated in the acute pulmonary toxicity/pathogenicity test; however, spores were not cleared from the lungs of the treated animals. Data on hypersensitivity indicated that no allergic effects have been observed in personnel exposed to the organism.

Mortality to treated mice was observed in the acute intraperitoneal toxicity/pathogenicity study. The mortality was not related to any inherent toxicity or pathogenicity of the organism, but rather was attributed primarily to physical effects due to the large size and quantity of spores administered to the animals. There would be no comparable exposure of humans or animals under natural conditions to the exposure in this test so the mortality would not be relevant to normal use conditions for the product. Additionally, the maximum human exposure to the fungal spores would be so far below those levels causing mortality in mice that there should be no adverse human health risk from the use of this organism as a biological control agent. Although no treatment-related toxicity was seen in the acute pulmonary toxicity/pathogenicity test, the spores were not cleared from the lungs. The potential for harmful effects due to long-term residence of fungal spores in the rodent lung, or precisely how this persistence would relate to human pulmonary physiology and responses, is not known. It must be assumed that these effects are potentially detrimental; therefore, appropriate protective measures will be required on the label to prevent exposure throught inhalation. All of the toxicity studies submitted are considered acceptable. The toxicity data provided are sufficient to show that there are no foreseeable health hazards to humans or domestic animals likely to arise from the use of this organism as a herbicide on agricultural crops.

Acceptable daily intake (ADI) and maximum permissible intake (MPI) considerations are not relevant to this petition because the data submitted demonstrated that this biological control agent is not toxic to humans by dietary exposure. No enforcement actions are expected. Therefore, the requirement for an analytical method for enforcement purposes is not applicable to this exemption request. This is the first exemption from the requirement of a tolerance for this biological control agent.

Puccinia canaliculata (ATCC 40199) is considered useful for the purposes for which the exemption from the requirement of a tolerance is sought. Based on the information considered, the Agency concludes that establishment of a tolerance is not necessary to protect the public health. Therefore, the regulation is established as set forth below.

Any person adversely affected by this regulation may, within 30 days after publication of this document in the **Federal Register**, file written objections with the Hearing Clerk, at the address given above (40 CFR 178.20). The objections submitted must specify the provisions of the regulation deemed objectionable and the grounds for the objections (40 CFR 178.25). Each objection must be accompanied by the fee prescribed by 40 CFR 180.33(i). If a hearing is requested, the objections must include a statement of the factual issue(s) on which a hearing is requested, the requestor's contentions on such issues, and a summary of any evidence relied upon by the objector (40 CFR 178.27). A request for a hearing will be granted if the Administrator determines that the material submitted shows the following: There is a genuine and substantial issue of fact; there is a reasonable possibility that available evidence identified by the requestor would, if established, resolve one or more of such issues in favor of the requestor, taking into account uncontested claims or facts to the contrary; and resolution of the factual issue(s) in the manner sought by the requestor would be adequate to justify the action requested (40 CFR 178.32).

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-354, 94 Stat. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the **Federal Register** of May 4, 1981 (46 FR 24950).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: September 16, 1993.

Douglas D. Campt,

Director, Office of Pesticide Programs.

Therefore, 40 CFR part 180 is amended as follows:

PART 180—[AMENDED]

1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 346a and 371.

2. By adding new § 180.1123 to subpart D, to read as follows:

§ 180.1123 Puccinia canaliculata (ATCC 40199); exemption from the requirement of a tolerance.

The biological pesticide *Puccinia canaliculata* (ATCC 40199) is exempted from the requirement of a tolerance in or on all raw agricultural commodities when used as a herbicide in agricultural crops in accordance with good agricultural practices.

[FR Doc. 93–24060 Filed 9–29–93; 8:45 am]

BILLING CODE 6560–50–F

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 65

Changes in Flood Elevation Determinations

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Final rule.

SUMMARY: Modified base (100-year) flood elevations are finalized for the communities listed below. These modified elevations will be used to calculate flood insurance premium rates for new buildings and their contents.

EFFECTIVE DATES: The effective dates for these modified base flood elevations are indicated on the following table and revise the Flood Insurance Rate Map(s) (FIRMs) in effect for each listed community prior to this date.

ADDRESSES: The modified base flood elevations for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the following table.

FOR FURTHER INFORMATION CONTACT: William R. Locke, Chief, Risk Studies Division, Federal Insurance Administration, 500 C Street, SW., Washington, DC 20472, (202) 646–2766.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency gives notice of the final determinations of modified base flood elevations for each community listed. These modified elevations have been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Administrator has resolved any appeals resulting from this notification.

The modified base (100-year) flood elevations are not listed for each community in this notice. However, this rule includes the address of the Chief Executive Officer of the community where the modified base flood elevation determinations are available for inspection.

The modifications are made pursuant to section 206 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and with 44 CFR part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The modified base (100-year) flood elevations are the basis for the floodplain management measures that the community is required to either adopt or to show evidence of being already in effect in order to qualify or to remain qualified for participation in the National Flood Insurance Program.

These modified elevations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own, or pursuant to policies established by other Federal, state or regional entities.

These modified elevations are used to meet the floodplain management requirements of the NFIP and are also used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in these buildings.

The changes in base flood elevations are in accordance with 44 CFR 65.4.

National Environmental Policy Act

This rule is categorically excluded from the requirements of 44 CFR Part 10, Environmental Consideration. No environmental impact assessment has been prepared.

Regulatory Flexibility Act

The Federal Insurance Administrator has determined that this rule is exempt from the requirements of the Regulatory Flexibility Act because modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are required to maintain community eligibility in the National Flood Insurance Program. No regulatory flexibility analysis has been prepared.

Regulatory Impact Analysis

This rule is not a major rule under Executive Order 12291, February 17, 1981. No regulatory impact analysis has been prepared.

Executive Order 12612, Federalism

This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

Executive Order 12778, Civil Justice Reform

This rule meets the applicable standards of section 2(b)(2) of Executive Order 12778.

List of Subjects in 44 CFR Part 65

Flood insurance, Floodplains, Reporting and recordkeeping requirements.

Accordingly, 44 CFR part 65 is amended to read as follows:

PART 65—[AMENDED]

1. The authority citation for part 65 continues to read as follows:

Authority: 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

§ 65.4 [Amended]

2. The tables published under the authority of § 65.4 are amended as follows:

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Georgia: Henry (FEMA Docket No. 7067).	City of Stockbridge	Apr. 15, 1993, April 22, 1993, *Henry Neighbor.*	The Honorable Rudy G. Kelley, Mayor, City of Stockbridge, 130 Berry Street, Stockbridge, Georgia 30281.	Apr. 7, 1993	130108 A

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance")

Dated: September 20, 1993.

Donald L. Collins,

Acting Administrator, Federal Insurance Administration.

[FR Doc. 93–23813 Filed 9–29–93; 8:45 am]

BILLING CODE 6718–03–P

44 CFR Part 65

[Docket No. FEMA–7076]

Changes in Flood Elevation Determinations

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Interim rule.

SUMMARY: This interim rule lists communities where modification of the base (100-year) flood elevations is appropriate because of new scientific or technical data. New flood insurance premium rates will be calculated from the modified base (100-year) flood elevations for new buildings and their contents.

DATES: These modified base flood elevations are currently in effect on the dates listed in the table and revise the Flood Insurance Rate Map(s) (FIRMs) in effect prior to this determination for each listed community.

From the date of the second publication of these changes in a newspaper of local circulation, any person has ninety (90) days in which to request through the community that the Administrator reconsider the changes. The modified elevations may be changed during the 90-day period.

ADDRESSES: The modified base flood elevations for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the following table.

FOR FURTHER INFORMATION CONTACT: William R. Locke, Chief, Risk Studies Division, Federal Insurance Administration, 500 C Street, SW., Washington, DC 20472, (202) 646–2766.

SUPPLEMENTARY INFORMATION: The modified base (100-year) flood elevations are not listed for each community in this interim rule. However, the address of the Chief Executive Officer of the community where the modified base flood elevation determinations are available for inspection is provided.

Any request for reconsideration must be based upon knowledge of changed conditions, or upon new scientific or technical data.

The modifications are made pursuant to section 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and with 44 CFR part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The modified base (100-year) flood elevations are the basis for the floodplain management measures that the community is required to either adopt or to show evidence of being already in effect in order to qualify or to remain qualified for participation in the National Flood Insurance Program.

These modified elevations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own, or pursuant to policies established by other Federal, state or regional entities.

The changes in base flood elevations are in accordance with 44 CFR 65.4.

National Environmental Policy Act

This rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. No environmental impact assessment has been prepared.

Regulatory Flexibility Act

The Federal Insurance Administrator has determined that this rule is exempt from the requirements of the Regulatory Flexibility Act because modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are required to maintain community eligibility in the National Flood Insurance Program. No regulatory flexibility analysis has been prepared.

Regulatory Impact Analysis

This rule is not a major rule under Executive Order 12291, February 17, 1981. No regulatory impact analysis has been prepared.

Executive Order 12612, Federalism

This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

Executive Order 12778, Civil Justice Reform

This rule meets the applicable standards of section 2(b)(2) of Executive Order 12778.

List of Subjects in 44 CFR Part 65

Flood insurance, Floodplains, Reporting and recordkeeping requirements.

Accordingly, 44 CFR part 65 is amended to read as follows:

PART 65—[AMENDED]

1. The authority citation for part 65 continues to read as follows:

Authority: 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

§ 65.4 [Amended]

2. The tables published under the authority of § 65.4 are amended as follows:

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
CA: San Diego	City of San Diego	Sept. 2, 1993, Sept. 9, 1993, *San Diego Daily Transcript.*	The Honorable Susan Golding, Mayor, City of San Diego, 202 C Street, Eleventh Floor, San Diego, California 92101.	Aug. 19, 1993	060295
California: Stanislaus	Unincorporated areas	Sept. 10, 1993, Sept. 17, 1993, *Modesto Bee.*	Mr. Nick Blom, Chairman, Stanislaus County Board of Supervisors, 1100 H Street, Modesto, California 95354.	Aug. 27, 1993	060384
Georgia: Fulton	City of Alpharetta	Sept. 1, 1993, Sept. 8, 1993, *The Roswell News.*	The Honorable Jimmy Phillips, Mayor of the City of Alpharetta, 2 South Main Street, Alpharetta, Georgia 30201.	Aug. 19, 1993	130084 B
Idaho: Ada	Unincorporated areas	Aug. 19, 1993, Aug. 26, 1993, *The Idaho Statesman.*	The Honorable Vern Bisterfeldt, Chairman, Ada County Board of Commissioners, 650 Main Street, Boise, Idaho 83702.	Aug. 11, 1993	160001
Idaho: Ada	City of Meridian	Aug. 19, 1993, Aug. 26, 1993, *The Valley News.*	The Honorable Grant Kingsford, Mayor, City of Meridian, 33 East Idaho Avenue, Meridian, Idaho 83642.	Aug. 11, 1993	160180
Michigan: Macomb	Township of Macomb	Aug. 20, 1993, Aug. 27, 1993, *The Macomb Daily.*	Mr. Daniel S. Spatafora, Macomb Township Supervisor, 19925 23 Mile Road, Macomb Township, Michigan 48042.	Aug. 12, 1993	260445 B
South Carolina: Greenville.	Unincorporated areas	Aug. 16, 1993, Aug. 23, 1993, *The Greenville News.*	Mr. John Baker, Interim Greenville County Administrator, 301 University Ridge, Suite 100, Greenville, South Carolina 29601.	Aug. 9, 1993	450089 B
Texas: Tarrant	City of Fort Worth	Aug. 20, 1993, Aug. 26, 1993, *Fort Worth Star Telegram.*	The Honorable Kay Granger, Mayor, City of Fort Worth, 1000 Throckmorton Street, Fort Worth, Texas 76102.	Aug. 12, 1993	480596
Texas: Tarrant	City of Haltom City	Aug. 20, 1993, Aug. 26, 1993, *Fort Worth Star Telegram.*	The Honorable Charles Womack, Mayor, City of Haltom City, P.O. Box 14246, Haltom City, Texas 76117.	Aug. 12, 1993	480599
Texas: Harris	City of Houston	July 22, 1993, July 24, 1993, *The Houston Post.*	The Honorable Bob Lanier, Mayor, City of Houston, P.O. Box 1562, Houston, Texas 77251.	June 28, 1993	480296

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance")

Dated: September 20, 1993.

Donald L. Collins,

Acting Administrator, Federal Insurance Administration.

[FR Doc. 93–23814 Filed 9–29–93; 8:45 am]

BILLING CODE 6718–03–P

44 CFR Part 67

Final Flood Elevation Determinations

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Final rule.

SUMMARY: Base (100-year) flood elevations and modified base (100-year) flood elevations are made final for the communities listed below.

The base (100-year) flood elevations and modified base flood elevations are the basis for the floodplain management measures that each community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATES: The date of issuance of the Flood Insurance Rate Map (FIRM) showing base flood elevations and modified base flood elevations for each community. This date may be obtained by contacting the office where the maps are available for inspection as indicated in the table below.

ADDRESSES: The final base flood elevations for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the following table.

FOR FURTHER INFORMATION CONTACT: William R. Locke, Chief, Risk Studies Division, Federal Insurance Administration, 500 C Street, SW., Washington, DC 20472, (202) 646–2766.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA or Agency) gives notice of the final determinations of base flood elevations and modified base flood elevations for each community listed. The proposed base flood elevations and proposed modified base flood elevations were published in newspapers of local circulation and an opportunity for the community or individuals to appeal the proposed determinations to or through the community was provided for a period of ninety (90) days. The proposed base flood elevations and proposed modified base flood elevations were also published in the **Federal Register.**

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR part 67.

The Agency has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR part 60.

National Environmental Policy Act

This rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. No environmental impact assessment has been prepared.

Regulatory Flexibility Act

The Federal Insurance Administrator has determined that this rule is exempt from the requirements of the Regulatory Flexibility Act because final or modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and are required to establish and maintain community eligibility in the National Flood Insurance Program. No regulatory flexibility analysis has been prepared.

Regulatory Impact Analysis

This rule is not a major rule under Executive Order 12291, February 17, 1981. No regulatory impact analysis has been prepared.

Executive Order 12612, Federalism

This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

Executive Order 12778, Civil Justice Reform

This rule meets the applicable standards of section 2(b)(2) of Executive Order 12778.

Interested lessees and owners of real property are encouraged to review the proof Flood Insurance Study and Flood Insurance Rate Map available at the address cited below for each community.

The base flood elevations and modified base flood elevations are made final in the communities listed below. Elevations at selected locations in each community are shown.

List of Subjects in 44 CFR Part 67

Administrative practice and procedure, Flood insurance, Reporting and recordkeeping requirements.

Accordingly, 44 CFR part 67 is amended as follows:

PART 67—[AMENDED]

1. 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, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

§ 67.11 [Amended]

2. The tables published under the authority of § 67.11 are amended as follows:

Source of flooding and location	#Depth in feet above ground *Elevation in feet (NGVD)
INDIANA	
Anderson (city), Madison County (FEMA Docket No. 7066)	
Boland Drainage Ditch:	
At the Road 400 South	*857
Approximately 1,500 feet upstream of Madison Avenue	*874
Maps available for inspection at the Anderson City Planning Department, 120 East Eighth Street, Anderson, Indiana.	
MINNESOTA	
Pine Island (city), Goodhue County (FEMA Docket No. 7066)	
North Branch Middle Fork Zumbro River:	
Approximately 380 feet downstream of Main Street	*996
Approximately 400 feet upstream of Township Road	*1,005
Maps available for inspection at the City Hall, Pine Island, Minnesota.	
NEW JERSEY	
Linden, city (Union County) (FEMA Docket No. 7061)	
Peach Orchard Brook:	
At the confluence with West Brook	*10
Approximately 100 feet downstream of St. Georges Avenue	*27
West Brook:	
At the confluence with Morses Creek	*8
At St. Georges Avenue	*36
Maps available for inspection at the City Engineer's Office, City Hall, 301 North Wood Avenue, Room 208, Linden, New Jersey.	
VIRGINIA	
Williamsburg (city), Independent City (FEMA Docket No. 7066)	
College Creek:	
Entire length within community	*8.5
Paper Mill Creek:	
Entire length within community	*8.5
Queen Creek:	
Entire length within community	*7.0
Maps available for inspection at the Planning Department, 401 Lafayette Street, Williamsburg, Virginia, and the Williamsburg Regional Library, Williamsburg, Virginia.	

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance")

Dated: September 20, 1993.

Donald L. Collins,

Acting Administrator, Federal Insurance Administration.

[FR Doc.93–23815 Filed 9–29–93; 8:45 am]

BILLING CODE 6718–03–P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Parts 1804, 1852, and 1853

Acquisition Regulation; Changes to NASA FAR Supplement Coverage on Security Requirements for Unclassified Contracts

AGENCY: Office of Procurement, Procurement Policy Division, National Aeronautics and Space Administration (NASA).

ACTION: Final rule.

SUMMARY: This document amends the NASA Federal Acquisition Regulation Supplement (NFS) coverage on security requirements for unclassified contracts to: revise the term "Computer Security Manager" to read "Automated Information Security Manager;" include specific information regarding contractor personnel screening in Security Requirements for Unclassified Automated Information Resources; revise the title of "Submission of Security Plan for Unclassified Federal Computer Systems;" and include Computer Security Act definitions of computer system, Federal computer system, and sensitive information.

EFFECTIVE DATE: September 30, 1993.

FOR FURTHER INFORMATION CONTACT: Carol E. Bennett, Procurement Analyst, Procurement Policy Division (Code HP), Office of Procurement, NASA Headquarters, Washington, DC 20546, Telephone: (202) 358–0479.

SUPPLEMENTARY INFORMATION:

Availability of NASA FAR Supplement

The NASA FAR Supplement, of which this rule is a part, is available in its entirety on a subscription basis from the Superintendent of Documents, Government Printing Office, Washington, DC 20402. Cite GPO Subscription Stock Number 933–003–00000–1. It is not distributed to the public, either in whole or in part, directly by NASA.

Impact

NASA certifies that this regulation will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). The regulation imposes no new burdens on the public within the ambit of the Paperwork Reduction Act, as implemented at 5 CFR Part 1320, nor does it significantly alter any reporting or recordkeeping requirements currently approved under OMB Control Number 3206–0191.

List of Subjects in 48 CFR Parts 1804, 1852, and 1853

Government procurement.

Thomas S. Luedtke,

Acting Deputy Associate Administrator for Procurement.

Accordingly, 48 CFR parts 1804, 1852, and 1853 are amended to read as follows:

1. The authority for 48 CFR parts 1804, 1852, and 1853 continues to read as follows:

Authority: 42 U.S.C. 2473(c)(1).

PART 1804—ADMINISTRATIVE MATTERS

1804.470–1, 1804.470–2, 1804.470–3, 1804.470–4 [Amended]

2. Sections 1804.470–1, 1804.470–2, 1804.470–3, and 1804.470–4 are revised to read as follows:

1804.470–1 Scope.

This section implements the procurement-related aspects of Federal policies for assuring the security of unclassified automated information resources.

1804.470–2 Policy.

NASA policies and procedures on automated information security are prescribed in NMI 2410.7, Assuring the Security and Integrity of NASA Automated Information Resources, and in NHB 2410.9, NASA Automated Information Security Handbook, Chapters 3 and 4. Security requirements for safeguarding sensitive information in unclassified Federal computer systems are required (a) in contracts for automatic data processing equipment, software, the management or operation of Data Processing Installations (DPIs) or related services and (b) in contracts under which contractor personnel must have physical or electronic access to sensitive automated information, or automated information that supports mission-critical functions.

1804.470–3 Responsibilities.

(a) The requiring activity is responsible for providing the contracting officer with any functional and technical requirements to be included in the contract schedule. The requiring activity, together with its automated information security (AIS) manager, is also responsible for providing accurate lists of protected spaces designated as limited or controlled access areas that contractor or subcontractor personnel will enter, and of unclassified Federal computer systems containing sensitive information to which contractor personnel may require access.

(b) The requiring activity is responsible for determining if a contractor security plan for unclassified Federal computer systems will be required and evaluating and recommending approval of prospective contractors' security plans.

1804.470–4 Contract clauses.

(a) Except as provided in paragraph (b) of this section, the contracting officer shall insert the clause substantially as stated at 1852.204–76, Security Requirements for Unclassified Automated Information Resources, in solicitations and contracts involving unclassified automated information resources as described by this subpart. Paragraph (a) of the clause shall be completed with information supplied by the cognizant requiring activity.

(b) The clause prescribed in paragraph (a) of this section may be excluded from any contract when the requiring activity, in concert with its automated information security (AIS) manager, recommends that a security plan for unclassified Federal computer systems be submitted by the apparently successful offeror after notification of selection but before contract award. Under these circumstances, the contracting officer shall insert the provision at 1852.204–77, Submission of Security Plan For Unclassified Federal Computer Systems, in solicitations. The provision may be modified to identify specific information that is to be included in the security plan. The contracting officer shall incorporate the approved security plan into the contract using clause 1852.204–78, Security Plan For Unclassified Federal Computer Systems, which may be modified to omit reference to the provision when the solicitation did not include the provision.

PART 1852—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

3. Part 1852 is amended as set forth below:

a. Section 1852.204–76 is revised to read as follows:

1852.204–76 Security requirements for unclassified automated information resources.

As prescribed in 1804.470–4(a), insert the following clause:

Security Requirements for Unclassified Automated Information Resources (September 1993)

(a) In addition to complying with any functional and technical security requirements set forth in the schedule and the clauses of this contract, the Contractor shall initiate personnel screening checks and obtain user responsibility agreements, as required by this clause, for each contractor employee requiring unescorted or unsupervised physical access or electronic access to the following limited or controlled areas, systems, programs and data: [List areas, systems, programs and data].

(1) The Contractor shall submit a personnel security questionnaire (NASA Form 531, Name Check Request, for National Agency Check (NAC) investigations and Standard Form 85P, Questionnaire for Public Trust Positions, for specified sensitive positions) and a Fingerprint Card (FD–258 with NASA overprint in Origin Block) to the installation Security Officer for each Contractor employee who requires access. The required forms may be obtained from the installation security office. Employees may have fingerprints taken at the [Insert office name and location], or at any police department.

(i) Several months may be required for completion of complex personnel screening investigations. Background screening may not be required for employees with recent or current Federal Government investigations.

(ii) When employee access is necessary prior to completion of personnel screening, each contractor employee requiring access may be considered for escorted access. The installation Security Officer will establish the eligibility of proposed escorts.

(2) The Contractor shall insure that each contractor employee requiring access executes any user responsibility agreements required by the Government prior to access. The Contractor shall provide signed copies of the agreements to the installation Security Officer for inclusion in the employee's security file. Unauthorized access is a violation of law and punishable under the provisions of 18 U.S.C. 1029, 18 U.S.C. 1030 and other applicable statutes.

(3) The Contractor shall notify the installation AIS Manager no later than the end of the day of the termination for cause of an authorized employee's access. The Contractor shall notify the COTR no later than ten days after an authorized employee no longer requires access for any other type of termination. Verbal notifications shall be confirmed in writing within thirty days.

(b) The Contractor shall incorporate this clause in all subcontracts where the requirements identified in paragraph (a) of this clause are applicable to performance of the subcontract.

(End of clause)

b. Section 1852.204–77 is revised to read as follows:

1852.204–77 Submission of security plan for unclassified federal computer systems.

As prescribed in 1804.470–4(b), insert the following provision:

Submission of Security Plan for Unclassified Federal Computer Systems (September 1993)

(a) "Computer system," as used in this provision, means any equipment or interconnected system or subsystems of equipment that is used in the automatic acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception, of data or information. It includes computers; ancillary equipment; software, firmware, and similar procedures; services, including support services; and related resources as defined by the regulations issued by the Administrator for General Services pursuant to Section 111 of the Federal Property and Administrative Services Act of 1949.

"Federal computer system," as used in this clause, means a computer system operated by a Federal agency or by a contractor of a Federal agency or other organization that processes information using a computer system on behalf of the Federal Government to accomplish a Federal function.

"Sensitive information," as used in this clause, means any information, the loss, misuse, or unauthorized access to, or modification of, which could adversely affect the national interest or the conduct of Federal programs, or the privacy to which individuals are entitled under Section 552a or title 5, United States Code (the Privacy Act), but which has not been specifically authorized under criteria established by an Executive order or an Act of Congress to be kept secret in the interest of national defense or foreign policy.

(b) Under negotiated procurement procedures, the apparently successful offeror shall provide a plan, for Contracting Officer approval prior to award, that describes its program for the protection of sensitive information in unclassified Federal computer systems. The plan shall be submitted no later than thirty days after receipt of the Contracting Officer's written request. Under sealed bidding procedures, failure to provide a security plan with the bid will render the bid nonresponsive.

(c) The plan shall address the security measures and program safeguards which will be provided to ensure that all computer systems and resources acquired and utilized in the performance of the contract by contractor and subcontractor personnel:

(1) Operate effectively and accurately;

(2) Are protected from unauthorized alteration, disclosure, or misuse of information processed, stored, or transmitted;

(3) Can maintain the continuity of automated information support for Government missions, programs, and functions;

(4) Incorporate management, general, and application controls sufficient to provide cost-effective assurance of the system's integrity and accuracy; and

(5) Have appropriate technical, personnel, administrative, environmental, and access safeguards.

(d) This plan, as approved by the Contracting Officer, will be included in any resulting contract for contractor compliance.

(End of provision)

c. Section 1852.204–78 is revised to read as follows:

1852.204–78 Security plan for unclassified federal computer systems.

As prescribed in 1804.470–4(b), insert the following clause:

Security Plan for Unclassified Federal Computer Systems (September 1993)

In addition to complying with any functional and technical security requirements set forth in the schedule and the clauses of this contract, the Contractor shall comply with the Security Plan For Unclassified Federal Computer Systems submitted pursuant to provision 1852.204–77, Submission of Security Plan For Unclassified Federal Computer Systems, as approved by the Contracting Officer.

(End of clause)

PART 1853—FORMS

1853.204–70 [Amended]

4. Section 1853.204–70 is amended as set forth below: In section 1853.204–70, the section heading is revised; paragraphs (f) through (o) are redesignated as paragraphs (g) through (p); is added to read as follows:

1853.204–70 General (NASA Forms 507, 507A, 507B, 507G, 507M, 531, 533M, 533P, 533Q, 667, 1098, 1356, 1611, 1612, 1651, DD Form 1593, FBI Form FD–258, and SF 85P).

* * * * *

(f) NASA Form 531, Name Check Request. NASA Form 531, prescribed in 1804.470 and 1852.204–76, shall be used for National Agency Check (NAC) investigations.

* * * * *

[FR Doc. 93–23440 Filed 9–29–93; 8:45 am]

BILLING CODE 7510–01–M

DEPARTMENT OF EDUCATION

48 CFR Part 3410

Announcement of Effective Date for Acquisition Regulations

AGENCY: Department of Education.

ACTION: Notice of effective date.

SUMMARY: Section 431(d) of the General Education Provisions Act requires that most Department of Education regulatory documents be published in the Federal Register for forty-five (45) calendar days, or longer if Congress takes certain adjournments, before they take effect. Since future congressional adjournments cannot be predicted with certainty when a document is published, the Department cannot announce a specific effective date at the time of publication. This notice announces the effective date for 48 CFR part 3410 subject to the delayed

effective date requirement of section 431(d).

DATES: 48 CFR part 3410, final regulations for the Education Department Acquisition Regulations, published May 25, 1993 (58 FR 30088) were effective on July 21, 1993.

FOR FURTHER INFORMATION CONTACT: Kenneth C. Depew, U.S. Department of Education, 400 Maryland Avenue SW., room 5125, FOB–6, Washington, DC 20202–2241. Telephone: (202) 401–2884. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

Dated: September 27, 1993.

Judith A. Winston,

General Counsel.

[FR Doc. 93–24006 Filed 9–29–93; 8:45 am]

BILLING CODE 4000–01–M

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 594

[Docket No. 89–8; Notice 8]

RIN 2127–AC98

Schedule of Fees Authorized by the National Traffic and Motor Vehicle Safety Act

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Final rule.

SUMMARY: This notice adopts fees for Fiscal Year 1994 as authorized by the Imported Vehicle Safety Compliance Act of 1988 relating to the registration of importers and the importation of motor vehicles not certified as conforming to the Federal motor vehicle safety standards (FMVSS).

The annual fee for the registration of a new importer is increased from $255 to $456, and the annual fee for renewal of registration is reduced from $255 to $240. The fee required to reimburse the U.S. Customs Service for bond processing costs increases by $0.20; from $4.75 to $4.95 per bond.

The fee payable for a determination that nonconforming vehicles are capable of conversion to meet the FMVSS increases from $100 to $104 if the determination results from a petition arguing that the nonconforming vehicle is substantially similar to conforming vehicles. With respect to vehicles that have no substantially similar counterpart, the fee rises from $500 to $520. In addition, the fee payable by the importer of each vehicle that benefits by a determination will be $93, regardless of whether the determination is made pursuant to a petition or by NHTSA on its own initiative.

DATES: The effective date of the final rule is October 1, 1993.

FOR FURTHER INFORMATION CONTACT: Taylor Vinson, Office of Chief Counsel, NHTSA (202–366–5263).

SUPPLEMENTARY INFORMATION:

Introduction

On September 29, 1989, NHTSA issued 49 CFR part 594, establishing the initial fees authorized by section 108 of the National Traffic and Motor Vehicle Safety Act, as amended by the Imported Vehicle Safety Compliance Act of 1988, Public Law 100–562 (54 FR 40100). These fees were applicable in Fiscal Year 1990 (FY90). Section 108(c)(3)(B) of the Vehicle Safety Act (15 U.S.C. 1397(c)(3)(B)) provides that the amount or rate of fees shall be reviewed and, if appropriate, adjusted at least every 2 years. Further, the fees applicable in any fiscal year shall be established before the beginning of such year. The statute authorizes an annual fee to cover the costs of the importer registration program, an annual fee or fees to cover the cost of making import eligibility determinations, and an annual fee or fees to cover the cost of processing the bond furnished to the Customs Service.

In accordance with the statutory requirements, NHTSA reviewed and adjusted fees for FY91 (55 FR 40664), for FY92 and FY93 (56 FR 49427), and, on August 5, 1993, proposed adjusted fees for FY94 (58 FR 41681). No comments were received on the proposal.

As a general statement applicable to consideration of all fees, there has been a slight increase in hourly costs in FY92 and FY93 attributable to the 4.2 percent raise in salaries of employees on the General Schedule that became effective January 1, 1992, and 3.7 percent on January 1, 1993.

Requirements of the Fee Regulation

Section 594.6—Annual Fee for Administration of the Importer Registration Program

Section 108(c)(3)(A)(iii) of the Vehicle Safety Act provides that registered importers must pay "such annual fee as the Secretary establishes to cover the cost of administering the registration program, * * *." The annual fee attributable to the registration program is payable both by new applicants and by registered importers seeking to renew their registration. The reader is referred to the notice of September 29, 1989, for a fuller discussion of the fee and its components.

In accordance with the statutory directive, NHTSA reviewed the existing fees and their bases in an attempt to establish appropriate fees for the next two fiscal years which would be sufficient to recover the costs of administering the importation program. The initial component of the Registration Program Fee is the portion of the fee attributable to processing and action upon registration applications. The agency has determined that this portion of the fee should be increased from $86 to $356 for new applications, and from $86 to $140 for renewals. Agency experience has shown that the average cost of processing a new application is substantially greater than that of its renewal.

Other costs attributable to maintenance of the registration program arise from reviewing a registrant's annual statement and verifying the continuing validity of information already submitted. These costs also include costs attributable to revocation or suspension of a registration.

The total portion of the fee attributable to maintenance of the registration program as estimated by NHTSA is approximately $100, a reduction of $69. This reflects the fact that, to date, costs have not been incurred for processing suspensions or revocations. When added to the $356 representing the registration application component, the cost to an applicant equals $456. This fee was proposed by NHTSA, and is adopted. It represents an increase of $201. When the $100 is added to the $140 representing the renewal component, the cost to a renewing registered importer is $240. This fee was also proposed and is now adopted. It represents a decrease of $15.

Sections 594.7, 594.8—Fees To Cover Agency Costs in Making Importation Eligibility Determinations

Section 108(c)(3)(A)(iii)(II) also requires registered importers to pay "such other annual fee or fees as the Secretary reasonably establishes to cover the cost of * * * making the determinations under this section." Pursuant to part 593, these determinations are whether the vehicle sought to be imported is substantially similar to a motor vehicle originally manufactured for importation into and sale in the United States, and certified as meeting the FMVSS, and whether it is capable of being readily modified to meet those standards. Alternatively, where there is no substantially similar

U.S. motor vehicle, the determination is whether the safety features of the vehicle comply with or are capable of being modified to comply with the FMVSS. These determinations are made in response to petitions submitted by registered importers or pursuant to determinations made upon the Administrator's initiative. Because a substantially different procedure was adopted for the second year of this program, FY91, the reader is referred to the notice appearing at 55 FR 40664 for a fuller discussion of the cost factors of such determinations.

For FY92 and FY93, NHTSA continued the restructured fee schedule that was adopted for FY91. Under the restructuring, which continues in effect, the fee for a vehicle imported under a determination made on the agency's initiative is payable by the importer of any vehicle covered by that determination. The fee for a vehicle imported under a determination pursuant to a petition is payable in part by the petitioner and in part by importers. However, the fee to be charged for a vehicle is a pro rata share of the costs in making all the eligibility determinations in the fiscal year.

The fees that were adopted in FY91 were retained unchanged for FY92 and FY93. They were based upon NHTSA's best estimates of the number of petitions that would be filed, and the number of vehicles that would be imported pursuant to determinations of eligibility made upon granting those petitions. As NHTSA noted in the preamble to the final rule establishing the FY92 fees (56 FR at 49428), the agency would proceed to compare the accuracy of its estimates with actual experience, so as to formulate a basis upon which to propose appropriate future fees.

NHTSA's review showed that fees collected from importers of cars covered by determinations on the agency's own initiative exceeded the agency's actual costs, while fees related to petitions did not. This was due principally to the agency's overestimation of the quantity of vehicles that would be entered under each petition. Experience has shown that an average of only one vehicle a year enters under each granted petition. The average cost of processing a "substantially similar" petition was $1,256 in 1992, but declined to $550 in the first quarter of 1993 because of elimination of unnecessary steps in the petition process. Since only one petition has been granted to date for a vehicle which is not "substantially similar" to a certified model, there is not yet an average cost figure for this category. NHTSA has decided that costs for both types must be studied over a further period of time before it can determine with a greater deal of assurance the fees required to cover the importation program. To account for inflation and the small raises under the General Schedule, NHTSA proposed that there be an increase from $100 to $104 in the fee required to accompany a "substantially similar" petition, and from $500 to $520 for other petitions. No comments were received and NHTSA is adopting these proposed costs. In the event that a petition requests an inspection of a vehicle, under each petition, that fee will remain at $550.

The importer of each vehicle covered by a petition currently must pay $83 upon its importation, while those whose vehicles are covered by a determination on the agency's initiative must pay $156 (other than Canadian vehicles covered by code VSA–1). The agency proposed that a fee of $93 be paid for both categories of importation. In the absence of comments, NHTSA has decided that an increase from $83 to $93 is warranted to recover costs associated with importing a vehicle eligible for importation under a petition filed with the agency. A decrease from $156 to $93 for vehicles imported subject to a determination made on the agency's initiative is warranted based on the agency's conclusion that such a sum is more representative of the actual costs incurred by NHTSA in this type of determination.

Section 594.9—Fee To Recover the Costs of Processing the Bond

Section 108(c)(3)(A)(III)(II) also requires a registered importer to pay "such annual fee or fees as the Secretary reasonably establishes to cover the cost of processing the bond furnished to the Secretary of the Treasury" upon the importation of a nonconforming vehicle to ensure that the vehicle will be brought into compliance within a reasonable time or if the vehicle is not brought into compliance within such time, that it is exported, without cost to the United States, or abandoned to the United States.

The statute contemplates that NHTSA make a reasonable determination of the cost for the United States Custom Service of processing the bond. In essence, the cost to Customs is based upon an estimate of the time that a GS 9 Step 5 employee spends on each entry, which was judged to be 20 minutes. For a fuller discussion of these costs, the reader is again referred to prior notices of Docket 89–8.

Because of the 4.2 percent and 3.7 percent salary raises in the General Schedule that were effective at the beginning of 1992 and 1993, NHTSA is adopting its proposal that the current processing fee be increased by $0.20, from $4.75 per bond to $4.95.

Effective Date

The effective date of the final rule is October 1, 1993.

Rulemaking Analyses

A. Executive Order 12291 (Federal Regulation) and DOT Regulatory Policies and Procedures

After considering the impacts of this rulemaking action, NHTSA has determined that the action is not major within the meaning of Executive Order 12291 "Federal Regulation." It further implements Public Law 100–562 under which fees may be established to cover the costs of administering the program for registration of vehicles not originally manufactured to conform to the FMVSS, of determinations that nonconforming vehicles are capable of conformity to the FMVSS, and of reimbursing or advancing the U.S. Customs Service its costs in processing safety standards conformance bonds. It is not significant under Department of Transportation regulatory policies and procedures. The action does not involve any substantial public interest or controversy. There is no substantial effect upon State and local governments. There is no substantial impact upon a major transportation safety program. Both the number of registered importers and determinations are estimated to be comparatively small, and the number of vehicles to be imported by or through such importers in coming fiscal years is estimated to be 600 per year. Nevertheless, a regulatory evaluation analyzing the economic impact of the final rule adopted on September 29, 1989, was prepared, and is available for review in the docket.

B. Regulatory Flexibility Act

The agency has also considered the effects of this action in relation to the Regulatory Flexibility Act. I certify that this action will not have a substantial economic impact upon a substantial number of small entities. Although entities that currently modify nonconforming vehicles are small businesses within the meaning of the Regulatory Flexibility Act, the agency has no reason to believe that a substantial number of these companies could not pay the fees adopted by this action. The cost to owners or purchasers of modifying nonconforming vehicles to conform with the FMVSS may be expected to increase to the extent necessary to reimburse the registered

importer for the fees payable to the agency for the cost of administering the registration program and making eligibility determinations, and to compensate Customs for its bond processing costs. Governmental jurisdiction will not be affected at all since they are generally neither importers nor purchasers of nonconforming motor vehicles.

C. Executive Order 12612 (Federalism)

The agency has analyzed this action in accordance with the principles and criteria contained in Executive Order 12612 "Federalism" and determined that the action does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

D. National Environmental Policy Act

NHTSA has analyzed this action for purposes of the National Environmental Policy Act. The action will not have a significant effect upon the environment because it is anticipated that the annual volume of motor vehicles imported through registered importers will not vary significantly from that existing before promulgation of the rule.

E. Civil Justice

This rule will not have any retroactive effect. Under section 103(d) of the National Traffic and Motor Vehicle Safety Act (15 U.S.C. 1392(d)), whenever a Federal motor vehicle safety standard is in effect, a state may not adopt or maintain a safety standard applicable to the same aspect of performance which is not identical to the Federal standard. Section 105 of the Act (15 U.S.C. 1394) sets forth a procedure for judicial review of final rules establishing, amending or revoking Federal motor vehicle safety standards. That section does not require submission of a petition for reconsideration or other administrative proceedings before parties may file suit in court.

List of Subjects in 49 CFR Part 594

Imports, Motor vehicle safety, Motor vehicles.

PART 594—[AMENDED]

In consideration of the foregoing, 49 CFR part 594 is amended as follows:

1. The authority citation for part 594 continues to read as follows:

Authority: Pub. L. 100–562, 15 U.S.C. 1401, 1407; delegation of authority at 49 CFR 1.50.

2. Section 594.6 is amended by revising the year "1991" in paragraphs (b), (d), and (h), to read "1993," and by revising the introductory language in paragraph (a), and by revising paragraph (i) to read as follows:

§ 594.6 Annual fee for administration of the registration program.

(a) Each person filing an application to be granted the status of a Registered Importer pursuant to part 592 of this chapter on or after October 1, 1993, shall pay an annual fee of $456, as calculated below, based upon the direct and indirect costs attributable to: * * *

* * * * *

(i) Based upon the elements, and indirect costs of paragraphs (f), (g), and (h) of this section, the component of the initial annual fee attributable to administration of the registration program, covering the period beginning October 1, 1993, is $166.92. When added to the costs of registration of $85.99, as set forth in paragraph (b) of this section, the costs per applicant to be recovered through the annual fee are $252.91. The annual registration fee for the period beginning October 1, 1993, is $240.

3. Section 594.7 is amended by revising the first two sentences of paragraph (e) to read as follows:

§ 594.7 Fee for filing petition for a determination whether a vehicle is eligible for importation.

* * * * *

(e) For petitions filed on and after October 1, 1993, the fee payable for a petition seeking a determination under paragraph (a)(1) of this section is $104. The fee payable for a petition seeking a determination under paragraph (a)(2) of this section is $520. * * *

* * * * *

4. Section 594.8 is amended by revising the first sentence in paragraph (b) and the first sentence in paragraph (c) to read as follows:

§ 594.8 Fee for importing a vehicle pursuant to a determination by the Administrator.

* * * * *

(b) If a determination has been made pursuant to a petition, the fee for each vehicle is $93. * * *

(c) If a determination has been made pursuant to the Administrator's initiative, the fee for each vehicle is $93. * * *

5. Section 594.9(c) is revised to read as follows:

§ 594.9 Fee for reimbursement of bond processing costs.

* * * * *

(c) The bond processing fee for each vehicle imported on and after October 1, 1993, for which a certificate of conformity is furnished, is $4.95.

Issued on: September 27, 1993.

Howard M. Smolkin,

Executive Director.

[FR Doc. 93–24134 Filed 9–28–93; 12:34 pm]

BILLING CODE 4910–59–M

Proposed Rules

Federal Register
Vol. 58, No. 188
Thursday, September 30, 1993

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.

RAILROAD RETIREMENT BOARD

20 CFR Parts 228 and 237

RIN 3220–AA59

Computation of Survivor Annuities

AGENCY: Railroad Retirement Board.

ACTION: Proposed rule.

SUMMARY: The Railroad Retirement Board (Board) proposes to amend its regulations by adding a new part dealing with the computation of survivor annuities as provided in the Railroad Retirement Act of 1974 (Act). This part replaces part 237 of the Board's regulations which is proposed to be removed. The Board's current regulations regarding the computation of survivor annuities were promulgated under the Railroad Retirement Act of 1937 and no longer reflect the computational provisions contained in the Act.

DATES: Comments must be received by the Secretary to the Board on or before November 1, 1993.

ADDRESSES: Secretary to the Board, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611.

FOR FURTHER INFORMATION CONTACT: Thomas W. Sadler, Assistant General Counsel, Railroad Retirement Board, 844 N. Rush Street, Chicago, Illinois 60611, telephone 312–751–4513, TTD 312–751–4701.

SUPPLEMENTARY INFORMATION: The proposed regulation provides the rules for computing the amount of a survivor annuity under the Railroad Retirement Act of 1974. In general, the annuity consists of two components or tiers. The first tier (tier I) is a social security level benefit that is generally computed under social security rules based on the employee's earnings under both the railroad retirement and the social security systems. The second tier (tier II) is based solely on the employee's railroad earnings and is a percentage of the employee's tier II annuity component.

The proposed rule is divided into three subparts, A–C:

Subpart A is an introduction to the part. It provides a listing of other relevant regulations, part 225, Primary insurance Amount Determinations, and part 216, Eligibility for an Annuity (proposed § 228.1) and sets forth a general explanation of tier I and tier II annuity components (proposed § 228.2).

Subpart B sets forth the computation of the tier I annuity component. Proposed § 228.10 describes the tier I of the widow(er)'s annuity; proposed § 228.11, the widow(er) with a child in care; proposed § 228.12, the child's annuity; and proposed § 228.13, the parent's annuity.

Proposed § 228.14 describes when and how the tier I annuity component is reduced for the family maximum, which is a provision in the Social Security Act which puts a "cap" on benefits.

Proposed § 228.15 describes the age reduction applicable to the tier I annuity component if the survivor begins to receive benefits prior to the retirement age specified in the Social Security Act.

Proposed § 228.16 describes the adjustment of the age reduction factor when the widow(er) attains retirement age.

Proposed § 228.17 describes how the widow(er)'s annuity is adjusted in the employee died before he or she reached age 62.

Proposed § 228.18 describes how the tier I is reduced due to receipt of a public pension.

Proposed § 228.19 describes how the tier I component is reduced due to receipt of a social security benfit.

Proposed § 228.20–228.22 describe the reduction in a survivor annuity due to receipt of other types of railroad retirement annuities.

Proposed § 228.23 describes the order in which the above-described reductions are made. Finally, proposed § 228.40 describes the cost-of-living increases applicable to the tier I annuity component.

Subpart C describes the computation of the tier II annuity component. Proposed § 228.50 describes the tier II annuity component for various types of survivor annuitants. It also describes the age reduction applicable to the tier II annuity component.

Proposed § 228.51 describes the reduction to the tier II annuity component known as the takeback amount which was imposed by the 1983 amendments to the Railroad Retirement Act.

Proposed § 228.52 describes the increase in the tier II annuity component when a widow(er) is entitled to a railroad retirement annuity which caused a reduction in the widow(er)'s tier I annuity component.

Proposed § 228.53 describes the increase in the tier II annuity component to insure that a widow(er)'s annuity is no less than the spouse annuity the widow(er) was receiving before the employee died.

Finally, proposed § 228.60 describes the cost-of-living increase applicable to the tier II annuity component.

The Board has determined that this is not a major rule under Executive Order 12291; therefore, no regulatory impact analysis is required. There are no information collections associated with this rule.

List of Subjects in 20 CFR Part 228

Railroad retirement, Railroad employees, Pensions.

For the reasons set out in the preamble, chapter II of title 20 of the Code of Federal Regulations is proposed to be amended as follows:

1. Part 228, Computation of Survivor Annuities, is added to read as follows:

PART 228—COMPUTATION OF SURVIVOR ANNUITIES

Subpart A—General

Sec.

228.1 Introduction.
228.2 Tier I and tier II annuity components.

Subpart B—Tier I Annuity Component

228.10 Computation of the tier I annuity component for a widow(er), disabled widow(er), remarried widow(er) and a surviving divorced spouse.
228.11 Computation of the tier I annuity component of a widow(er) with a child in care, remarried widow(er) with a child in care, or a surviving divorced spouse with a child in care.
228.12 Computation of the tier I annuity component of a child's insurance annuity.
228.13 Computation of the tier I annuity component of a parent's insurance annuity.
228.14 Family maximum.
228.15 Reduction for age.
228.16 Adjustments in the age reduction factor (ARF).

228.17 Adjustments to the widow(er)'s, disabled widow(er)'s or surviving divorced spouse's, remarried widow(er)'s tier I annuity amount.
228.18 Reduction for public pension.
228.19 Reduction for a social security benefit.
228.20 Reduction for an employee annuity.
228.21 Entitlement as a spouse or divorced spouse and as a survivor.
228.22 Entitlement to more than one survivor annuity.
228.23 Priority of reductions.
228.40 Cost of living increase applicable to the tier I annuity component.

Subpart C—Tier II Annuity Component

228.50 Tier II annuity component widow(er), child or parent.
228.51 Takeback amount.
228.52 Restored amount.
228.53 Spouse minimum guarantee.
228.60 Cost of living increase.

Authority: 45 U.S.C. 231f

PART 228—COMPUTATION OF SURVIVOR ANNUITIES

Subpart A—General

§ 228.1 Introduction.

(a) *What does this part include.* This part includes the computation of a widow(er)'s, disabled widow(er)'s, remarried widow(er)'s, surviving divorced spouse's, parent's and child's insurance annuity under the Railroad Retirement Act. This part describes the two annuity components or tiers which are included in these annuities. The tier I annuity component, which may be payable in all of the above annuities, is described in subpart B of this part. Subpart C of this part describes the tier II annuity component which is only applicable to the widow(er)'s, disabled widow(er)'s, parent's and child's annuity.

(b) *Other relevant parts.*

(1) Part 225, Primary Insurance Amount Determinations, describes the various primary insurance amounts which form the basis of the computation of the tier I annuity component described in this part.

(2) Part 216, Eligibility for an Annuity, describes the eligibility requirements for receipt of the annuity computations described in this part.

§ 228.2 Tier I and tier II annuity components.

(a) *Tier I annuity component.* The Tier I annuity component is generally the amount that would have been payable under the Social Security Act if all of the employee's earnings after 1936 under both the railroad retirement system and the social security system had been creditable under the Social Security Act.

(b) *Tier II annuity component.* The tier II annuity component is the portion of the survivor's annuity which is based on an employee's railroad earnings only. The tier II component of an annuity described in this part is a specified percentage of the employee's actual or anticipated tier II annuity component.

Subpart B—The Tier I Annuity Component

§ 228.10 Computation of the tier I annuity component for a widow(er), disabled widow(er), remarried widow(er), and a surviving divorced spouse.

The tier I annuity component for these beneficiaries is generally the Survivor tier I Primary Insurance Amount (PIA). The Survivor tier I PIA is determined in accordance with section 215 of the Social Security Act using the deceased employee's combined railroad and social security earnings after 1950 (or after 1936 if a higher PIA would result) through the date of the employee's death. See Part 225 of this chapter. This amount may be adjusted for the family maximum. See § 228.14 of this part.

§ 228.11 Computation of the tier I annuity component of a widow(er) with a child in care, remarried widow(er) with a child in care, or a surviving divorced spouse with a child in care.

The tier I annuity component of a widow(er), remarried widow(er) or a surviving divorced spouse with a child of the employee in his or her care is 75 percent of the PIA computed under § 228.10 of this part. The amount may be adjusted for the family maximum. See § 228.14 of this part.

§ 228.12 Computation of the tier I annuity component of a child's insurance annuity.

The tier I annuity component of a child's insurance annuity is 75 percent of the PIA computed under § 228.10 of this part. The amount may be adjusted for the family maximum. See § 228.14 of this part.

§ 228.13 Computation of the tier I annuity component of a parent's insurance annuity.

The tier I annuity component of a parent's insurance annuity is dependent on whether one or two parents are entitled.

(a) *One parent entitled.* A parent's tier I annuity component is equal to 82½ percent of the PIA computed under § 228.10 of this part.

(b) *More than one parent entitled.* A parent's tier I annuity component is equal to 75 percent of the PIA computed under § 228.10 of this part.

(c) The amounts computed under (a) or (b) of this section may be adjusted for the family maximum. See § 228.14 of this part.

§ 228.14 Family maximum.

(a) *Family maximum defined.* Under the Social Security Act, the amount of monthly benefits that can be paid for any month on one person's earnings record is limited. This limited amount is called the family maximum. The family maximum is based on the Survivor Tier I PIA (see part 225 of this chapter).

(b) *Computation of the family maximum* (1) *The employee attains age 62 has a period of disability or dies prior to 1979.* The maximum is the amount appearing in column V of the applicable table published each year by the Secretary of Health and Human Services on the line on which appears in column IV the primary insurance amount of the insured individual whose compensation is the basis for the benefits payable. Where the maximum is exceeded, the total tier I benefits for each month after 1964 are reduced to the amount appearing in column V. However, when any of the persons entitled to benefits on the insured individual's compensation would, except for the limitation described in § 404.353(b) of title 20 (dealing with the entitlement to more than one child's benefit), be entitled to a child's annuity on the basis of the compensation of one or more other insured individuals, the total benefits payable may not be reduced to less than the smaller of—

(i) The sum of the maximum amounts of benefits payable on the basis of the compensation of all such insured individuals, or

(ii) The last figure in column V of the applicable table published each year by the Secretary of Health and Human Services. The "applicable" table refers to the table which is effective for the month the benefit is payable.

(2) *The employee attains age 62, has a period of disability or dies in 1979.* The maximum is computed as follows:

(i) 150 percent of the first $230 of the individual's primary insurance amount, plus

(ii) 272 percent of the primary insurance amount over $230 but not over $332, plus

(iii) 134 percent of the primary insurance amount over $332 but not over $433, plus

(iv) 175 percent of the primary insurance amount over $433.

If the total of this computation is not a multiple of $0.10, it will be rounded to the next lower multiple of $0.10.

(3) *The employee attains age 62, has a period of disability or dies after 1979.* The maximum is computed as in paragraph (b)(2) of this section.

However, the dollar amounts shown there will be updated each year as

average earnings rise. This updating is done by first dividing the average of the total wages for the second year before the individual dies or becomes eligible, by the average of the total wages for 1977. The result of that computation is then multiplied by each dollar amount in the formula in paragraph (b)(2) of this section. Each updated dollar amount will be rounded to the nearer dollar, if the amount is an exact multiple of $0.50 (but not of $1), it will be rounded to the next higher $1. Before November 2 of each calendar year after 1978, the Secretary of Health and Human Services will publish in the Federal Register the formula and updated dollar amounts to be used for determining the monthly maximum for the following year.

(c) *Special minimum PIA.* Regardless of the method used to compute the primary insurance amount, if the special minimum primary insurance amount described in § 404.261 of the title is higher, then the family maximum will be based upon this primary insurance amount.

§ 228.15 Reduction for age.

(a) *Widow(er), surviving divorced spouse, remarried widow(er).* The tier I annuity component is reduced 19/40 of 1 percent multiplied by the number of months in the period the annuitant is under retirement age (presently age 65) on the annuity beginning date.

(b) *Disabled widow(er), disabled surviving divorced spouse, or disabled remarried widow(er).* The tier I annuity component is reduced for a maximum of 60 months even though the annuity may begin at age 50.

§ 228.16 Adjustments in the age reduction factor (ARF).

Upon the attainment retirement age the previously computed age reduction factor is adjusted to remove those months for which no annuity was paid.

§ 228.17 Adjustments to the widow(er)'s, disabled widow(er) or surviving divorced spouse, remarried widow(er)'s tier I annuity amount.

(a) If the employee died before attaining age 62 and after 1978 and the widow(er), disabled widow(er), remarried widow(er), or surviving divorced spouse is first eligible after 1984, the Board will compute the tier I annuity amount as if the employee had not died but had reached age 62 in the second year after the indexing year (see § 225.2 of this chapter). The indexing year is never earlier than the second year before the year of the employee's death. Except for this limitation it is the earlier of—

(1) The year the employee attained age 60, or would have attained age 60 had the employee lived, and

(2) The second year before the year in which the widow(er), remarried widow(er), or surviving spouse becomes eligible for such an annuity, has attained age 60, or is age 50–59 and disabled.

(b) The tier I annuity component is increased if the employee's annuity was increased or would have been increased based on delayed retirement credits (see § 225.36 of this chapter).

(c) The tier I annuity component is reduced if the employee had been entitled to an age reduced annuity, including an annuity based on 30 years of service, which is reduced for age because it began before the employee attained age 62. In this instance the widow(er)'s or remarried widow(er)'s, surviving divorced spouse's tier I annuity component is reduced, if it would otherwise be higher, to either the amount the employee would have received as a tier I annuity component if still alive or 82½ percent of his or her primary insurance amount, whichever is larger.

§ 228.18 Reduction for public pension

(a) The tier I annuity component of a widow(er), remarried widow(er) surviving divorced spouse, disabled widow(er) annuity, as described in the preceding sections of this part, is reduced if the survivor is in receipt of a public pension.

(b) *When reduction is required.* Unless the survivor annuitant meets one of the exceptions in paragraph (d) of this section, the tier I annuity component is reduced each month the survivor annuitant is receiving a monthly pension from a Federal, State, or local government agency (Government pension) for which he or she was employed in work not covered by social security on the last day of such employment. For purposes of this section, Federal government employees are not considered to be covered by social security if they are covered for Medicare but are not otherwise covered by social security.

(c) *Payment in a lump sum.* If the government pension is not paid monthly or is paid in a lump-sum payment, the Board will determine how much the pension would be if it were paid monthly and thus the period when the annuity will be reduced, will generally be clear from the pension plan. If one of the alternatives to a lump-sum payment is a life annuity, and the amount of the monthly benefit for the life annuity can be determined, the reduction will be based on that monthly benefit amount. Where the period or the equivalent monthly pension benefit is not clear it may be necessary for the Board to determine the reduction period on an individual basis.

(d) *Exceptions.* The reduction does not apply:

(1) If the survivor is receiving a Government pension based on employment for an interstate instrumentality; or

(2) If the survivor receives or is eligible to receive a Government pension for one or more months in the period December 1977 through November 1982 and he or she meets the requirements for social security benefits that were applied in January 1977, assuming the employee's earnings had been covered under that Act, (even though he or she did not actually claim such benefits or become entitled to such benefits until a later month). The January 1977 requirements are, for a man, a one-half support test (see paragraph (e) of this section), and, for a woman claiming benefits as a surviving divorced spouse, marriage for at least 20 years to the insured worker. A person is considered eligible for a Government pension for any month in which he or she meets all the requirements for payment except that he or she is working or has not applied; or

(3) If a survivor annuitant was receiving or eligible (as defined in paragraph (d)(2) of this section) to receive a Government pension for one or more months before July 1983, and he or she meets the one-half support test (see paragraph (e) of this section). If a survivor annuitant meets the exception in this paragraph but he or she does not meet the exception in paragraph (d)(2) of this section, December 1982 is the earliest month for which the reduction will not affect his benefits; or

(4) If a survivor annuitant has been eligible for a Government pension in a given month except for a requirement which delayed eligibility for such pension until month following the month in which all other requirements were met, the Board will consider the annuitant to be eligible in that given month for the purpose of meeting one of the exceptions in paragraphs (d)(2) and (3) of this section. If an annuitant meets an exception solely because of this paragraph, his or her benefits will be unreduced for months after November 1984 only.

(e) *The one-half support test.* For a man to meet the January 1977 requirement as provided in the exception in paragraph (d)(2) of this section and for a man or a woman to meet the exception in paragraph (d)(3) of this section, he or she must meet a

one-half support test. One-half support is defined in part 222 of this chapter. One-half support must be met at one of the following times:

(1) If the employee upon whose compensation the survivor annuity is based had a period of disability which did not end before he or she became entitled to an age and service or disability annuity, or died, the survivor annuitant must have been receiving at least one-half support from the employee—

(i) At the beginning of his or her period of disability; or

(ii) At the time he or she became entitled to an age and service or disability annuity; or

(iii) At the time of his or her death.

(2) If the employee upon whose compensation the survivor annuity is based did not have a period of disability at the time of his or her entitlement or death, the survivor annuitant must have been receiving at least one-half support from the employee—

(i) At the time he or she became entitled to an age and service annuity or disability annuity; or

(ii) At the time of his or her death.

(f) *Amount of reduction.* (1) If a survivor annuitant becomes eligible for a Government pension after June 1983, the Board will reduce (but not below zero) the tier I annuity component by two-thirds of the amount of the monthly pension. If the amount of the reduction is not a multiple of 10 cents, it will be rounded to the next higher multiple of 10 cents.

(2) If a survivor annuitant became eligible for a government pension before July 1983 and he or she did not meet one of the exceptions in paragraph (d) of this section, the Board will reduce (but not below zero) the tier I component by the full amount of the pension for months before December 1984 and by two-thirds the amount of his or her monthly pension for months after November 1984. If the amount of the reduction is not a multiple of 10 cents, it will be rounded to the next higher multiple of 10 cents.

(g) *Reduction not applicable.* This reduction is not applied to claimants who both filed and were entitled to benefits prior to December 1977.

§ 288.19 Reduction for a social security benefit.

The tier I annuity component is reduced for the amount of any social security benefit to which the survivor annuitant is entitled.

§ 228.20 Reduction for an employee annuity.

(a) *General.* If an individual is entitled to an annuity as a survivor, and is also entitled to an employee annuity, then the survivor annuity must be reduced by the amount of the employee annuity. However, this reduction does not apply (except as provided in paragraph (b) of this section) if the survivor or the individual upon whose earnings record the survivor annuity is based worked for a railroad employer or as an employee representative before January 1, 1975.

(b) *Tier I reduction.* If an individual is entitled to an annuity as a survivor, then the tier I component of the survivor annuity must be reduced by the amount of the tier I component of the employee annuity after reduction for age. Where the survivor is entitled to a tier II component and either the survivor or the employee had railroad earnings before 1975, a portion of this reduction may be restored in the computation of the tier II component (see § 228.52 of this part).

§ 228.21 Entitlement as a spouse or divorced spouse and as a survivor.

If an individual is entitled to both a spouse or divorced spouse and survivor annuity, only the larger annuity will be paid. However, if the individual so chooses, he or she may receive the smaller annuity rather than the larger annuity.

§ 228.22 Entitlement to more than one survivor annuity.

If an individual is entitled to more than one survivor annuity, only the larger annuity will be paid. However, if the individual so chooses, he or she may receive the smaller annuity rather than the larger annuity.

§ 228.23 Priority of reductions.

The tier I component of the survivor annuity is first reduced by the family maximum, if applicable, then any applicable age reduction, then by any public pension offset, then by any social security benefit payable, then by the tier I component of any employee annuity payable to the survivor annuitant.

§ 228.40 Cost of living increase applicable to the tier I annuity component.

The tier I annuity component of a survivor annuity is increased at the same time and by the same percentage as the increase provided for under section 215(i) of the Social Security Act. The amount of the increase is published in the **Federal Register** annually. The cost of living increase is payable beginning with the benefit for the month of December of the year for which the increase is due. The increase is paid in the January payment.

Subpart C—The Tier II Annuity Component

§ 228.50 Tier II annuity component widow(er), child or parent.

(a) *General.* The tier II annuity component is an additional amount payable to a widow(er), disabled widow(er), child or parent, but not to a surviving divorced spouse or remarried widow(er), and a parent as provided in paragraph (b)(2) of this section, based on the railroad employee's earnings in the railroad industry. Unlike the tier I annuity component it is not reduced for any other social insurance benefit except a railroad retirement annuity. See §§ 228.20–228.23 of this part.

(b) *Amount of the tier II annuity component (1981 amendment)*—(1) *Widow(er) or disabled widow(er).* The amount of a widow(er)'s or disabled widow(er)'s tier II annuity component is 50 percent of the amount of the employee's tier II which would have been payable in the month in which the widow became entitled had the employee been alive and in receipt of an annuity under the Railroad Retirement Act at that time.

(2) *Parent.* The amount of a parent's tier II annuity component is 35 percent of the amount of the employee's tier II annuity component which would have been payable in the month in which the parent became entitled had the employee been alive and in receipt of an annuity under the Railroad Retirement Act at that time. However, if another survivor is entitled or potentially entitled to a tier II annuity component, the parent tier II annuity component is zero.

(3) *Child.* The amount of each child's tier II annuity component is 15 percent of the employee's tier II annuity component which would have been payable in the month in which the child became entitled had the employee been alive and in receipt of an annuity under the Railroad Retirement Act at that time.

(c) *Minimum tier II survivor annuity components.* If the total tier II annuity components payable to survivors is less than 35 percent of the employee's tier II annuity component which would have been payable in the month the survivors became entitled had the employee been alive and in receipt of an annuity under the Railroad Retirement Act at that time, the individual tier II annuity components computed in paragraph (b) of this section shall be increased proportionally so that the total of all such tier II annuity components equals 35 percent of the employee's tier II annuity component.

(d) *Maximum tier II annuity components.* If the total tier II survivor

annuity components payable to survivors exceeds 80 percent of the employee's tier II annuity component which would have been payable in the month the survivors became entitled had the employee been alive and entitled to an annuity under the Railroad Retirement Act at that time, the individual tier II annuity components computed in paragraph (b) of this section shall be reduced proportionally so that the total of all such tier II annuity components totals no more than 80 percent of the employee's tier II annuity component.

(e) *Age reduction*—The tier II annuity component of a widow(er) or disabled widow(er) is subject to reduction by the same age reduction factor as is applicable to the tier I annuity component. See § 228.15 of this part.

§ 228.51 Takeback amount.

(a) The 1983 amendments to the Railroad Retirement Act provided that a portion of the cost-of-living increases payable on the tier I annuity component be offset from the amount of the tier II annuity. This amount is the takeback amount. The amount of the takeback and its application depends on the employee and survivor's annuity beginning dates.

(b) The tier II takeback amount for survivors whose annuity beginning date is January 1, 1983 or later is the amount of the employee's takeback amount. That amount is equal to 5 percent of the employee's primary insurance amount, less all applicable reductions (net tier I), on November 1, 1983.

(c) No takeback is applied if the survivor tier II annuity amount before the takeback is applied is $10.00 or less and cost-of-living increases have not increased the tier II annuity amount to more than $10.00 (the takeback may never reduce the tier II to an amount less than $10.00).

§ 228.52 Restored amount.

(a) *General.* A restored amount is added to the tier II annuity component of a widow(er)'s annuity whose annuity is reduced for receipt of an employee annuity under the Railroad Retirement Act provided either the employee or the widow(er) had ten years of creditable railroad service prior to January 1, 1975.

(b) *Amount.* The amount of the tier II restored amount for a widow(er) is the difference between the amount payable as a widow(er) under the Railroad Retirement Act of 1937 as increased by all annual social security cost of living percentage increases from January 1, 1975, until the later of the annuity beginning date of either the employee's annuity or the widow(er)'s annuity and the amount payable to the widow(er) under the Railroad Retirement Act of 1974 under the rules set forth in this part.

(c) *Widower.* In order to qualify for an annuity under the 1937 Act and thus for a restored amount a widower must have been dependent on his spouse for at least 50 percent of his support in the year prior to her death or to her annuity beginning date.

§ 228.53 Spouse minimum guarantee.

The Railroad Retirement Act provides that a spouse should receive no less as a widow(er) than he or she received as a spouse. However, if the widow(er) becomes entitled to a social security benefit, thus reducing his or her annuity, the spouse minimum guarantee is payable only to the extent that it guarantees the amount that the widow(er) would have received as a spouse had he or she been entitled to a social security benefit in the month preceding the employee's death in an amount equal to the amount of the social security benefit payable at the time the widow(er) first became entitled to the social security benefit.

§ 228.60 Cost of living increase.

The tier II annuity component of a survivor annuity under the Railroad Retirement Act is increased by 32.5 percent of the percentage increase under section 215(i) of the Social Security Act at the same time that any such increase is payable. The amount of the increase is published in the Federal Register annually. The cost of living is payable beginning with the benefit payable for the month of December of the year for which the increase is due. The increase is paid in the January payment. In addition, in determining the amount of the tier II component at the time the survivor annuity begins, all cost of living increases that were applied or would have been applied after the employee's annuity beginning date or death and prior to the surviving annuity beginning date are taken into consideration.

PART 237—[REMOVED AND RESERVED]

2. Part 237 is hereby removed and reserved.

Dated: September 24, 1993.

By authority of the Board.

For the Board,

Beatrice Ezerski,

Secretary to the Board.

[FR Doc. 93–23999 Filed 9–29–93; 8:45 am]

BILLING CODE 7905–01–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[MD4–2–5344, MD10–1–5516, MD24–1–5900; A–1–FRL–4781–4]

Approval and Promulgation of Air Quality Implementation Plans; Maryland; RACT Fix-ups, Including Test Methods

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve a State Implementation Plan (SIP) revision submitted by the State of Maryland. This revision consists of new and revised volatile organic compound (VOC) regulations applicable in the Baltimore nonattainment area, including Baltimore City and the Counties of Anne Arundel, Baltimore, Carroll, Harford, and Howard, and the Washington, DC nonattainment area, including Montgomery and Prince George's Counties. The intended effect of this action is to propose approval of Maryland's new and revised VOC regulations to correct deficiencies in Maryland's ozone SIP. This action is being taken under the Clean Air Act (the Act).

DATES: Comments must be received on or before November 1, 1993, and will be considered before taking final action on this SIP revision.

ADDRESSES: Comments may be mailed to Thomas J. Maslany, Director, Air, Radiation, and Toxics Division, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, PA 19107. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air, Radiation, and Toxics Division, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, PA 19107; U.S. Environmental Protection Agency, Jerry Kurtzweg ANR–443, 401 M Street SW., Washington, DC 20460; and the Maryland Department of the Environment, 2500 Broening Highway, Baltimore Maryland, 21224.

FOR FURTHER INFORMATION CONTACT: Ms. Maria A. Pino, at (215) 597–9337.

SUPPLEMENTARY INFORMATION: On September 20, 1991, April 2, 1992, and January 18, 1993, the Maryland Department of the Environment formally submitted proposed amendments to Maryland's ozone SIP to EPA as SIP revisions to comply with part of the reasonably available control

technology (RACT) fix-up requirement of the Clean Air Amendments of 1990 (the Amendments). The Amendments were enacted on November 15, 1990. Public Law 101–549, 104 Stat. 2399 (1990), codified at 42 U.S.C. 7401–7671q. In amended section 182(a)(2)(A) of the Act, U.S.C. 7511(a)(2)(A), Congress statutorily adopted the requirement that ozone nonattainment areas fix their deficient RACT rules for ozone. Areas designated nonattainment before enactment of the Amendments and which retained that designation and were classified as marginal or above as of enactment are required to meet the RACT fix-up requirement. Under section 182(a)(2)(A) of the Act, 42 U.S.C. 7511(a)(2)(A), those areas were required by May 15, 1991 to correct RACT. SIPs were to include RACT as it was interpreted under pre-amended section 172(b) of the Act, and as it was interpreted in pre-amendment guidance.[1] In 1988, EPA sent letters to all areas which had SIP deficiencies. These so called "SIP call letters" interpreted that guidance and indicated corrections necessary for specific nonattainment areas. On May 26, 1988, EPA sent a SIP call letter to Governor Schaefer of Maryland indicating that deficiencies existed in the Maryland SIP for the Baltimore and Washington, DC nonattainment areas. The Baltimore nonattainment area (including Baltimore City and the Counties of Anne Arundel, Baltimore, Carroll, Harford, and Howard) is classified as severe and the Washington, DC nonattainment area (including Montgomery and Prince George's Counties) is classified as serious.[2] Therefore, these areas are subject to the RACT fix-up requirement and the May 15, 1991 deadline.

On September 20, 1991, Maryland submitted revisions to the VOC RACT regulations contained in the Maryland SIP. These changes were in addition to VOC SIP revisions submitted on April 5, 1991. The April 5, 1991 submittal is the subject of a separate rulemaking action.

Maryland's September 20, 1991 submittal consisted of the addition of COMAR 26.11.19.16 and Technical Memorandum 91–01 (TM 91–01), and revisions and additions to COMAR 26.11.01.01, 26.11.01.04, 26.11.06, 26.11.08, 26.11.10, 26.11.13.02, 26.11.14, 26.11.19.02, 26.11.19.07, 26.11.19.11, 26.11.19.12. On April 2, 1992, Maryland submitted further revisions to COMAR 26.11.01.01, 26.11.01.04, 26.11.04, 26.11.06, 26.11.10, 26.11.13.04, 26.11.13.05, 26.11.14, 26.11.19.02, 26.11.19.09, and 26.11.19.12, and TM 91–01. On June 17, 1992 Maryland submitted a letter to EPA withdrawing the capture efficiency protocols (Method 1003 of TM 91–01) from its September 20, 1991 SIP revision submittal. However, on January 18, 1993 Maryland formally resubmitted TM 91–01 to EPA as a SIP revision. This January 18, 1993 submittal also included amendments to COMAR 26.11.01.04, 26.11.06, 26.11.13.04, 26.11.13.05, and 26.11.19.07, and 26.11.19.15.

Revisions to COMAR 26.11.04, 26.11.06, 26.11.08, 26.11.10, and 26.11.14, which are not related to VOCs, are addressed by separate rulemaking actions. Revisions to COMAR 26.11.13.04 and 26.11.19.15 also are the subject of a separate rulemaking action (58 FR 8565).

This rulemaking notice proposes to approve the addition of TM 91–01 and COMAR 26.11.19.16 into the Maryland SIP, as well as amendments to COMAR 26.11.01.01, 26.11.01.04, 26.11.13.02, 26.11.13.05, 26.11.19.02, 26.11.19.07, 26.11.19.09, 26.11.19.11, and 26.11.19.12. These SIP revisions were submitted to EPA on September 20, 1991, April 2, 1992, and January 18, 1993.

Background

On April 5, 1991, Maryland submitted revisions to its SIP which satisfied a portion of the RACT fix-up requirement of amended section 182(a)(2)(A) of the Act, U.S.C. 7511(a)(2)(A). Maryland's September 20, 1991, April 2, 1992, and January 18, 1993 submittals address the remaining RACT fix-up issues not addressed in Maryland's April 5, 1991 submittal.

Maryland's September 20, 1991 submittal contains the addition of capture efficiency protocols, a new generic VOC leak regulation, and Maryland's Technical Memorandum 91–01 (TM 91–01). This submittal also contains amendments to several of Maryland's VOC regulations with regard to updating citations and references. Maryland's April 2, 1991 submittal contains updates to the definition of the term "VOC" and TM 91–01, and further amendments to Maryland's VOC regulations with regard to updating citations and references. Maryland's January 18, 1993 submittal contains additions to TM 91–01, amendments to COMAR 26.11.19.07, and further updates to citations and references in COMAR 26.11.01.04, 26.11.13.04, 26.11.13.05, and 26.11.19.15. The portions of these submittals consisting of revisions to COMAR 26.11.13.04 and 26.11.19.15, and regulations not related to VOCs, are addressed by separate rulemaking actions.

This proposed rulemaking action addresses the addition of COMAR 26.11.19.16 and TM 91–01 to the Maryland ozone SIP, and amendments to COMAR 26.11.01.01, 26.11.01.04, 26.11.13.02, 26.11.13.05, 26.11.19.02, 26.11.19.07, 26.11.19.09, 26.11.19.11, and 26.11.19.12 in Maryland's ozone SIP. These SIP revisions are contained in Maryland's September 20, 1991, April 2, 1992, and January 18, 1993 SIP submittals.

Detailed descriptions, including EPA's evaluation, of Maryland's September 20, 1991, April 2, 1992, and January 18, 1993 RACT fix-up amendments addressed in this notice are contained in the technical support document (TSD) prepared for these revisions. Copies of the TSD are available from the EPA Regional office listed in the **ADDRESSES** section of this document.

Summary of Revised Regulations

COMAR 26.11.01: General Administrative Provisions

COMAR 26.11.01.01DD, the definition of the term "volatile organic compound (VOC), has been amended to reflect current EPA guidance and to update citations. The proposed amendments are acceptable to EPA.

COMAR 26.11.01.04C has been amended to replace a reference to Maryland's old technical memorandum with a reference to the Department's Technical Memorandum 91–01, Test Methods and Equipment Specifications for Stationary Sources, (January, 1991) as amended by Supplement 1 (July 1, 1991) and all EPA test methods contained in 40 CFR part 60, appendix A, 1990 edition.

TM 91–01 contains EPA approved test methods necessary to determine compliance with all of Maryland's air quality regulations, including Maryland's VOC regulations. This rulemaking notice is proposing approval of those test methods applicable to VOC regulations: Methods 1000, 1002, 1006, 1007, 1008, 1009, 1011, and 1012.

Method 1003, used to determine capture efficiency for sources of VOC, is consistent with current EPA policy. Method 1003 allows sources to use

[1] Among other things, the pre-amendment guidance consists of the Post-87 policy, 52 FR 45044 (Nov. 24, 1987); the Bluebook, "Issues Relating to VOC Regulation Cutpoints, Deficiencies and Deviations, Clarification to Appendix D of November 24, 1987 Federal Register" (of which notice of availability was published in the Federal Register on May 25, 1988); and the existing control techniques guidance documents (CTGs).

[2] The Baltimore and Washington, DC nonattainment areas retained their designations of nonattainment and were classified by operation of law pursuant to sections 107(d) and 181(a) upon enactment of the Amendments. 56 FR 56694.

alternative capture efficiency protocols after the alternative protocol is approved by both Maryland and EPA. EPA is proposing to approve Method 1003, including the option to use alternative capture efficiency protocols. The use of alternative protocols is acceptable to EPA because the supplement to TM 91–01 contains language to require that any such alternative protocols must be submitted to EPA and approved as SIP revisions.

COMAR 26.11.13: Control of Gasoline and Volatile Organic Compound Storage and Handling

COMAR 26.11.13.02C(2) has been amended to exempt storage tanks with liquid mounted seals from the secondary seal requirement. This is approvable because it is consistent with the control techniques guideline (CTG), *Control of Volatile Organic Emissions from Storage of Petroleum Liquids in Fixed-Roof Tanks* (EPA–450/2–77–036).

COMAR 26.11.13.05B(2) and 26.11.13.05C(2) have been amended to replace specific references to the EPA approved test methods required for compliance with reference to COMAR 26.11.01.04C. These amendments are acceptable because they do not substantively change the regulations, but serve to clarify them.

COMAR 26.11.19: Volatile Organic Compounds from Specific Processes

COMAR 26.11.19.02D, 26.11.19.09B and 26.11.19.12F have been amended to update references. These amendments are approvable because they are administrative in nature and do not substantively alter these regulations; rather, they serve to clarify them.

COMAR 26.11.19.07A has been amended to add definitions for the terms "sheet-fed paper coating" and "ultraviolet curable coating." COMAR 26.11.19.07D: *Emissions Standards for Sheet-Fed Paper Coating*, a RACT regulation for sheet-fed paper coating, has been added. Sheet-fed paper coating is a source category for which EPA has not issued a CTG, a so called "non-CTG" source category. This section requires new sheet-fed paper coaters to use ultraviolet curable (UV) coatings, which contain no VOC. This section also requires existing sheet-fed paper coaters to convert to UV coatings or coatings with ≤ 2.9 pounds VOC/gallon of coating applied (minus water) or use other methods which result in VOC emissions less than or equal to 2.9 pounds VOC/gallon of coating applied (minus water). This standard for sheet-fed paper coating constitutes RACT for this source categories because it results in significant VOC emission reductions and is technologically and economically feasible.

COMAR 26.11.19.11B and C have been amended to clarify the applicability of this miscellaneous printing and coating regulation. These amendments are acceptable because they do not substantively change the regulations, but serve to clarify them.

COMAR 26.11.19.16, *Control of VOC Equipment Leaks*, is a new regulation which applies to persons subject to any VOC regulation in COMAR 26.11.19 and not subject to a more specific leak requirement. This regulation requires monthly leak inspections, recordkeeping, and the timely repair of any detected leaks.

The addition of COMAR 26.11.19.16 is in direct response to the SIP call letter. This regulation is acceptable to EPA because it adequately addresses the SIP call letter and serves to strengthen Maryland's SIP. Additionally, because these requirements are technologically and economically feasible and will result in significant VOC emission reductions, they constitute RACT for equipment leaks.

EPA is proposing to approve the addition of COMAR 26.11.19.16 and TM 91–01, and amendments to COMAR 26.11.01.01, 26.11.01.04, 26.11.13.02, 26.11.13.05, 26.11.19.02, 26.11.19.07, 26.11.19.09, 26.11.19.11, and 26.11.19.12, contained in Maryland's September 20, 1991, April 2, 1992, and January 18, 1993 SIP revision submittals, into the Maryland ozone SIP.

The State of Maryland has certified that public hearings with regard to these proposed revisions were held on June 17, 1991 in Annapolis, Maryland; November 25, 1991 in Baltimore, Maryland; and November 20, 1992 in Columbia, Maryland, as required by 40 CFR 51.102. EPA is soliciting public comments on the issues discussed in this notice or on other relevant matters. These comments will be considered before taking final action. Interested parties may participate in the Federal rulemaking procedure by submitting written comments to the EPA Regional office listed in the **ADDRESSES** section of this document.

Proposed Action

EPA is proposing to approve the addition of TM 91–01 and COMAR 26.11.19.16, as well as amendments to COMAR 26.11.01.01, 26.11.01.04, 26.11.13.02, 26.11.13.05, 26.11.19.02, 26.11.19.07, 26.11.19.07, 26.11.19.11, and 26.11.19.12, which were submitted to EPA on September 20, 1991, April 2, 1992, and January 18, 1993, into the Maryland ozone SIP. These revisions meet part of the RACT fix-up requirement of the Act, as amended.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for revision to any SIP. Each request for revision to the SIP shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

Under the Regulatory Flexibility Act, 5 U.S.C. 600 *et seq.*, EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed final rule on small entities. 5 U.S.C. 603 and 604. Alternatively, EPA may certify that the rule will not have a significant impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

SIP approvals under section 110 and subchapter I, part D of the Act do not create any new requirements but simply approve requirements that the State is already imposing. Therefore, because the federal SIP approval does not impose any new requirements, the Administrator certifies that it does not have a significant impact on any small entities affected. Moreover, due to the nature of the Federal-State relationship under the Clean Air Act, preparation of a flexibility analysis would constitute federal inquiry into the economic reasonableness of state action. The Act forbids EPA to base its actions concerning SIPs on such grounds. *Union Electric Co.* v. *U.S. EPA*, 427 U.S. 246, 255–66 (1976); 42 U.S.C. 7410(a)(2).

This action, pertaining to COMAR 26.11.01.01, 26.11.01.04, 26.11.13.02, 26.11.13.05, 26.11.19.02, 26.11.19.07, 26.11.19.09, 26.11.19.11, 26.11.19.12, and 26.11.19.16, and TM 91–01 of the Maryland ozone SIP, has been classified as a Table 2 action for signature by the Regional Administrator under the procedures published in the Federal Register on January 19, 1989 (54 FR 2214–2225). On January 6, 1989, the Office of Management and Budget waived Table 2 and Table 3 SIP revisions (54 FR 2222) from the requirements of section 3 of Executive Order 12291 for a two year period. EPA has submitted a request for a permanent waiver for Table 2 and 3 SIP revisions. OMB has agreed to continue the temporary waiver until such time as it rules on EPA's request.

The Regional Administrator's decision to approve or disapprove the SIP revision will be based on whether it satisfies the requirements of section

110(a)(2)(A)–(K) and subchapter I, part D of the Act, as amended, and EPA regulations codified at 40 CFR part 51.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements.

Authority: 42 U.S.C. 7401–7671q.

Dated: August 3, 1993.

W.T. Wisniewski,

Acting Regional Administrator, Region III.

[FR Doc. 93–23862 Filed 9–29–93; 8:45 am]

BILLING CODE 6560–50–P

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40 CFR Part 180

[OPP–300299; FRL–4641–3]

RIN No. 2070–AC18

Diallate; Revocation of Tolerances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: This document proposes the revocation of tolerances, to be effective August 1996, for residues of the pesticide diallate (*S*-(2,3-dichloroallyl) diisopropylthiocarbamate, AVADEX®) in or on all raw agricultural commodities. EPA is initiating this action because all registered uses of diallate on these commodities have been cancelled. Therefore, there is no need for maintaining the tolerances once all commodities treated with diallate have cleared the channels of trade.

DATES: Written comments, identified by the document control number [OPP-300299], must be received on or before November 1, 1993.

ADDRESSES: By mail, submit comments to: Public Response and Program Resources Branch, Field Operations Division (H7506C), Office of Pesticide Programs, 401 M St., Washington, DC 20460. In person, deliver comments to: Rm. 1128, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202.

Information submitted as a comment concerning this document may be claimed confidential by marking any or all of that information as "Confidential Business Information" (CBI). Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. All written comments will be available for public inspection in Rm. 1128 at the Virginia address given above, from 8 a.m. until 4 p.m., Monday through Friday, except legal holidays.

FOR FURTHER INFORMATION CONTACT: Philip J. Poli, Special Review and Reregistration Division (H7508W), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Special Review Branch, Crystal Station #1, 3rd Floor, 2800 Jefferson Davis Hwy., Arlington, VA 22202, Telephone: (703)-308-8038.

SUPPLEMENTARY INFORMATION:

I. Introduction

Diallate, *S*-(2,3-Dichloroallyl) diisopropylthiocarbamate, is a thiocarbamate which was also known by the trade name AVADEX®. Diallate acts as a preemergence selective herbicide. Monsanto Agricultural Products Co. was the sole producer of technical-grade diallate. As a registered pesticide, diallate was used to control wild oats in sugar beets, flax, barley, field corn (grain and silage), forage legumes (alfalfa, sweet, red and alsike clover), lentils, peas, potatoes, safflower, and soybeans. In combination with pebulate or cycloate, it was used also to control other grasses and broadleaf weeds in sugar beets.

II. Legal Background

The Federal Food, Drug and Cosmetic Act (FFDCA) (21 U.S.C. 301 et seq.) authorizes the establishment of tolerances (maximum legal residue levels) and exemptions from the requirement of a tolerance for residues of pesticide chemicals in or on raw agricultural commodities pursuant to section 408 (21 U.S.C. 346(a)). Without such tolerances or exemptions, a food containing pesticide residues is considered to be "adulterated" under section 402 of the FFDCA, and hence may not legally be moved in interstate commerce (21 U.S.C. 342). To establish a tolerance or an exemption under section 408 of the FFDCA, the Agency must make a finding that the promulgation of the rule would "protect the public health" (21 U.S.C. 346a(b)). For a pesticide to be sold and used in the production of a food crop or food animal, the pesticide must not only have appropriate tolerances under the FFDCA, but must be registered under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA, 7 U.S.C. 136 et seq.). FIFRA requires the registration of pesticides which are sold and distributed in the United States.

III. Regulatory History

On January 22, 1991, the last EPA registration for a pesticide product containing diallate was cancelled under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) for nonpayment of the annual registration maintenance fee. Because diallate is no longer registered in the United States for use on any food or animal feed crops, and a tolerance is generally not necessary for a pesticide chemical which is not registered for a particular food use, EPA now proposes to revoke the tolerances listed in 40 CFR 180.277 for residues of diallate. Since the final cancellation order was issued more than 2 years ago, nearly all existing stocks of products containing diallate should have been depleted. However, to ensure that all stocks are depleted and that all treated commodities have cleared through marketing channels, the Agency is proposing to effectuate this revocation by amending the existing diallate tolerances to include an expiration date of August 30, 1996. Further, there is no anticipation of a residue problem due to environmental contamination. Consequently, no action levels will be recommended to replace the tolerances upon their revocation.

IV. Current Proposal

This document proposes to amend the tolerances established under section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a, for residues of the herbicide diallate, *S*-(2,3-dichloroallyl) diisopropylthiocarbamate, in or on the commodities listed in 40 CFR 180.277, with addition of an expiration date of August 30, 1996. This action will make it unlawful to move in interstate commerce after August 30, 1996, food which contains residues of diallate *S*-(2,3-Dichloroallyl) diisopropylthiocarbamate.

V. Public Comment Procedures

The Agency invites comments on this proposed action. Interested persons are invited to submit written comments, information or data in response to this proposed rule. Comments must be received by EPA on or before November 1, 1993. Comments must bear a notation indicating the document control number. Three copies of the comments should be submitted to either location listed under ADDRESSES. Documents considered and relied upon by EPA in reaching its decision and all written comments filed pursuant to this Notice will be available for public inspection in Rm. 1128, Crystal Mall #2, 1921

Jefferson Davis Hwy., Arlington, VA, between 8 a.m. and 4 p.m., Monday through Friday, except public holidays. Any person who has registered or submitted an application for the registration of a pesticide under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, which contains diallate may request within 30 days after publication of this document in the **Federal Register** that this rulemaking proposal be referred to an Advisory Committee in accordance with section 408(e) of the Federal Food, Drug, and Cosmetic Act (FFDCA). To satisfy requirements for analysis specified by Executive Order 12291 and the Regulatory Flexibility Act, EPA has analyzed the impacts of this proposal. This analysis is available for public inspection in Rm. 1128 at the Virginia address above.

VI. Other Regulatory Requirements

A. Executive Order 12291

Under Executive Order 12291, EPA must determine whether a proposed regulatory action is "major" and therefore subject to the requirements of a Regulatory Impact Analysis. The Agency has determined that this proposed rule is not a major regulatory action, i.e., will not result in: (1) An annual effect on the economy of a least $100 million or more; (2) a major increase in costs or prices for consumers, individual industries, Federal, State or local governments agencies, or geographic regions; or (3) significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises in domestic or export markets.

B. Regulatory Flexibility Act

This proposed rule has been reviewed under the Regulatory Flexibility Act of 1980 (Pub. L. 96-354; 94 Stat. 1164, 5 U.S.C. 601 et seq.), and EPA has determined that in the time frame provided, it will not have a significant economic impact on a substantial number of small businesses, small governments or small organizations. This regulatory action is intended to prevent the sale of food commodities containing pesticide residues where the subject pesticide has been used in an unregistered or illegal manner. Accordingly, I certify that this proposed rule does not require a separate regulatory flexibility analysis under the Regulatory Flexibility Act.

C. Paperwork Reduction Act

This proposed regulatory action does not contain any information collection requirements subject to review by OMB under the Paperwork Reduction Act of 1980, 44 U.S.C. 3501 et seq.

List Of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: September 23, 1993.

Susan H. Wayland,

Acting Assistant Administrator for Prevention, Pesticides and Toxic Substances.

Therefore, it is proposed that 40 CFR part 180 be amended as follows:

PART 180—[AMENDED]

1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 346a and 371.

2. By revising § 180.277, including the section heading, to read as follows:

§ 180.277 Diallate; tolerances for residues.

Tolerances, to expire on August 30, 1996, are established for negligible residues of the herbicide diallate, *S*-2,3-dichloroallyl diisopropylthiocarbamate, in or on the raw agricultural commodities alfalfa (fresh and hay); barley (grain, forage, and straw); clover (fresh and hay); field corn grain, fodder and forage; flaxseed; lentils; peas, pea forage and hay; potatoes; safflower seed; soybeans, soybean forage and hay; and sugar beet roots and tops at 0.05 part per million.

[FR Doc. 93-24061 Filed 9-29-93; 8:45 am]

BILLING CODE 6560-50-F

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

[FEMA Docket No. 7057]

Proposed Flood Elevation Determinations

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Correction of proposed rule.

SUMMARY: This document contains corrections to the proposed rule (FEMA Docket No. 7057), which was published on Thursday, December 17, 1992 (57 FR 59946). The correction more accurately represents the Flood Insurance Study and Flood Insurance Rate Map for the Village of Ellicottville, Cattaraugus County, New York, than previously published.

DATES: The comment period is thirty (30) days following the publication of this correction to the proposed rule in a newspaper of local circulation in the community.

ADDRESSES: The proposed base flood elevations for the community are available for inspection at the Ellicottville Village Hall, 1 W. Washington, Ellicottville, New York.

FOR FURTHER INFORMATION CONTACT: William R. Locke, Chief, Risk Studies Division, Federal Insurance Administration, 500 C Street SW., Washington, DC 20472, (202) 646–2766.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA or Agency) publishes proposed determinations of base (100-year) flood elevations and modified base flood elevations for communities participating in the National Flood Insurance Program (NFIP), in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a). These base flood and modified base flood elevations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. The community may at any time enact stricter requirements of its own, or pursuant to policies established by other Federal, state or regional entities. These proposed elevations are used to meet the floodplain management requirements of the NFIP and are also used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in these buildings.

Need for Correction

As published, the proposed rule contained location and elevation information at two sources of flooding that must be corrected to represent more accurately than before the Flood Insurance Study and the Flood Insurance Rate Map for the Village of Ellicottville, New York.

Accordingly, the proposed rule (FEMA Docket No. 7057) published as FR Doc. 92–30490 on December 17, 1992, 57 FR 59946, is corrected as follows:

§ 67.4 [Corrected]

At 57 FR 59948, the entry for the Village of Ellicottville, Cattaraugus County, New York, the entries for Great Valley Creek and Plum Creek are corrected to read as follows:

Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)	
		Existing	Modified
Great Valley Creek	Approximately 670 feet downstream of confluence of Holiday Valley Creek	*1,520	*1,519
	Approximately 0.2 mile upstream of Mill Street	*1,540	*1,542
* *	* * * *		*
Plum Creek	At confluence with Great Valley Creek	*1,530	*1,532
	Approximately 0.8 mile upstream of confluence with Great Valley Creek	*1,597	*1,598
* *	* * * *		*

Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance."

Dated: September 20, 1993.

Donald L. Collins,

Assistant Administrator, Federal Insurance Administration.

[FR Doc. 93–23812 Filed 9–29–93; 8:45 am]

BILLING CODE 6718–03–P

DEPARTMENT OF DEFENSE

48 CFR Parts 207, 237, and 252

Defense Federal Acquisition Regulation Supplement: Continuation of Essential Contractor Services During Crises

AGENCY: Department of Defense (DoD).

ACTION: Proposed rule and request for comments.

SUMMARY: The Defense Acquisitions Regulations Council is proposing a change to the Defense FAR Supplement to implement instructions in Department of Defense Instruction (DoDI) 3020.37, Continuation of Essential Contractor Services During Crises. The proposed language includes a clause to be included in contracts for services, when appropriate.

DATES: Comments on the proposed rule should be submitted in writing to the address shown below on or before November 1, 1993 to be considered in the formulation of the final rule.

ADDRESSES: Interested parties should submit written comments to: Defense Acquisition Regulations Council, OUSD(A)DP(DAR), 3062 Defense Pentagon, Washington, DC 20301–3062. Please cite DAR Case 91–071 in all correspondence related to this issue.

FOR FURTHER INFORMATION CONTACT: Mrs. Linda Holcombe, (703) 697–7266, FAX (703) 697–9845.

SUPPLEMENTARY INFORMATION:

A. Background

The DoDI 3020.37 sets forth DoD policy, assigns responsibilities, and prescribes procedures for military departments and defense agencies to follow with respect to continuation of essential contractor services during crisis situations. Until publication of the DoDI, there was no single DoD-wide publication which provided guidance for continuation of essential services during crises. This proposed rule provides guidance for contracting officers and contractors, and prescribes the rights and responsibilities of the contracting parties.

B. Regulatory Flexibility Act

The proposed rule may have a 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 it will require small entities, in the event they are performing services identified as essential in a crisis situation (as defined in DoD Instruction 3020.37, Continuation of Essential DoD Contractor Services During Crises) to agree to continue performance of any and all essential services under the contract, and to notify affected employees, in writing, of statutory benefits in the event of war exigencies. An initial regulatory flexibility analysis has been prepared and is summarized as follows. The proposed rule provides prescriptive language and a clause, Continuation of Essential Contractor Services During Crises, to provide reasonable assurance of the continuation of essential contractor service by DoD contractors during crisis situations, and to notify affected employees in writing of their statutory benefits due to war exigencies. It is not possible to estimate accurately the number of small entities to which the rule will apply. This requirement will be included only in those contracts which are for essential services, and applies to both large and small businesses. A copy of the Initial Regulatory Flexibility Analysis (IRFA) has been submitted to the Chief Counsel for Advocacy of the Small Business Administration. A copy of the IRFA may be obtained from the individual listed below. Comments are invited. Comments from small entities concerning the affected DFARS Subpart will also be considered in accordance with section 610 of the Act. Such comments must be submitted separately and cite DAR 92–610 in all correspondence.

C. Paperwork Reduction Act

The Paperwork Reduction Act (Pub. L. 96–511) applies because the proposed rule imposes information collection requirements. Contractors entering into contracts for services which have been identified as being essential in crisis situations will be required to notify affected employees, in writing, of their benefits due to war exigencies. It is estimated that there will be no more than 100 contracts awarded annually by the Department of Defense which contain essential services. The Department of Defense does not project any occurrences of a crisis situation, however, an estimate based on one occurrence was included in the request for OMB clearance. A request for approval of a new information collection requirement for 1,000 hours is being submitted to the Office of Management and Budget under 44 U.S.C. 3501. et. seq.

List of Subjects in 48 CFR Parts 207, 237, and 252

Government procurement.

Claudia L. Naugle,

Executive Editor, Defense Acquisition Regulations Directorate.

Therefore, it is proposed that 48 CFR parts 207, 237, and 252 be amended as follows:

1. The authority citation for 48 CFR parts 207, 237, and 252 continues to read as follows:

Authority: 41 U.S.C. 421 and FAR Subpart 1.3.

PART 207—ACQUISITION PLANS

207.105 [Amended]

2. Section 207.105 is amended by adding a new paragraph (b)(17)(C) to read as follows:

207.105 Contents of written acquisition plans.

* * * * *

(b) Plan of action. * * *

(17) *Other considerations.* * * *

(C) Include a discussion of the requirements of DoDI 3020.37, Continuation of Essential DoD Services During Crises.

PART 237—SERVICE CONTRACTING

3. New sections 237.171 through 237.171–5 are added to read as follows:

237.171 Continuation of essential contractor services during crises.

237.171–1 Scope.

This section implements Department of Defense Instruction (DoDI) 3020.37, Continuation of Essential Contractor Services During Crises.

237.171–2 Policy.

DoD policy is to provide for the reasonable assurance of the continuation of essential contractor services by DoD contractors during crisis situations. These essential services will be identified in the statement of work.

237.171–3 Definition.

"Crisis situation" as used in this section is defined in the clause at 252.237–7XXX, Continuation of Essential Contractor Services During Crises.

237.171–4 Procedures.

When a crisis situation is declared, the contracting officer shall notify the contractor in writing as soon as possible after it is determined that essential services identified in the contract are required. If time does not permit advance written notification, the contracting officer may notify the contractor verbally, but shall follow up with written notice immediately.

237.171–5 Contract clause.

When essential services are identified in the statement of work, use the clause at 252.237–7XXX, Continuation of Essential Contractor Services During Crises, in solicitations and contracts.

PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

4. Section 252.237–7XXX is added to read as follows:

252.237–7XXX Continuation of essential contractor services during crises.

As prescribed in 237.171–4, use the following clause:

Continuation of Essential Contractor Services During Crises (Date XXX)

(A) "Crises situation" means any emergency so declared by the National Command Authority or the overseas Combatant Commander, whether or not U.S. Armed Forces are involved, minimally encompassing civil unrest or insurrection, civil war, civil disorder, terrorism, hostilities buildup, wartime conditions, disasters, or international conflict presenting a serious threat to DoD interests.

(b) This contract includes requirements for services that are essential to the national defense of the United States. Therefore, if directed by the Contracting Officer during a crisis situation, the Contractor agrees to continue performance of any and all essential services under the contract.

(c) The Contractor shall notify affected employees in writing of their benefits due to war exigencies, under 33 U.S.C. 901 and 42 U.S.C. 1651 and 1701.

(d) If performance of essential services directed by the Contracting Officer under paragraph (b) of this clause causes an increase or decrease in the Contractor's cost of, or the time required for the performance of any part of the work under this contract, the Contracting Officer shall make an equitable adjustment and modify the contract in writing.

(e) The Contractor must assert its right to an adjustment under this clause within 30 days after receipt of a written notification under paragraph (b) of this clause, unless this period is extended by the Government, by submitting to the Contracting Officer a written statement describing the general nature and amount of the proposal. Such proposal shall not include any costs for or associated with evacuation or replacement of employees performing essential services who elect to leave the area during a crisis situation. The Joint Travel Regulation shall be used as a guide in determining allowability of any additional costs associated with evacuation of dependents or nonessential personnel.

(f) No proposal by the Contractor for an equitable adjustment shall be allowed if asserted after final payment under this contract.

(End of clause)

[FR Doc. 93–23890 Filed 9–29–93; 8:45 am]

BILLING CODE 3810–01–M

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

Denial of Petition for Rulemaking; Federal Motor Vehicle Safety Standard No. 108; William Walters

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Denial of petition for rulemaking.

SUMMARY: This notice denies a petition for rulemaking to amend Standard No. 108 to require a dashboard indicator to monitor the functional status of center high-mounted stop lamps. In the judgment of the agency, the petitioner has failed to show sufficient justification for amending the standard.

FOR FURTHER INFORMATION CONTACT: Richard L. Van Iderstine, Office of Vehicle Safety Standards, NHTSA, (202) 366–5280.

SUPPLEMENTARY INFORMATION: Federal Motor Vehicle Safety Standard No. 108, *Lamps, Reflective Devices, and Associated Equipment*, requires center high-mounted stop lamps (CHMSLs) on all passenger cars, and, as of September 1, 1993, on multipurpose passenger vehicles, and on trucks with a GVWR of 10,000 pounds or less and an overall width of less than 80 inches. Mr. William Walters of Michigan City, Indiana, ("Petitioner") believes that "a means to eliminate the error in message transmission caused by a non-functioning high-mounted lamp" is necessary. It is his opinion that, as more drivers become prone to looking at the CHMSL for the stop signal, the drivers will not look at the other stop lamps for a stopping signal. Accordingly, the Petitioner sees the need to assure that the CHMSL can be monitored for proper functioning, because its failure will send a "dangerously false signal to following vehicles." He also claims that the benefits attributable to the CHMSL cannot be realized if it is not functioning.

The agency is not convinced that Petitioner's suggestion will improve safety commensurate with the likely cost of implementing a monitor on the instrument panel. An indication of functional status (i.e., bulb filament failure indication) is required under Standard No. 108 only for turn signal lamps on motor vehicles not equipped to tow trailers, on motor vehicles less than 2032 mm in overall width or on trucks not capable of accommodating slide-in campers. The failure indication

of turn signal lamps has been provided on motor vehicles since before Standard No. 108, and is required today through incorporation by reference into Standard No. 108 of pertinent SAE materials. NHTSA has never deemed such a requirement necessary for any other lamp to meet a need for motor vehicle safety. The agency also notes that the Petitioner has provided no substantiation for his assumption that drivers will not respond to the activation of the two remaining and functioning stop lamps that are required on motor vehicles. These lamps provide a source for stopping information. While the agency agrees that a failed CHMSL will not provide the benefits attributed to its presence, the same is true for any other required lamp that becomes non-functioning. Further, the agency does not see any reason why the detection and replacement of failed CHMSLs cannot be handled in the same way as the other types of failed safety equipment. Drivers, as part of the acceptance of responsibility of driving, are expected under the laws of most states to drive vehicles that have functioning, required safety equipment. Most states enforce such laws through periodic motor vehicle inspection or through normal police traffic enforcement. In summary, the agency is not persuaded that an on-vehicle monitor for the CHMSL is required for safety.

In accordance with 49 CFR part 552, the agency has completed its technical review of the petition, and has determined that there is no reasonable possibility that the requested amendment would be issued at the conclusion of a rulemaking proceeding. Therefore, the petition is denied.

Authority: 15 U.S.C. 1410a; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on September 24, 1993.

Barry Felrice,

Associate Administrator for Rulemaking.

[FR Doc. 93–23945 Filed 9–29–93; 8:45 am]

BILLING CODE 4910–59–M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018–AC01

Endangered and Threatened Wildlife and Plants; Proposal To Remove the Arctic Peregrine Falcon From the List of Endangered and Threatened Wildlife

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

SUMMARY: The Fish and Wildlife Service (Service) proposes to remove the arctic peregrine falcon (*Falco peregrinus tundrius*), currently listed as threatened, from the list of Endangered and Threatened Wildlife throughout its range. Evidence shows that arctic peregrine falcon populations have recovered since the use of organochlorine pesticides was restricted in the United States. This action is taken on behalf of this subspecies pursuant to the Endangered Species Act of 1973, as amended (Act). Removal from the list of Endangered and Threatened Wildlife would result in elimination of regulatory protection offered by the Act but would not affect protection provided by the Migratory Bird Treaty Act. Section 4(g) of the Act requires the Service to implement a system in cooperation with the States to monitor a recovered species for 5 years following delisting. This proposal includes a draft monitoring plan that will be refined and implemented if the arctic peregrine falcon is delisted as proposed.

DATES: Comments from all interested parties must be received by December 29, 1993. Requests for a public hearing must be received by November 15, 1993.

ADDRESSES: Comments and information concerning this proposal should be sent to Ted Swem, Division of Endangered Species, U.S. Fish and Wildlife Service, 1412 Airport Way, Fairbanks, Alaska 99701. Comments and information received will be available for inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Ted Swem, at the above address (907) 456–0441 or Skip Ambrose at the above address (907) 456–0239.

SUPPLEMENTARY INFORMATION:

Background

The peregrine falcon is a medium-sized brown or blue-gray raptor that preys predominantly upon birds. It is nearly cosmopolitan in distribution; three subspecies occur in North America. The Peale's peregrine falcon (*Falco peregrinus pealei*) is resident year-round on the northwest Pacific coast, from northern Washington or British Columbia to the Aleutian Islands, Alaska. The arctic peregrine falcon (*F. p. tundrius*) nests in the tundra regions of Alaska, Canada, and Greenland. It is a long-distance migrant, wintering in Latin America (from Cuba and Mexico south through Central and South America). The American peregrine falcon (*F. p. anatum*) breeds throughout much of the remainder of North America, from the subarctic boreal forest to Mexico. American peregrine falcons that nest in subarctic areas also winter in Latin America, while those that nest in lower latitudes migrate shorter distances or are nonmigratory.

Peregrine falcon numbers in North America declined precipitously following World War II. Organochlorine insecticides came into use in the United States during the same period for the control of agricultural and forest pests and mosquitos. Their use peaked in the 1950's or early 1960's and continued until 1973. Organochlorines and their metabolites are stable and long-lived compounds which are deposited in the fatty tissues of animals ingesting contaminated food. Peregrine falcons and other birds near the top of the food chain, such as ospreys (*Pandion haliaetus*), bald eagles (*Haliaeetus leucocephalus*), and pelicans (*Pelecanus* spp.), gradually accumulated large doses by eating numerous contaminated prey items. Organochlorines affect peregrine falcons by causing direct mortality and by inhibiting reproduction. Due to the difficulty of measuring mortality in wild populations, the effects of organochlorines upon mortality rates remain largely unquantified. The effects of organochlorines upon avian reproduction are more easily studied and are better understood. Organochlorines influence reproduction in several ways: Heavily contaminated females may fail to lay eggs; organochlorines are passed from the female to the egg during laying and can kill the embryo before it hatches; and organochlorines alter behaviors such as nest defense and attentiveness, which reduces nest success. Possibly the most detrimental effect of pesticides, however, resulted from contamination with the pesticide DDT. DDE, the principal metabolite of DDT, prevents normal calcium deposition during eggshell formation, causing females to lay thin-shelled eggs that often break before hatching. Shell thinning and nesting failures were widespread in peregrine falcons in North America during the period of DDT use, and, in some areas, successful reproduction virtually ceased.

Pesticides caused a marked decline in the number of peregrine falcons in many parts of North America between the 1940's and early 1970's by increasing mortality rates and decreasing reproductive performance. The degree of exposure to pesticides varied among different regions of the North American continent, however, and peregrine falcon populations in the more contaminated areas suffered greater

declines. Those that nested in the agricultural and forested areas of the eastern United States and southeast Canada were the most heavily contaminated and were extirpated by the mid-1960's. Those that nested outside of agricultural and forested regions were affected less, although exposure to organochlorines still occurred during migration and by eating prey that migrated through, or wintered in, more heavily contaminated regions. Peregrine populations declined by as much as 75 percent in the western United States and in arctic and subarctic areas of the continent. The exact degree of most local declines, however, remains unknown due to the lack of pre-pesticide era population censuses. The Peale's peregrine falcon, resident year-round in the Pacific Northwest, suffered little exposure to pesticides and its numbers remained relatively stable.

In response to the population declines, the Service in 1970 protected the arctic and American peregrine falcons under the Endangered Species Conservation Act of 1969. Peale's peregrine falcons were not included. Arctic and American peregrine falcons were afforded the greater protection of the Endangered Species Act of 1973 (U.S.C. 1531 et seq.) upon its passage. The Act requires review of all activities funded, permitted, or conducted by Federal agencies to minimize impacts to endangered or threatened species. As a result, harvest of peregrines for the sport of falconry was prohibited and peregrine falcon nest sites on Federal land were protected. The most pivotal action in aiding the recovery of the peregrine falcon, however, was regulation of the use of organochlorine pesticides. The use of DDT was restricted in Canada in 1970 and in the United States in 1973. Restrictions that controlled the use of other organochlorine pesticides, including aldrin and dieldrin, were imposed in the United States in 1974.

Since implementation of restrictions on the use of organochlorine pesticides, reproductive rates in most surviving peregrine falcon populations have increased, and populations have subsequently expanded. This is particularly true in northern areas, where pesticide exposure was lower and impacts upon populations were less severe. By 1984 the recovery of arctic peregrine falcons had progressed sufficiently that the Service reclassified the subspecies from endangered to threatened (49 FR 10520, March 20, 1984). The number of arctic peregrine falcons continued to increase. In 1991, the Service began reviewing the status of the threatened arctic peregrine falcon to determine if a proposal to delist was appropriate.

At nearly the same time, the Canadian government began to review the classification of the subspecies in Canada. In Canada, the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) reviews the status of species and classifies species in peril into one of three categories: Endangered, threatened, and vulnerable, with endangered being the most imperiled and vulnerable the least at risk. Arctic peregrine falcons were classified as threatened in Canada from 1978 to 1992. In 1992, in response to improvement in the status of the subspecies, COSEWIC reclassified arctic peregrine falcons in Canada as vulnerable.

The status review initiated by the Service in 1991 consisted of reviewing all available information on the status of arctic peregrine falcons throughout their range. Information was received from biologists, researchers, and the public in response to an information request published in the **Federal Register** (56 FR 26969, June 12, 1991). The results of this status review form the basis of this delisting proposal and are summarized below:

Breeding Surveys

Arctic peregrine falcons nest in the tundra regions of northern and western Alaska; northern Canada, including the Yukon, Northwest Territories (NWT), Quebec, and possibly Labrador; and the ice-free perimeter of Greenland. Due to the vastness of the subspecies' range and the remote location of most nesting areas of arctic peregrine falcons, information on breeding biology comes from a few widely scattered study areas. Information derived from breeding surveys includes four measures useful in assessing population status and the current effects of environmental contaminants: (1) Population size and trend, (2) reproductive performance, (3) pesticide residues in eggs, and (4) eggshell thickness.

(1) Population Size: Although many arctic peregrine falcon breeding areas have been surveyed during the past 20 years, few long-term studies have been conducted using consistent methodology enabling the comparison of data sets and the detection of population trends. Arctic peregrine falcons probably began to decline in the 1950's, reached their lowest levels in the early 1970's, and began to increase in the late 1970's. Four areas in northern North America from which historical survey information is available clearly illustrate trends in population size. The number of pairs of arctic peregrine falcons occupying nesting territories in these four areas is as follows:

Year	Colville River Alaska[2]	Hope Bay NWT[3]	Coppermine NWT[3]	Rankin Inlet NWT[4]
1959[1]	35	.....	.....	.....
1968[1]	32	.....	.....	.....
1971[1]	25	.....	.....	.....
1978	15	.....	.....	.....
1979	16	.....	.....	.....
1980	21	.....	.....	.....
1981	24	.....	.....	17
1982	27	.....	17	19
1983	26	25	17	19
1984	32	27	28	20
1985	30	29	17	26
1986	34	18	24	25
1987	37	39	29	23
1988	47	35	25	23
1989	53	58	37	22
1990	51	61	34	26
1991	56	52	51	26

Year	Colville River Alaska [2]	Hope Bay NWT [3]	Coppermine NWT [3]	Rankin Inlet NWT [4]
1992	57	45	42	24

[1] From Cade et al. 1968; White and Cade 1975.
[2] 1978–1992—unpublished Service data on file, Fairbanks, Alaska.
[3] Data from Shank et al. 1993; Chris Shank, Dept. of Renewable Resources, Govt. of Northwest Territories, pers. comm., 1992.
[4] Data from Court et al. 1988; C. Shank, pers. comm., *in litt.*,1991.

Population size has increased in these four areas, although the rate of increase at Rankin Inlet, NWT, is less than in other areas. The density of pairs in the Rankin Inlet study area in 1985 was one pair per 17 square kilometers (6.6 square miles), which is among the highest densities recorded for the species (Court *et al.* 1988). Presumably peregrine falcons were nearly at carrying capacity in this area in the mid-1980's, and density-dependent factors prevented a further increase in numbers. The decrease noted in the number of pairs seen breeding at Hope Bay and Coppermine during the last two years warrants explanation. Surveys are conducted in late summer and, therefore, count predominantly pairs with successful nests. Severe spring and summer storms caused many nesting failures in these areas during 1991 and 1992, thereby decreasing the number of successful pairs (C. Shank, pers. comm., 1992). Therefore, the decrease noted reflects temporary weather-caused effects on nesting success rather than a reversal in the trend of increasing population size.

Surveys in other sample areas within the arctic peregrine falcon's breeding range have provided additional evidence that numbers have increased rapidly in recent years. The rate of population growth on the Colville River is comparable to that found in other areas in Alaska, such as the Sagavanirktok and Kogosukruk Rivers, Norton Sound, and in scattered locales on the north slope of the Brooks Range. The number of arctic peregrine falcons currently nesting in Alaska is estimated to be 200–250 pairs (130 pairs known in 1991). Numbers in some areas of Alaska exceed the original estimates of pre-DDT era population size (unpublished Service data, Fairbanks, Alaska).

In addition to Coppermine, Hope Bay, and Rankin Inlet, arctic peregrine falcon surveys have been conducted in other areas in the NWT. Extensive surveys conducted between 1982 and 1985 revealed numerically healthy populations in the Bathurst and Minto Inlets areas, Somerset Island and the Boothia Peninsula, and the Baffin Island region (Bromley 1988). Other surveys have located sizable numbers nesting in additional areas along the north coast, on the islands in the Arctic Ocean, in the Interior Barrens, and near the northwest coast of Hudson Bay (Bromley 1988; Court *et al.* 1989). Although comparable, long-term surveys have not been conducted in these areas, no recent evidence has been found of declining or reduced populations (Bromley 1988).

Arctic peregrine falcons also nest in northern Quebec, in Greenland, and on the east coast of Labrador. The birds nesting in Labrador may actually be American peregrine falcons. The number of arctic peregrine falcons breeding in the eastern arctic is substantial: The number of pairs in Greenland alone is estimated to be 1,000 to 2,000 pairs (William Mattox, Greenland Peregrine Falcon Survey, pers. comm., 1992). Survey techniques have not allowed detection of long-term population trends in eastern arctic areas, but peregrine falcons have recently occupied many previously vacant nesting sites (David Bird, McGill University, Quebec, pers. comm., 1991; Mike Yates, Greenland Peregrine Falcon Survey, pers. comm., 1992). Peregrine falcon nesting sites are typically occupied for long periods, despite turnover of the individuals using the sites. The recent occupation of vacant nesting sites in the eastern arctic parallels a similar pattern observed in other areas where numbers are known to have increased.

Only one local population of arctic peregrine falcons was known to be extirpated. A relatively small population, originally numbering around 15 pairs, occurred on the north slope of the Yukon Territory but was extirpated during the 1970's (Mossop 1988; Mossop in Murphy 1990). Two pairs and one single adult occupied nesting territories in this area in 1992 (Dave Mossop, Dept. of Renewable Resources, Yukon Territory, pers. comm., 1992) indicating that this region is gradually being recolonized by individuals from adjacent areas.

(2) Productivity: In Alaska, productivity reached its lowest level of about 0.6 young per pair (yg/pr) in the mid 1970's. Productivity improved in the late 1970's, reaching 0.9 yg/pr in 1979. From 1980 to 1992 it varied between 1.3 and 2.0 yg/pr, which was sufficient to support an average annual increase in the breeding population size of about 12 percent (unpublished Service data on file, Fairbanks, Alaska). In Canada, a decrease in the productivity of arctic peregrine falcons was never clearly documented, although populations decreased in size so productivity almost certainly declined. At Rankin Inlet, NWT, productivity averaged about 1.5 yg/pr between 1981 and 1992 (Court *et al.* 1988; C. Shank, pers. comm., 1991 and 1992), although annual productivity varied tremendously in response to variation in weather conditions (Court *et al.* 1988). Productivity in Ungava Bay, Quebec, reached a low of 1.33 yg/pr in 1970, and exceeded 2.7 yg/pr in each of 3 surveys conducted since 1980 (Bird and Weaver 1988; David Bird, pers. comm., *in litt.*, 1991). Reproductive rates have remained high in Greenland since observation began in 1972. In western Greenland from 1972 to 1992, productivity was always at least 1.80 yg/pr (William Mattox, pers. comm., *in litt.*, 1991). Similarly, in southernmost Greenland, production remained high from 1981 to 1991 (Knud Falk, Ornis Consult A/S, *in litt.*, 1992).

"Normal" productivity rates vary among regions. It is difficult, therefore, to assess the health of a local population based upon productivity rate alone. However, productivity in all regions studied has been sufficient to support a stable or increasing population size since the 1980's.

(3) Pesticide Residues: Concentrations of DDE in peregrine falcon eggs in excess of 15 to 20 ppm (parts per million, wet weight basis) are associated with high rates of nesting failure; if residues average less than this critical level, productivity is usually sufficient to maintain population size (Peakall *et al.* 1975; Newton *et al.* 1989). Available data are insufficient to allow a complete understanding of changes in residues over time, but residues in eggs have decreased since the 1970's and are currently well below the 15–20 ppm critical level. Sampling and analytical techniques have been similar but not identical in various areas and time

periods, so comparisons are imprecise. The general trend over time, however, is similar in all areas sampled.

Arctic peregrine falcon eggs have been periodically collected in Alaska for pesticide analysis. The DDE content, expressed as parts per million (ppm) of the compound p,p'DDE (wet weight basis), of eggs collected in Alaska during 4 time periods is as follows:

Year	Avg.[1]DDE (ppm)	Max. DDE (ppm)	Percent eggs w/ DDE >10 ppm	Sample size
1968[2]	23.5	99	89	9
1979–1984[3]	9.3	46.4	42	19
1988–1989[3]	3.7	10.3	5	20
1990–1991[2]	3.3	5.3	0	13

[1] Averages expressed as the geometric mean.
[2] Data from J. Lincer, Biosystems Analysis, pers. comm., *in lit.*.
[3] Data from unpublished Service survey results on file, Fairbanks, Alaska.

In Canada, DDE residues in arctic peregrine falcon eggs showed similar trends, although average concentrations were never as high as those found in Alaskan eggs in 1967. Average residues (average residue concentrations throughout this proposal are reported as geometric means) were 9.9 ppm (maximum 72.0) in 1965–1972, 8.5 ppm (max. 19.6) in 1973–1979, and 6.8 ppm (max. 18.5) in 1980–1986 (Peakall *et al.* 1990). Eggs from 36 clutches collected at Rankin Inlet, NWT, in 1981–1986 averaged 7.6 ppm (Court *et al.* 1990). Eggs collected in Greenland between 1972 and 1978 averaged 12.8 ppm DDE (Burnham and Mattox 1984), but by 1981 and 1982 the maximum (average not given) in 9 eggs was 9.1 ppm (Mattox and Seegar 1988). Residues of other organochlorines in arctic peregrine falcon eggs have also decreased since the 1970's, and residues are currently well below critical values.

(4) Eggshell thickness: DDE-caused eggshell thinning was possibly the most important factor causing the decline of arctic peregrine falcons. Average eggshell thickness decreased by as much as 24 percent in Alaska during the peak period of organochlorine contamination. This decreased eggshell thickness corresponded with greatly reduced reproductive success. Eggshell thickness has increased significantly since the use of DDT was restricted in the United States, but pesticides accumulated in Latin America still affect shell thickness. Shells from Rankin Inlet, NWT, collected in 1981–1986 averaged 15.8 percent thinner than pre-DDT shells (Court *et al.* 1990). Alaskan shells collected in 1979–1984 averaged 13.4 percent thinner than pre-DDT thickness measurements, and shells collected in 1988–1991 averaged about 12 percent thinner. Peregrine populations are expected to decrease in size if eggs have shells averaging at least 17 percent thinner than normal. Populations laying eggs averaging less than 17 percent thinner than normal produce enough young to maintain stable or increasing numbers of breeding pairs (Kiff 1988). Although arctic peregrine falcon eggs are currently below the level at which populations are affected, an increase in exposure could again place the birds at risk.

Migration Counts

One method for detecting changes in populations of migratory raptors is to count the number of birds passing fixed points along their migration paths. Although migration counts typically contain large annual variation in the number seen due to weather and other variables, they may reflect long-term population trends (Bednarz and Kerlinger 1989). Additionally, because birds from many different breeding areas concentrate together during migration, trends in migration counts reflect overall population trends from a broad geographic area. Furthermore, migration counts may provide insight into population trends in breeding areas that have been inadequately surveyed. For example, band recoveries indicate that most of the migrant peregrine falcons seen on the east coast of North America nest in northeastern Canada and Greenland. Data on trends in breeding population size are scarce for these areas, so migration counts provide valuable supplemental information.

During migration, arctic peregrine falcons concentrate at several locations where standardized counting procedures have shown changes in numbers. Large numbers are seen at Cape May, New Jersey, and Assateague Island, Maryland. The following table gives the total numbers seen per year at Cape May and Assateague Island, and the number seen per 10 hours of observation at Assateague Island.

Year	Total number, Cape May[1]	Total number, Assateague Island[2]	Number per 10 hours, Assateague Island[2,3]
1970	.....	66	2.13
1971	.....	120	5.43
1972	.....	41	1.26
1973	.....	136	3.77
1974	.....	59	1.64
1975	.....	186	5.59
1976	105	176	5.23
1977	61	209	4.46
1978	149	259	5.94
1979	230	598	13.99
1980	198	512	11.35
1981	176	347	6.15

Year	Total number, Cape May [1]	Total number, Assateague Island [2]	Number per 10 hours, Assateague Island [2,3]
1982	363	591	9.35
1983	302	562	8.82
1984	517	547	7.55
1985	386	483	7.07
1986	637	838	11.90
1987	686	327	5.38
1988	339	409	6.09
1989	701	813	13.52
1990	845	659	12.94
1991	727	743	11.78
1992	429	340	6.08

[1] Data from Schultz *et al.* 1992; Paul Kerlinger, Cape May Bird Observatory, pers. comm., 1993.
[2] Data from Seegar and Yates 1991; Seegar *et al.* 1993.
[3] The number seen per unit effort is used to reduce the variation caused by annual differences in observer effort at Assateague Island; there is little annual variation in effort at Cape May so this statistic is not used for this area.

The trend in the number of arctic peregrine falcons seen at these sites may be somewhat complicated by a gradual increase in the number of American peregrine falcons in the surrounding areas. Banding recoveries, however, show that the majority of peregrine falcons seen during fall migration along the east coast come from arctic areas, particularly Greenland and eastern Canada (Yates *et al.* 1988; William S. Clark, Cape May Bird Observatory, pers. comm., 1992). These counts, therefore, reflect a genuine increase in the number of migrant arctic peregrine falcons.

Although fewer peregrine falcons are observed in the Great Lakes region, counts conducted since the mid-1930's at Cedar Grove, Wisconsin, show that the number of migrant peregrine falcons decreased in the 1950's and 1960's and reached the lowest number in the early to mid-1970's. The number counted increased rapidly in the 1980's, and may now equal the numbers seen in the 1930's (Mueller *et al.* 1988). As with peregrine falcons seen along the east coast, some migrants at Cedar Grove may be American peregrine falcons, but it is likely that the majority are arctic peregrine falcons (Mueller *et al.* 1988).

Summary of Current Status

Arctic peregrine falcons have recovered substantially since the use of organochlorine pesticides were restricted. Breeding surveys conducted in widely scattered areas have shown that productivity rates returned to normal after the restrictions were imposed. Subsequently, populations expanded and population size is currently stable or increasing in all areas studied. Only one local population was known to have been extirpated; this was a small population in Yukon, Canada, and contributed minimally to the total number of arctic peregrine falcons. The proximity of large and expanding populations indicates that this area will be recolonized naturally. Despite the continued use of organochlorines in Latin America, residues in arctic peregrine falcon eggs have decreased dramatically since the mid-1970's. DDE and other organochlorine residues are well below "critical values" associated with reproductive impairment, and recent samples from Alaska indicate that residues continue to decrease. Migration counts provide additional supporting evidence that arctic peregrine falcon numbers have increased substantially in recent years. These data are particularly valuable because band recoveries indicate that the majority of east coast migrants are arctic peregrine falcons that nest in Greenland and northeast Canada. These are areas where population growth has not been quantified as well as in other parts of the subspecies' range. The roughly 3-fold increase in the numbers seen at Cape May and Assateague Island since the mid-1970's closely parallels the 3-fold increase found in several nesting surveys in arctic breeding areas.

Review of Peregrine Falcon Recovery Plan

In accordance with the Act, the Service appointed teams of experts to write plans for the recovery of peregrine falcons. A recovery team was appointed for each of four regions in the United States, and each produced a regional recovery plan for peregrine falcons. In 1982, the Service, in conjunction with the Alaska Peregrine Falcon Recovery Team, published the Peregrine Falcon Recovery Plan, Alaska Population. Although the Recovery Plan included both arctic and American peregrine falcons that nest in Alaska, the American peregrine falcon is not discussed in this proposal. Neither the Alaska Recovery Plan nor any of the other three regional recovery plans addressed populations of arctic peregrine falcons that breed in Canada or Greenland.

The Alaska Recovery Plan was written in 1982 using the best information then available. The plan included a strategy for population monitoring, recovery objectives, and criteria for reclassification. The monitoring scheme proposed that breeding surveys should be conducted regularly in two areas in Alaska (Colville and Sagavanirktok Rivers) for which historical population data were available. The plan listed four parameters to be measured in the study areas to assess recovery status of those populations, and established an objective for each of the parameters. The four parameters and objectives were:

(1) Number of nesting territories occupied by pairs with an objective of 36 total pairs within the 2 specified study areas;

(2) Average number of young per nesting attempt with an objective of 1.4 young per nesting attempt;

(3) Average organochlorine concentration in eggs with an objective of less than 5 ppm DDE; and

(4) Average degree of eggshell thinning with an objective of shells averaging not more than 10 percent thinner than pre-DDT era eggs.

The Recovery Plan based reclassification criteria upon these objectives. It was suggested that these objectives should be met for 5 years before downlisting to threatened status, and the parameters should remain constant or improve during the ensuing 5 years before delisting.

Recovery plans and objectives are intended to guide and measure recovery, but are intended to be flexible enough to adjust to new information. Research conducted since the plan was written in 1982 has shown that some of the recovery objectives were based upon

incorrect assumptions. A discussion of the basis of each objective, the current status of arctic peregrines as measured against the objectives, and a review of recent information pertaining to the objectives follows:

(1) The objective of 36 pairs occupying territories in the two study areas was based on historical data and assumed that there were 51 available territories and 70 percent of these would be occupied in a fully recovered population (70% × 51 = 36). The plan suggested that 36 or more pairs should occupy territories for 10 or more years before delisting. Thirty-six pairs occupied the areas for the first time in 1984, and the number has increased each year since then. Seventy-five pairs were present in the study areas in 1992, so it is nearly certain that 1993 will be the tenth consecutive year in which this objective is met. The number of pairs now occupying breeding territories greatly exceeds the original estimate of the number of available territories.

(2) The objective of 1.4 young per pair was based upon early studies of arctic peregrine falcons. Productivity exceeded this level by 1982, and has varied between 1.4 and 2.0 young per pair each year since (11 years in 1992). During this interval there has been considerable annual variation in productivity due to the influence of local weather conditions within the study areas.

(3) The objective of DDE residues in eggs averaging less than 5 ppm was based upon the assumption that arctic peregrine falcons would not reproduce normally as long as residues exceeded this measure (this assumption was based upon the observation that peregrine falcons in the Aleutian Islands reproduced normally in the early 1970's when residues in eggs averaged 5 ppm). Average DDE residues declined below 5 ppm in arctic peregrine falcons in Alaska between 1984 and 1988, but it is unclear exactly when this threshold was crossed. However, it is now apparent that this objective was inappropriate; normal reproduction was occurring for several years before the average concentration declined to 5 ppm and may have occurred while residues exceeded 10 ppm. The exact relationship between DDE residues in eggs and reproductive success remains largely unknown. Therefore, the Service believes that it is most appropriate to gauge "acceptable" contaminant exposure by reproductive success. Since reproductive success has been sufficient to allow population growth since the late 1970's and the objective for the production of young (1.4 young per pair) has been met or exceeded for 11 years, the Service considers the desired objective for exposure to organochlorines to have been met.

(4) The criterion requiring eggshells to average less than 10 percent thinner than pre-DDT era shells was based upon the observation that Peale's peregrine falcons in the Aleutian Islands reproduced well with shells 8 percent thinner than normal in the early 1970's. This assumed that peregrine falcons could not reproduce normally if shells were more than 10 percent thinner than normal. Subsequent field work has shown this to be false. Although the degree of thinning has gradually decreased over time, shells collected in arctic Alaska still average 12.5 percent thinner than pre-DDT era shells. Reproduction, however, has been sufficient to fuel population growth since the late 1970's, and productivity has met or exceeded its stated objective for 11 years. The Service considers, therefore, that the basic goal that eggshell thinning not significantly affect reproduction, population growth, or recovery for at least 10 years, has been met.

In summary, the Peregrine Falcon Recovery Plan, Alaska Population, identified four parameters to be measured in two study areas in arctic Alaska to monitor population health and recovery. Objectives were established for measuring recovery and indicating when downlisting and delisting were appropriate. The plan suggested that the four objectives were to be met or exceeded for 5 years prior to downlisting to threatened status and an additional 5 years prior to delisting. One of the four objectives has been met for the 10-year interval suggested as a prerequisite for delisting and another will be met in 1993. However, knowledge gained subsequent to the writing of the recovery plan indicates that the two objectives that have not been met were based upon incorrect assumptions. The Service concludes, based upon current information, that the basic goals underlying all four objectives have been reached: the number of pairs occupying territories in two study areas will far surpass the objective for the tenth consecutive year during 1993; productivity surpassed the objective for the eleventh year in 1992; DDE residues in eggs have not prevented population growth and recovery since the late 1970's; and eggshell thinning has not inhibited population growth and recovery since the late 1970's.

Summary of Comments and Recommendations

In the Notice of Status Review (56 FR 26969), the Service requested that all interested parties provide information and comments on status and a possible proposal to delist northern peregrine falcons. The request included both northern-nesting populations of American peregrine falcons and arctic peregrine falcons, although only arctic peregrine falcons are included in this proposal. The appropriate foreign, state and provincial governments, Federal agencies, scientific organizations, and other interested parties were contacted and encouraged to comment. To date, 42 responses have been received by the Service, including 14 from foreign governments, 2 from United States government agencies, 8 from provincial or state governments, and 18 from individuals or groups. Fifteen of the responses included a position on delisting, thirteen of which supported delisting. Delisting supporters included an oil and gas association, 3 falconer organizations, and 9 private individuals. Two foreign governments opposed delisting. No position on delisting was given by the governments of Canada or Greenland, which are the only nations other than the United States in which arctic peregrine falcons nest. Several concerns were raised, both by those opposing delisting and by those who stated no position. Those concerns and the Service's response to each are presented below.

Comment 1: Although regular counts have not taken place, there has not been a significant increase in the number of wintering peregrine falcons seen in some areas in Latin America.

Service response: Band recoveries indicate that arctic peregrine falcons winter exclusively in Central and South America. Because the number of arctic peregrine falcons has increased substantially in recent years (demonstrated by breeding area surveys and migration counts), the total number wintering in Latin America has also likely increased. Unfortunately, regular, standardized counts have not been conducted in Latin America so it is unknown if numbers have increased in all local wintering areas.

Comment 2: Although the pesticide threat to peregrine falcons in North America has been reduced, the threat to these birds on their wintering grounds remains real.

Service response: The Service is concerned that arctic peregrine falcons and their migratory prey are exposed to pesticides during migration and the winter. Decreasing residues in eggs

indicate that exposure to pesticides is declining, however, and current concentrations are insufficient to cause effects at the population level. The Act requires that the Service implement a system in cooperation with the States to monitor species for at least 5 years after delisting. As part of this effort, the Service proposes to monitor pesticide residues in arctic peregrine falcons eggs so an increase in exposure can be documented (see discussion of the five factors affecting arctic peregrine falcons and the proposed monitoring strategy).

Comment 3: The effects of changes in wintering habitat remain unquantified.

Service response: Little is known of the effects of habitat change on arctic peregrine falcons, however, a consistent increase in the number of arctic peregrine falcons has taken place in recent years. During this same time period, rapid, unprecedented human-caused changes in wintering areas have taken place. Numbers of peregrine falcons nesting in Alaska now equal or exceed pre-pesticide era estimates, indicating that recent wintering habitat alteration has not significantly affected numbers. The Service will continue to monitor for changes in numbers of arctic peregrine falcons for at least 5 years after delisting, so any major effect upon numbers will be documented and appropriate action can be taken.

Comment 4: The recovery of arctic peregrine falcons has not progressed sufficiently for them to have colonized Iceland.

Service response: Arctic peregrine falcons have never been known to occur on Iceland (Clayton White, Brigham Young University, pers. comm., 1992), so failure to occupy the island is not an appropriate measure of population recovery.

Comment 5: The reproductive rate of arctic peregrine falcons is low.

Service response: The reproductive rate of arctic peregrine falcons is between 1.5 and 2.5 young produced per territorial pair in all areas studied. Reproductive rates since the late 1970's have been sufficient to allow a gradual and consistent increase in the number of breeding pairs.

Comment 6: The threatened status of arctic peregrine falcons must not be downgraded because the feeding grounds are difficult to locate.

Service response: The Service must base its decision to list or delist species upon the factors discussed in the "Summary of Factors Affecting the Species" section of this proposal. A species is protected if one or more of the five factors affects its continued existence. Although some aspects of arctic peregrine falcon ecology remain poorly understood, this does not appear to pose a threat to their survival. Arctic peregrine falcons continue to increase in numbers despite our incomplete understanding of their habitat requirements.

Summary of Factors Affecting the Species

According to the Act and implementing regulations outlined in 50 CFR part 424, a species shall be listed if the Secretary of the Interior determines that one or more of five factors listed in section 4(a)(1) of the Act threatens the continued existence of the species. A species may be delisted, according to § 424.11(d), if the best scientific and commercial data available substantiate that the species is neither Endangered or Threatened for one of the following reasons:

1. Extinction;
2. Recovery; or
3. Original data for classification of the species were in error.

After a thorough review of all available information, the Service has determined that arctic peregrine falcons are no longer endangered or threatened with extinction. A substantial recovery has taken place since the 1970's, and none of the five factors addressed in section 4(a)(1) of the Act currently jeopardizes the continued existence of arctic peregrine falcons. These factors and their relevance to arctic peregrine falcons (*Falco peregrinus tundrius*) are as follows:

A. The Present or Threatened Destruction, Modification, or Curtailment of its Habitat or Range

Arctic peregrine falcons nest in arctic areas of Alaska, Canada, and Greenland. They migrate through the mid-latitudes of North America across a broad front, but concentrate in some coastal and estuarine areas along the Atlantic coast and Gulf of Mexico. Migrants also pass through inland areas including the Great Lakes, Great Plains, and Rocky Mountains, although the relative importance of coastal and inland habitats to migrants is unknown. Arctic peregrine falcons spend the winter in Latin America, but the distribution and habitat requirements of wintering peregrine falcons remain largely unstudied.

Although little is known of the impacts of habitat modification on arctic peregrine falcon populations, events during the last 15 years show that habitat modification does not currently threaten the continued existence of the subspecies. Although the rate of habitat alteration in nesting, migration, and wintering habitats is greater now than in the past, arctic peregrine falcon numbers have nearly tripled since the lows of the mid-1970's.

B. Overutilization for Commercial, Recreational, Scientific, or Educational Purposes

Falconry is the sport of training and using captive falcons and hawks for hunting. There are currently several thousand licensed falconers in the United States. Many falconers prefer the peregrine falcon for the sport for a number of reasons, including its beauty, adaptability to captivity, and its natural hunting techniques and abilities. Up to the early 1970's, arctic and American peregrine falcons were harvested for falconry, both as nestlings and during migration, but harvest from the wild was prohibited when both subspecies were classified as endangered. In recent years, captive breeding of peregrine falcons has supplied a large number of birds for use in falconry.

As wild populations have recovered from the pesticide-caused declines, pressure from falconers has mounted to resume harvest of wild peregrine falcons. Although harvest will temporarily be prevented in most of the United States by Similarity of Appearance provisions in the Act (see section below on Effects of this Rule), the Service anticipates that eventually harvest of arctic peregrine falcons will likely resume. Existing Federal legislation allows for harvest but requires that harvest is limited to levels that prevent overutilization (see Effects of This Rule section below).

Other than for falconry, no appreciable demand for peregrine falcons for commercial or recreational purposes exists. There may be, however, some demand for arctic peregrine falcons for scientific and educational purposes. As with falconry, any take will be regulated through the Migratory Bird Treaty Act (16 U.S.C. 703 *et seq.*).

The Service anticipates that captive propagation of peregrine falcons will continue. This production will presumably satisfy a portion of the demand for peregrine falcons for falconry, scientific, and educational purposes.

C. Disease or Predation

Like other birds, peregrine falcons are vulnerable to disease and predation. Little is known of the diseases affecting peregrine falcons in the wild, but several species of mammals and birds are known to prey upon peregrine falcons and their eggs and young. None, however, have been documented to affect peregrine falcons at the population level. The recent increase in

the number of arctic peregrine falcons indicates that current rates of mortality are more than offset by natural reproduction.

D. The Inadequacy of Existing Regulatory Mechanisms

If this proposal is made final, arctic peregrine falcons will no longer be directly protected by the Endangered Species Act (although the Similarity of Appearance provision will protect arctic peregrine falcons in the conterminous 48 States as long as other subspecies occurring in this area remain listed). Arctic peregrine falcons would still be protected by the Migratory Bird Treaty Act (MBTA), which governs the taking, killing, possessing, transportation, and importation of migratory birds, their eggs, parts, and nests. Provisions within the MBTA allow for the taking and use of migratory birds, but require that such use not adversely affect populations. The MBTA and its implementing regulations (50 CFR Parts 20 and 21) will, therefore, adequately protect against overutilization of arctic peregrine falcons in the event that this proposal is adopted (see discussion of the MBTA in Effects of Rule section below). There are no existing Federal or local laws that protect the habitat of this species; however, loss of habitat does not appear to have contributed to the decline of arctic peregrine falcons.

In addition to Federal laws governing the taking of arctic peregrine falcons within the United States, international agreements govern the transport of arctic peregrine falcons across international borders. The Convention on International Trade in Endangered Species (CITES) is an international agreement that restricts trade in rare and endangered species. The arctic peregrine falcon is currently listed under Appendix I of CITES, and, as a result, international trade in arctic peregrine falcons is restricted by the United States and 102 other signatory nations. This proposal, if made final, would affect only United States domestic law and would not result in removal of arctic peregrine falcons from Appendix I.

E. Other Natural or Manmade Factors Affecting its Continued Existence

Several explanations have been offered for the decline in the number of peregrine falcons seen in the 1950's through the early 1970's in North America. Egg collecting, shooting, harvest for falconry, habitat destruction, climate change, and the extinction of passenger pigeons were all proposed as possible factors causing or contributing to the decline of the peregrine falcon; however, no evidence supports any of these factors as causing the widespread reproductive failure and population decline that occurred. In contrast, an overwhelming body of evidence has been accumulated showing that organochlorine pesticide poisoning affected survival and reproductive performance sufficiently to cause the decline. Similar evidence was found in other areas, such as Europe, and there currently is no question within the scientific community that contamination from organochlorines was the principle factor responsible for the decline.

Although the use of organochlorine pesticides has been restricted in the United States and Canada since the early 1970's, use continues in much of Latin America. It has been shown, by comparing blood samples collected during fall and spring migration, that migrant peregrine falcons accumulate pesticides while wintering in Latin America (Henny *et al.* 1982). Additionally, some of the avian prey utilized by arctic peregrine falcons during the summer in arctic and subarctic areas also winter in Latin America. Many of these prey return to their northern nesting areas with pesticide residues accumulated during the winter (Fyfe *et al.* 1990). Peregrine falcons preying upon these birds during the summer are thus further exposed to Latin American pesticides. Pesticide use in Latin America, however, may never have been great enough to cause a decline in the number of arctic peregrine falcons. The widespread reproductive failure and population crash coincided with the period of heavy organochlorine use in the United States, and a noticeable increase in productivity occurred in Alaska within a few years following restrictions on the use of organochlorines in the United States. Since the restrictions were imposed, productivity has remained high and numbers have remained stable or increased in all areas studied, despite the continued use of organochlorines in Latin America. The only measurable effect presumably attributable to organochlorine use in Latin America has been found in Rankin Inlet in the NWT. Between 1982 and 1986, pesticides caused about 10 percent of the nesting pairs to fail, but average productivity within the population was high, and numbers were stable at the extremely high density of one pair per 17 square kilometers (Court *et al.* 1988). Despite the effect upon a small portion of the pairs, the overall impact to the subspecies in this area was minimal. There has been no other recent evidence of pesticide-caused reproductive failures found in any other arctic peregrine falcon population studied.

Although little is known of local pesticide use patterns in Latin America, residue levels in peregrine falcons that winter in Latin America are declining. Average DDE residues in blood collected from peregrine falcons during spring migration in Texas decreased 38 percent between 1978–1979 and 1984 (Henny *et al.* 1988). This same trend apparently continued thereafter, as average residues in Alaskan eggs decreased about 65 percent (from 9.3 ppm to 3.3 ppm) between 1984 and 1991 (unpublished Service data on file, Fairbanks, Alaska).

In summary, the reproductive failure and resultant population crash seen in arctic peregrine falcons were likely the result of the heavy use of organochlorines in the United States and possibly Canada. Arctic peregrine falcons continue to be exposed to organochlorines due to the continuing use of organochlorine pesticides in Latin America, and due to their high sensitivity, arctic peregrine falcons remain vulnerable. A widespread increase in the use of organochlorines in Latin America could potentially impact populations; however, current levels of exposure of arctic peregrine falcons to organochlorines are insufficient to affect the subspecies at the population level. The increase in productivity since restrictions were placed upon organochlorines in the United States resulted in a major population recovery, and breeding survey and migration data indicate that the number of arctic peregrine falcons has increased several fold since the lowest levels in the early 1970's. Additionally, residues in blood and eggs show that exposure of arctic peregrine falcons to organochlorines continues to decrease.

Effects of This Rule

Take, as defined in section 3(18) of the Act, of the arctic peregrine falcon is currently prohibited. If this proposal is made final, direct protection by the Act will no longer be provided to the subspecies. Indirectly, however, the Similarity of Appearance provision of the Act would still protect arctic peregrine falcons in those parts of their range that overlap with the range of endangered or threatened American peregrine falcons. This protection would not extend beyond such time that the American peregrine falcon is delisted, nor would it apply in areas in which American peregrine falcons do not occur, such as within the breeding range of arctic peregrine falcons. Regardless of protection proffered by the

Act, however, the take of migratory birds, including peregrine falcons, is governed by the Migratory Bird Treaty Act (MBTA).

The MBTA regulates the taking of migratory birds for educational, scientific, and recreational purposes, such as falconry. Section 704 of the MBTA states that the Secretary of Interior is authorized and directed to determine if, and by what means, the take of migratory birds should be allowed, and to adopt suitable regulations permitting and governing the take. In adopting regulations, the Secretary is to consider such factors as distribution and abundance to insure that take is compatible with the protection of the species. Existing regulations applying to the use of raptors for falconry and the captive propagation of raptors are outlined in 50 CFR 21.28 to 21.30.

Pursuant to the Similarity of Appearance provisions of section 4(e) of the Endangered Species Act, species (or subspecies or distinct vertebrate population segments) that are not considered to be endangered or threatened may nevertheless be treated as such for law enforcement purposes of protecting a listed species (or subspecies or vertebrate population segment) that is biologically endangered or threatened. Under the Similarity of Appearance provision (implemented by § 17.50), the Service must find: (a) That the species so closely resembles in appearance an endangered or threatened species that enforcement personnel would have substantial difficulty in identifying listed from unlisted species; (b) that the effect of the substantial difficulty is an additional threat to the listed endangered or threatened species; and (c) that such treatment of an unlisted species will substantially facilitate the enforcement and further the purposes of the Act.

The Service considers "all free-flying *Falco peregrinus*, not otherwise identifiable as a listed subspecies, to be endangered under the Similarity of Appearance provision in the 48 conterminous States" (49 FR 10520, March 20, 1984). Therefore, arctic peregrine falcons will be protected as endangered or threatened while migrating through the 48 conterminous States as long as American peregrine falcons that occur in these same areas are classified as endangered or threatened. American peregrine falcons are known to occur or could occur in all areas in which arctic peregrine falcons are found in the 48 conterminous States, so protection would be complete in that region. The protection of this provision would not extend beyond such time that the American peregrine falcon is delisted. The Service anticipates that recovery will eventually allow the American peregrine falcon to be removed from the list of endangered and threatened wildlife. At such time, the MBTA will govern the take of arctic peregrine falcons, as will the appropriate State regulations. State regulations applying to falconry currently vary among States and are subject to change with time. The applicable State regulations, however, may be more but not less restrictive than Federal regulations.

The Similarity of Appearance provision does not apply to arctic peregrine falcons while they are outside the range of listed subspecies of *Falco peregrinus*. Although American peregrine falcons occur in northern areas, such as Alaska, there is no overlap in the breeding ranges of the two subspecies in Alaska (arctic peregrine falcons breed north of the Brooks Range and along the west coast near Norton Sound whereas American peregrine falcons breed south of the Brooks Range). If this proposal is enacted, therefore, the taking of arctic peregrine falcons within their breeding range would not be prohibited by Similarity of Appearance protection and would, therefore, be governed by the MBTA.

In addition to Federal regulations, Alaska State regulations would apply to harvest of arctic peregrine falcons in Alaska. Alaska State regulations outlined in 5 AAC 92.037 do not currently allow for the use of arctic peregrine falcons for falconry, but it is likely that considerable pressure from falconry groups will mount to amend regulations to allow harvest if delisting occurs. Additionally, Alaska State regulation 92.037(b)(3) requires that "no person may permanently export a raptor taken from the wild in Alaska unless the person has legally possessed that raptor for at least one year." The Service anticipates little or no pressure within Alaska to amend this latter regulation; therefore, the take of arctic peregrine falcons in Alaska would be limited to the roughly 25 falconers who are permanent residents of Alaska.

Falconry regulations in Canada and Greenland do not allow foreign falconers to take raptors, so this proposal, if enacted, would not result in United States residents taking arctic peregrine falcons within these countries. In addition, as mentioned above, international trade in arctic peregrine falcons is prohibited as a result of the subspecies' inclusion on the CITES Appendix I list.

Future Conservation Measures

Section 4(g)(1) of the Act requires that the Secretary (Service) monitor species for at least 5 years after delisting. If evidence acquired during this monitoring period shows that endangered or threatened status should be reinstated to prevent a significant risk to the species, the Service may use the emergency listing authority provided for by the Act. At the end of the 5-year monitoring period, the Service will, based upon monitoring efforts, decide if relisting, continued monitoring, or an end to monitoring activities is appropriate. The Service proposes the following plan for monitoring arctic peregrine falcons in the event that arctic peregrine falcons are delisted.

Proposed Monitoring Plan

As discussed above, exposure to organochlorine pesticides, particularly DDT, was the ultimate factor causing the decline of arctic peregrine falcons. Organochlorines primarily affected populations by reducing reproductive success, although survivability of adults may have declined as well. As productivity and recruitment declined to levels insufficient to replace mortality, populations dwindled. This monitoring plan, therefore, is designed to detect changes in the status of arctic peregrine falcons by monitoring breeding population size, reproductive success, exposure to organochlorines and other environmental contaminants, and other factors that may affect arctic peregrine falcons at the population level in the near future. The Service proposes to accomplish this by: Monitoring breeding population size and reproductive success within one representative breeding area with a large number of breeding pairs (Colville River, Alaska); monitoring large-scale trends in population size by counting migrants at one migration concentration area (Cape May, New Jersey); and monitoring contaminant exposure by sampling addled eggs removed from nests and blood extracted from migrants.

(1) Breeding survey on Colville River, Alaska: The Service proposes to intensively monitor one breeding population of arctic peregrine falcons to detect changes in breeding population size and reproductive success. Although small differences have been found among regions, general trends in population size, reproductive success, and contaminant exposure have historically been similar in all portions of the breeding range of arctic peregrine falcons. Therefore, the Service believes

that large-scale trends will be detected in any adequately-sized breeding population. The Colville River is the most suitable area to monitor because: The area is within the United States so the Service can influence funding and insure that standardized methods are used; long-term studies in this area have provided baseline information suitable for population trend detection; and because a large number of pairs (50–60) nest in this area, the study area likely includes birds that winter in a number of areas with varying degrees and types of environmental contamination. The number of pairs occupying nesting territories will be counted in the early stages of the breeding season (incubation). Just prior to fledging, the number of young will be counted to determine productivity (number of young produced per territorial pair). Surveys will be conducted from the ground.

(2) Migration counts at Cape May, New Jersey: Counts of the number of migrant peregrine falcons seen at Cape May, New Jersey, will be used to detect gross trends in population size. Although migrant peregrine falcons are counted at numerous places in North America, counts from Cape May will be used because: Large numbers of peregrine falcons are seen at Cape May during fall migration, providing a sufficient sample size for trend analysis; peregrine falcons seen migrating along the east coast are primarily arctic peregrine falcons (Yates *et al.* 1988; W.S. Clark, pers. comm., 1992); and standardized counting methods have been used at Cape May since 1976, providing relatively long-term baseline information for population trend detection. The migrant raptor count at Cape May is largely funded by the Office of Migratory Bird Management, U.S. Fish and Wildlife Service, and the Service anticipates that this ongoing effort to monitor long-term changes in raptor populations will continue.

(3) Contaminant exposure: The Service will analyze arctic peregrine falcon eggs and blood in Service-contracted laboratories to monitor exposure to organochlorine pesticides and other environmental contaminants. Addled eggs will be collected along the Colville River, Alaska, and in other areas, as feasible, within the breeding distribution of arctic peregrine falcons. Blood will be collected from migrants during spring 1994 at Padre Island, Texas, as part of an ongoing study to track changes in the exposure of arctic peregrine falcons to organochlorines during the winter. Organochlorine concentrations in 1994 will be compared to those in blood collected in 1978–1979, and 1984 (Henny *et al.* 1982; Henny *et al.* 1988).

Eggs and blood will be analyzed, using gas chromatography/mass spectroscopy, for organochlorines, other pesticides (including mirex), and PCBs and HCBs. These analyses will be modified, if appropriate, to include other contaminants that are identified as posing a risk to arctic peregrine falcons.

Region 7 (Alaska) of the Service is responsible for coordinating the listing, recovery, and monitoring efforts of arctic peregrine falcons. Therefore, Region 7 will organize and oversee the implementation of this monitoring effort. To this end, Region 7 staff will: (1) Encourage, through interagency cooperative agreements, the continued participation of the U.S. Bureau of Land Management and the Alaska Department of Fish and Game in arctic peregrine falcon monitoring surveys in Alaska; (2) formalize and maintain survey and study protocols to insure standardized methodology is used; (3) collect and submit tissue samples for laboratory analysis; (4) require and collect annual reports from all parties involved in this monitoring effort, to be submitted by 31 October each year; and (5) compile the results of monitoring studies and re-evaluate the status of arctic peregrine falcons annually. In addition to overseeing this monitoring effort, the Service will: (6) exchange information with parties involved in arctic peregrine falcon studies that are not part of this monitoring plan; and (7) at the end of the 5-year monitoring period, review all available information to determine if relisting, termination of monitoring, or continued monitoring is appropriate.

The Service will consider relisting if during, or after, the 5-year monitoring effort, it appears that a reversal of the recent recovery has taken place. If one or more of the following conditions exists, the Service will deem it an indication that a reversal of recovery has taken place and relisting will be considered:

(1) The number of pairs occupying territories along the Colville River falls below 42 pairs (this would be a 25 percent reduction from the 1992 breeding population of 57 pairs);

(2) Average productivity of peregrine falcons nesting along the Colville River drops below 1.4 young per territorial pair for 2 consecutive surveys (unless other identified factors, such as abnormal weather conditions, explain the lowered productivity);

(3) The number of migrant peregrine falcons counted at Cape May, New Jersey, falls below 450 seen each year for 3 consecutive years (this would be a 25 percent decrease from the average number seen during the last 5 years);

(4) Average contaminant residues in arctic peregrine falcon eggs or blood exceed those values associated with widespread reproductive failure or mortality; or

(5) Studies conducted outside of the United States show that a dramatic and widespread reversal of recovery is taking place.

If one or more of these criteria indicate that arctic peregrine falcon populations are declining, the Service will review all available information to determine if arctic peregrine falcons are threatened or endangered with extinction in accordance with listing guidelines outlined in the Act.

The Service will determine that monitoring arctic peregrine falcons is no longer warranted if studies show that recovery is complete and that no known factor that threatens arctic peregrine falcons has been identified. If studies show that arctic peregrine falcon populations are declining or if one or more factors that appear to have the potential to cause decline are identified, the Service will continue monitoring beyond the 5-year minimum period. If harvest is identified as a potential factor affecting arctic peregrine falcons at the population level, the Service may conclude that surveys and monitoring are necessary to determine appropriate harvest levels and monitor the effects of take. If continuation is warranted, the Service will evaluate the 5-year monitoring plan to determine if a new monitoring plan is necessary to assess the identified threat or threats.

Public Comments Requested

The Service intends that any final action resulting from this proposal will be as accurate and as effective as possible. Therefore, the Service requests information and comments concerning the status of arctic peregrine falcons and this proposal. Information and comments are requested from all affected foreign and United States government agencies, the scientific community, industry, private interests, and all other interested parties concerning any aspect of this proposed rule. Comments particularly are sought concerning:

(1) Biological, commercial trade, or other relevant data concerning any threat (or lack thereof) to arctic peregrine falcons;

(2) Additional information on the range, distribution, and numbers of arctic peregrine falcons;

(3) Information on the current or planned use of organochlorines or other environmental contaminants within the

range of arctic peregrine falcons, including wintering areas;

(4) Suggestions on the monitoring plan outlined above;

(5) Information concerning the potential impacts of falconry harvest upon arctic peregrine falcons; and

(6) Possible alternatives to this proposed rule.

Final adoption of the regulations for arctic peregrine falcons will take into consideration the information and comments received by the Service, and these communications may result in a final rule that differs from this proposal.

The Endangered Species Act allows for public hearings on this proposal, if requested. Requests must be received within 45 days of the date of publication of the proposal in the **Federal Register**. Such requests must be made in writing, and should be addressed to Ted Swem; see **ADDRESSES** above.

National Environmental Policy Act

The Service has determined that an Environmental Assessment, as defined under the authority of the National Environmental Policy Act of 1969, need not be prepared in connection with regulations adopted pursuant to section 4(a) of the Endangered Species Act of 1973, as amended. A notice outlining the Service's reasons for this determination was published in the **Federal Register** on October 25, 1983 (48 FR 49244).

References Cited

A complete list of all references cited herein is available upon request from Ted Swem (see **ADDRESSES** above).

Author

The primary author of this proposal is Ted Swem (see **ADDRESSES** above).

List of Subjects in 50 CFR Part 17

Endangered and threatened species, Exports, Imports, Reporting and recordkeeping requirements, Transportation.

Proposed Regulations Promulgation

Accordingly, the Service hereby proposes to amend part 17, subchapter B of chapter I, title 50 of the Code of Federal Regulations, as set forth below:

PART 17—[AMENDED]

1. The authority citation for part 17 continues to read as follows:

Authority: 16 U.S.C. 1361–1407; 16 U.S.C. 1531–1544; 16 U.S.C. 4201–4245; Pub. L. 99–625, 100 Stat. 3500; unless otherwise noted.

§ 17.11 [Amended]

2. § 17.11(h) is amended by removing the entry for the "Falcon, Arctic peregrine, *Falco peregrinus tundrius*" under "Birds".

Dated: September 15, 1993.

Richard N. Smith,

Acting Director, Fish and Wildlife Service.

[FR Doc. 93–23889 Filed 9–29–93; 8:45 am]

BILLING CODE 4310–55–P

Notices

Federal Register
Vol. 58, No. 188
Thursday, September 30, 1993

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

Forms Under Review by Office of Management and Budget

September 24, 1993.

The Department of Agriculture has submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35) since the last list was published. This list is grouped into new proposals, revisions, extension, or reinstatements. Each entry contains the following information:

(1) Agency proposing the information collection; (2) Title of the information collection; (3) Form number(s), if applicable; (4) How often the information is requested; (5) Who will be required or asked to report; (6) An estimate of the number of responses; (7) An estimate of the total number of hours needed to provide the information; (8) Name and telephone number of the agency contact person.

Questions about the items in the listing should be directed to the agency person named at the end of each entry. Copies of the proposed forms and supporting documents may be obtained from: Department Clearance Officer, USDA, OIRM, Room 404–W Admin. Bldg., Washington, DC 20250, (202) 690–2118.

Extension

• Departmental Administration
General Financial and Organizational Information
On occasion
State or local governments; Businesses or other for-profit; Non-profit institutions; Small businesses or organizations; 2,310 responses; 2,310 hours
Larry Schreier, (202) 720–8924

• Departmental Administration
Maximum Workweek—Construction Schedule
On occasion
Businesses or other for-profit; Small businesses or organizations; 600 responses; 150 hours
Larry Schreier, (202) 720–8924

• Departmental Administration
Procurement: Instruction for the Preparation of Technical and Business Proposals
On occasion
State or local governments; Businesses or other for-profit; Non-profit institutions; Small businesses or organizations; 2,310 responses; 92,400 hours
Larry Schreier, (202) 720–8924

• Departmental Administration
Procurement: Brand Name or Equal Clause
On occasion
Businesses or other for-profit; Non-profit institutions; Small businesses or organizations; 295,480 responses; 29,548 hours
Larry Schreier, (202) 720–8924

• Departmental Administration
Procurement: Key Personnel Clause
On occasion
State or local governments; Businesses or other for-profit; Non-profit institutions; Small businesses or organizations; 400 responses; 400 hours
Larry Schreier, (202) 720–8924

• Departmental Administration
Procurement: Progress Reporting Clause
Monthly; Quarterly
State or local governments; Businesses or other for-profit; Non-profit institutions; Small businesses or organizations; 2,400 responses; 3,600 hours
Larry Schreier, (202) 720–8924

• Farmers Home Administration
7 CFR 1944–I, Self-Help Technical Assistance Grants
Recordkeeping; On occasion; Monthly; Quarterly
State or local governments; Non-profit institutions; 2,290 responses; 2,640 hours
Jack Holston, (202) 720–9736

New Collection

• Federal Crop Insurance Corporation
Disclaimer Form For The Group Risk Plan
FCI–576
On occasion
Individuals or households; Farms; 100,000 responses; 25,000 hours
Bonnie L. Hart, (202) 254–8393

• Farmers Home Administration
7 CFR 1902–A, Supervised Bank Accounts
On occasion
Individuals or households; State or local governments; Farms; Businesses or other for-profit; Non-profit institutions; Small businesses or organizations; 62,000 responses; 26,260 hours
Jack Holston, (202) 720–9736

Reinstatement

• Farmers Home Administration
7 CFR 1940–S, Accountability Requirements of Persons Paid to Influence the Making of an FmHA Housing Loan and/or Grant 1940–39, 40
Recordkeeping; On occasion; Quarterly
Individuals or households; Businesses or other for-profit; Non-profit institutions; Small businesses or organizations; 108 responses; 141 hours
Jack Holston, (202) 720–9736

Larry K. Roberson,
Deputy Department Clearance Officer.

[FR Doc. 93–23942 Filed 9–29–93; 8:45 am]
BILLING CODE 3410–01–M

Federal Grain Inspection Service

Request for Comments on the Applicants for Designation in the Geographic Areas Currently Assigned to the States of California and Washington, and the Kankakee Agency

AGENCY: Federal Grain Inspection Service (FGIS), USDA.

ACTION: Notice.

SUMMARY: FGIS requests interested persons to submit comments on the applicants for designation to provide official services in the geographic areas currently assigned to the California Department of Food and Agriculture (California), the Washington Department of Agriculture (Washington), and Kankakee Grain Inspection, Inc. (Kankakee).

DATES: Comments must be postmarked, or sent by telecopier (FAX) or electronic mail by October 29, 1993.

ADDRESSES: Comments must be submitted in writing to Homer E. Dunn, Chief, Review Branch, Compliance Division, FGIS, USDA, room 1647 South Building, P.O. Box 96454, Washington, DC 20090–6454. SprintMail users may respond to

[A:ATTMAIL,O:USDA,ID:A36HDUNN]. ATTMAIL and FTS2000MAIL users may respond to !A36HDUNN. Telecopier (FAX) users may send responses to the automatic telecopier machine at 202–720–1015, attention: Homer E. Dunn. All comments received will be made available for public inspection at the above address located at 1400 Independence Avenue, SW., during regular business hours.

FOR FURTHER INFORMATION CONTACT: Homer E. Dunn, telephone 202–720–8525.

SUPPLEMENTARY INFORMATION: This action has been reviewed and determined not to be a rule or regulation as defined in Executive Order 12291 and Departmental Regulation 1512–1; therefore, the Executive Order and Departmental Regulation do not apply to this action.

In the July 30, 1993, Federal Register (58 FR 40787), FGIS asked persons interested in providing official services in the geographic areas assigned to California, Washington, and Kankakee to submit an application for designation. Applications were due by September 1, 1993. California, Washington, and Kankakee, the only applicants, each applied for the areas currently assigned to them. FGIS is publishing this notice to provide interested persons the opportunity to present comments concerning the applicants for designation in the California, Washington, and Kankakee areas. Commenters are encouraged to submit reasons and pertinent data for support or objection to the designation of these applicants. All comments must be submitted to the Compliance Division at the above address.

Comments and other available information will be considered in making a final decision. FGIS will publish notice of the final decision in the Federal Register, and FGIS will send the applicants written notification of the decision.

Authority: Pub. L. 94–582, 90 Stat. 2867, as amended (7 U.S.C. 71 *et seq.*).

Dated: September 22, 1993.

Neil E. Porter,

Director, Compliance Division.

[FR Doc. 93–23943 Filed 9–29–93; 8:45 am]

BILLING CODE 3410–EN–F

Request for Applications From Persons Interested in Designation to Provide Official Services in the Geographic Areas Presently Assigned to the Gibson City, Indianapolis, and Springfield Agencies, and the State of Wyoming

AGENCY: Federal Grain Inspection Service (FGIS), USDA.

ACTION: Notice.

SUMMARY: The United States Grain Standards Act, as amended (Act), provides that official agency designations shall end not later than triennially and may be renewed. The designations of Gibson City Grain Inspection Department (Gibson City), Indianapolis Grain Inspection & Weighing Service, Inc. (Indianapolis), Springfield Grain Inspection, Inc. (Springfield), and the Wyoming Department of Agriculture (Wyoming) will end March 31, 1994, according to the Act, and FGIS is asking persons interested in providing official services in the specified geographic areas to submit an application for designation.

DATES: Applications must be postmarked or sent by telecopier (FAX) on or before October 29, 1993.

ADDRESSES: Applications must be submitted to Homer E. Dunn, Chief, Review Branch, Compliance Division, FGIS, USDA, room 1647 South Building, P.O. Box 96454, Washington, DC 20090–6454. Telecopier (FAX) users may send applications to the automatic telecopier machine at 202–720–1015, attention: Homer E. Dunn. If an application is submitted by telecopier, FGIS reserves the right to request an original application. All applications will be made available for public inspection at this address located at 1400 Independence Avenue, SW., during regular business hours.

FOR FURTHER INFORMATION CONTACT: Homer E. Dunn, telephone 202–720–8525.

SUPPLEMENTARY INFORMATION: This action has been reviewed and determined not to be a rule or regulation as defined in Executive Order 12291 and Departmental Regulation 1512–1; therefore, the Executive Order and Departmental Regulation do not apply to this action.

Section 7(f)(1) of the Act authorizes FGIS' Administrator to designate a qualified applicant to provide official services in a specified area after determining that the applicant is better able than any other applicant to provide such official services.

FGIS designated Gibson City, main office located in Gibson City, Illinois; Indianapolis, main office located in Beech Grove, Indiana; Springfield, main office located in Springfield, Indiana; and Wyoming, main office located in Cheyenne, Wyoming, to provide official grain inspection services under the Act on April 1, 1991.

Section 7(g)(1) of the Act provides that designations of official agencies shall end not later than triennially and may be renewed according to the criteria and procedures prescribed in section 7(f) of the Act. The designations of Gibson City, Indianapolis, Springfield, and Wyoming end on March 31, 1994. The geographic area presently assigned to Gibson City, in the State of Illinois, pursuant to section 7(f)(2) of the Act, which will be assigned to the applicant selected for designation is as follows:

Bounded on the North by the northern Livingston County line from the ICG Railroad line;

Bounded on the East by the Livingston County line; the Ford County line; the southern Ford County line west to Interstate 57; Interstate 57 south to State Route 136;

Bounded on the South by State Route 136 west to a point approximately 10 miles west of the eastern McLean County line; and

Bounded on the West from this point through Arrowsmith to Pontiac along a straight line running north and south which intersects with the ICG Railroad line northeast to the northern Livingston County line.

The following location, outside of the above contiguous geographic area, is part of this geographic area assignment: Farm Service, Arrowsmith, McLean County (located inside Central Illinois Grain Inspection, Inc.'s, area).

An exception to Gibson City's assigned geographic area is the following location inside Gibson City's area which has been and will continue to be serviced by Central Illinois Grain Inspection, Inc.: Bunge Corporation, Pontiac, Livingston County.

The geographic area presently assigned to Indianapolis, in the State of Indiana, pursuant to section 7(f)(2) of the Act, which will be assigned to the applicant selected for designation is as follows:

Bartholomew; Brown; Hamilton, south of State Route 32; Hancock; Hendricks; Johnson; Madison, west of State Route 13 and south of State Route 132; Marion; Monroe; Morgan; and Shelby Counties.

The geographic area presently assigned to Springfield, in the State of Illinois, pursuant to section 7(f)(2) of the Act, which will be assigned to the

applicant selected for designation is as follows:

Bounded on the North by the northern Schuyler, Cass, and Menard County lines; the western Logan County line north to State Route 10; State Route 10 east to the west side of Beason;

Bounded on the East by a straight line from the west side of Beason southwest to Elkhart on Interstate 55; a straight line from Elkhart southeast to Stonington on State Route 48; a straight line from Stonington southwest to Irving on State Route 16;

Bounded on the South by State Route 16 west to Interstate 55; a straight line from the junction of Interstate 55 and State Route 16 northwest to the junction of State Route 111 and the Morgan County line; the southern Morgan and Scott County lines; and

Bounded on the West by the western Scott, Morgan, Cass, and Schuyler County lines.

The following locations, outside of the above contiguous geographic area, are part of this geographic area assignment: East Lincoln Farmers Grain Co., Lincoln, Logan County (located inside Central Illinois Grain Inspection, Inc.'s, area); Chestervale Elevator Company, Chestervale, Logan County (located inside Decatur Grain Inspection, Inc.'s, area); and Cargill, Inc., Florence, Pike County (located inside Quincy Grain Inspection & Weighing Service's area).

The geographic area presently assigned to Wyoming, pursuant to section 7(f)(2) of the Act, which will be assigned to the applicant selected for designation, is the entire State of Wyoming, except the geographic area assigned to Denver Grain Inspection, which is as follows: Goshen County, Platte County, and these locations in Laramie County: Albin Elevator, Albin; Farmers Coop, Burns; Carpenter Elevator, Carpenter; Pillsbury Company, Egbert; and Pine Bluffs Feed and Grain, Pine Bluffs.

Interested persons, including Gibson City, Indianapolis, Springfield, and Wyoming are hereby given the opportunity to apply for designation to provide official services in the geographic areas specified above under the provisions of section 7(f) of the Act and § 800.196(d) of the regulations issued thereunder. Designation in the specified geographic areas is for the period beginning April 1, 1994, and ending March 31, 1997. Persons wishing to apply for designation should contact the Compliance Division at the address listed above for forms and information.

Applications and other available information will be considered in determining which applicant will be designated.

Authority: Pub. L. 94–582, 90 Stat. 2867, as amended (7 U.S.C. 71 *et seq.*).

Dated: September 22, 1993.

Neil E. Porter,

Director, Compliance Division.

[FR Doc. 93–23947 Filed 9–29–93; 8:45 am]

BILLING CODE 3410–EN–F

Designation of the Hastings (NE) Agency and the State of New York

AGENCY: Federal Grain Inspection Service (FGIS).

ACTION: Notice.

SUMMARY: FGIS announces the designation of Hastings Grain Inspection, Inc. (Hastings), and the New York State Department of Agriculture and Markets (New York) to provide official inspection services under the United States Grain Standards Act, as amended (Act).

EFFECTIVE DATE: November 1, 1993.

ADDRESSES: Homer E. Dunn, Chief, Review Branch, Compliance Division, FGIS, USDA, Room 1647 South Building, P.O. Box 96454, Washington, DC 20090–6454.

FOR FURTHER INFORMATION CONTACT: Homer E. Dunn, telephone 202–720–8525.

SUPPLEMENTARY INFORMATION:

This action has been reviewed and determined not to be a rule or regulation as defined in Executive Order 12291 and Departmental Regulation 1512–1; therefore, the Executive Order and Departmental Regulation do not apply to this action.

In the April 29, 1993, **Federal Register** (58 FR 25965), FGIS announced that the designations of Hastings and New York end on October 31, 1993, and asked persons interested in providing official services within the specified geographic areas to submit an application for designation. Applications were due by May 31, 1993.

Hastings, the only applicant, applied for the entire area currently assigned to it. There were no applications for the New York area by the deadline. So, in the June 15, 1993, **Federal Register** (58 FR 33066), FGIS again asked persons interested in providing official services in the geographic area assigned to New York to submit an application for designation. Applications were due by July 15, 1993. New York, the only applicant, applied for designation in the entire area currently assigned to it. FGIS requested comments on Hastings in the June 30, 1993, **Federal Register** (58 FR 34984), and on New York in the July 30, 1993, **Federal Register** (58 FR 40788). Comments were due by July 30, 1993, and August 27, 1993, respectively. FGIS received six comments about Hastings, and no comments about New York by the deadline. The comments, all submitted by grain firms, supported designation of Hastings.

FGIS evaluated all available information regarding the designation criteria in Section 7(f)(1)(A) of the Act; and according to Section 7(f)(1)(B), determined that Hastings and New York are able to provide official services in the geographic areas for which they applied.

Effective November 1, 1993, and ending October 31, 1996, Hastings and New York are designated to provide official inspection services in the geographic areas specified in the April 29, 1993, **Federal Register**. Interested persons may obtain official services by contacting Hastings at 402–462–4254, and New York at 716–238–8268.

Authority: Pub. L. 94–582, 90 Stat. 2867, as amended (7 U.S.C. 71 *et seq.*)

Dated: September 22, 1993

Neil E. Porter

Director, Compliance Division

[FR Doc. 93–23946 Filed 9–29–93; 8:45 am]

BILLING CODE 3410–EN–F

Forest Service

Exemption of Turner Creek Salvage Timber Sale Project From Appeal

AGENCY: Forest Service, USDA.

ACTION: Notification that a project designed to salvage dead and dying timber is exempted from appeals filed under 36 CFR part 217.

SUMMARY: In October 1991, unusually strong winds and wildfire in localized areas across the Three Rivers Ranger District of the Kootenai National Forest produced areas of fire-killed and wind-thrown timber. In 1992, the Three Rivers District Ranger proposed a salvage timber sale to recover damaged sawtimber in the affected area. The District Ranger has determined, through an environmental analysis documented in the Turner Creek Environmental Assessment and Decision Notice, that good cause exists to rehabilitate National Forest System lands and recover damaged resources.

EFFECTIVE DATE: September 30, 1993.

FOR FURTHER INFORMATION CONTACT: John R. Righter, Three Rivers District Ranger; Kootenai National Forest; 1437 Highway 2 North; Troy, MT 59935. Telephone: 406–295–4693.

SUPPLEMENTARY INFORMATION: Severe windstorms and wildfire in October 1991 damaged approximately 247 acres of timber in the Turner Creek area. The fire-killed, dead, and wind-thrown timber is located within lands designated as suitable for timber management and assigned to Management Area 12 (Kootenai Forest Plan, September, 1987). In 1992, the Three Rivers District Ranger proposed to salvage fire-killed, dead, and wind-damaged timber that was affected by the wind-storm and wildfire. This proposal is designed to meet the following needs:

(1) Recover fire-killed, dead, and dying timber before it loses commercial value;

(2) Maintain big-game habitat, and

(3) Reduce the potential for wildfire by reducing fuel loading.

An interdisciplinary team was convened, and scoping began in 1992. Four alternatives were analyzed; no treatment (no action) and a salvage and three rehabilitation proposals (including the proposed action). The selected alternative (Alternative 3) will salvage approximately 5.0 MMBF of fire-killed, dead, and damaged timber from approximately 247 acres.

The sale and accompanying work is designed to accomplish the objectives as quickly as possible to reduce the fuel accumulations and to recover merchantable sawtimber before it deteriorates and removal becomes infeasible. To expedite implementation of this decision, procedures outlined in 36 CFR 217.4(a)(11) are being followed. Under this regulation the following may be exempt from appeal:

"Decisions related to rehabilitation of National Forest System lands and recovery of forest resources resulting from natural disasters or other natural phenomena, such as * * * severe wind * * * when the Regional Forester * * * determines and gives notice in the **Federal Register** that good cause exists to exempt such decisions from review under this part."

Based upon the information presented in the Turner Creek Environmental Assessment Decision Notice, I have determined that good cause exists to exempt this decision from administrative review. Therefore, upon publication of this notice, this project will not be subject to review under 36 CFR part 217.

Dated: September 24, 1993.

Christopher D. Risbrudt,

Deputy Regional Forester, Northern Region.

[FR Doc. 93-23973 Filed 9-29-93; 8:45 am]

BILLING CODE 3410-11-M

Exemption of Thrill on Bunker Hill Salvage Project From Appeal

AGENCY: Forest Service, USDA.

ACTION: Notification that a timber salvage and rehabilitation project designed to recover blown-down timber is exempt from appeal under provisions of 36 CFR part 217.

SUMMARY: In October 1991, unusually strong winds in localized areas across the Three Rivers Ranger District of the Kootenai National Forest produced areas of wind-thrown timber. This area also has ongoing mountain pine beetle activity which has caused high mortality in the lodgepole pine. Approximately 40 percent of the blown down timber is dead lodgepole. The Three River District Ranger proposed a salvage timber sale to recover damaged and dead sawtimber in this affected area. The District Ranger has determined, through a Decision Memo and environmental analysis in the supporting project file, that there is good cause to expedite these actions to rehabilitate National Forest System lands and recover damaged resources. Salvage of commercial sawtimber within the area affected must be accomplished quickly to avoid further deterioration of sawtimber and reduce the risk of wildfire.

EFFECTIVE DATE: Effective on September 30, 1993.

FOR FURTHER INFORMATION CONTACT: John Righter; Three Rivers District Ranger; Kootenai National Forest; 1437 N. Highway 2; Troy, MT 59935. Telephone: 406-295-4693.

SUPPLEMENTARY INFORMATION: Severe windstorms on October 16, 1991, and during the spring of 1992, damaged approximately 103 acres of timber in the Bunker Hill Creek area. This area also has ongoing mountain pine beetle activity that has caused high mortality in the lodgepole pine. The wind-thrown timber and dead and tying lodgepole pine are located within lands designated as suitable for timber management and assigned to Management Area 15 and Management Area 11 (Kootenai Forest Plan, September 1987). In the fall of 1992, the Three Rivers District Ranger proposed to salvage wind-damaged timber and dead and dying lodgepole pine in the Bunker Hill Creek area. This proposal is designed to meet the following needs:

(1) Recover dead and dying timber before it loses its commerce value.

(2) Rehabilitate the affected timber stands, and

(3) Reduce the potential for wildfire by reducing fuel loading.

An interdisciplinary team was convened, and scoping began in 1992. Three alternatives were analyzed; no treatment (no action) and two salvage and rehabilitation proposals. The selected alternative will salvage approximately 572 MBF of dead and damaged timber from approximately 103 acres. One temporary road, approximately 680 feet in length will be needed to access some of the blow down. This temporary road will be recontoured and seeded following sale activities.

The sale and accompanying work is designed to accomplish the objectives as quickly as possible to reduce the fuel accumulations and to recover merchantable sawtimber before it deteriorates and removal becomes infeasible. To expedite implementation of this decision, procedures outlined in 36 CFR 217.4(a)(11) are being followed. Under this regulation the following may be exempt from appeal:

Decisions related to rehabilitation of National Forest System lands and recovery of forest resources resulting from natural disasters or other natural phenomena, such as * * * severe wind * * * when the Regional Forester * * * determines and gives notice in the **Federal Register** that good cause exists to exempt such decisions from review under this part.

Based upon the information presented in the Turner Creek Environmental Assessment Decision Notice, I have determined that good cause exists to exempt this decision from administrative review. Therefore, upon publication of this notice, this project will not be subject to review under 36 CFR part 217.

Dated: September 24, 1993.

Christopher D. Risbrudt,

Deputy Regional Forester, Northern Region.

[FR Doc. 93-23974 Filed 9-29-93; 8:45 am]

BILLING CODE 3410-11-M

Soil Conservation Service

T or C-Williamsburg Arroyos Watershed, Sierra County, New Mexico; Finding of No Significant Impact

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 Regulations (40 CFR part 1500); and the Soil Conservation Service Rules (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 supplement to the T or C-Williamsburg Arroyos Watershed, Sierra County, New Mexico.

FOR FURTHER INFORMATION CONTACT: Ronald L. Lauster; Acting State Conservationist; Soil Conservation Service; 517 Gold Ave., SW., rm. 3301; Albuquerque, NM 87102–3157; telephone 505–766–3277.

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, Ronald L. Lauster, Acting State Conservationist, has determined that the preparation and review of an environmental impact statement is not needed for this project.

The project purposed is flood prevention. The action includes two floodwater retarding dams, one floodwater diversion, and 2.7 miles of channel improvement.

The Notice of a Finding of No Significant Impact (FONSI) has been forwarded to the Environmental Protection Agency and 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. The environmental assessment has had a 45 day review by concerned Federal, State, and local agencies and interested parties. Basic data developed during the environmental assessment is on file and may be reviewed by contacting Ronald L. Lauster.

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 location officials)

Ronald L. Lauster,

Acting State Conservationist.

[FR Doc. 93–23938 Filed 9–29–93; 8:45 am]

BILLING CODE 3410–16–M

World Agricultural Outlook Board

Release Times for Market Sensitive Reports

AGENCY: World Agricultural Outlook Board, USDA.

ACTION: Notice.

SUMMARY: Notice is hereby given that the United States Department of Agriculture (USDA) is examining alternative release times for all market sensitive reports to determine if the current release time of 3 p.m., Eastern Time (E.T.) best serves the interests of U.S. agriculture and the broader food and fiber system. USDA is considering the effects of alternative release times on agricultural market participants, on USDA operations and costs, and on futures and cash market performance. Report release times being examined are:

I. 8:30 a.m., E.T.;

II. 12 noon, E.T.; and

III. The current release time of 3 p.m., E.T.

Furthermore, USDA is evaluating whether these release times should apply to all market sensitive reports now released during non-trading hours or to a selected group of reports now released under very tight security or "lockup" conditions. The current lockup process involves retaining Departmental analysts in a secure facility until data and other information have been compiled, estimates developed, and reports released to the public.

Agencies releasing market sensitive information include: The National Agricultural Statistics Service, Economic Research Service, World Agricultural Outlook Board, Foreign Agricultural Service, Agricultural Marketing Service, and the Agricultural Stabilization and Conservation Service. This sensitive market information is released in reports and press releases, including reports on the status of and the outlook for U.S. and world commodities and government domestic and export programs. These reports are listed in the Appendix I, at the end of this notice.

DATES: Comments on report release times must be received on or before November 1, 1993.

FOR FURTHER INFORMATION CONTACT: James R. Donald, Chairperson, World Agricultural Outlook Board, USDA, room 5143 South Building, Washington, DC 20250–3800. Telephone: 202–720–6030.

SUPPLEMENTARY INFORMATION:

Comments

Interested persons are invited to submit written comments on report release times. Comments should be sent to: Economics Agencies, Freedom of Information Officer, USDA/EMS, room 4310 South Building, 14th & Independence Avenue, SW., Washington, DC 20250.

All comments submitted on the alternative release times will be available for public inspection at the above address from 9 a.m. to 12:30 p.m., E.T. and from 1:30 p.m. to 4 p.m., E.T., Monday through Friday.

Background

For many years, USDA has released market sensitive reports at 3 p.m. E.T. This follows the daily closing of U.S. agricultural commodity futures markets and is intended to give all interested individuals and organizations sufficient time to interpret the information and to make commodity marketing and trading decisions prior to the reopening of the U.S. futures markets the following day. USDA recognizes that access to report information varies among market participants, even given the current time elapsed between information release and market openings. However, technological advances in information dissemination is enabling better and faster access to report information for many market participants. Similarly, it is possible that readily available technologies will make 24-hour trading a reality.

There also have been significant changes in world commodity markets since USDA established the current report release time at 3 p.m., E.T. World commodity trade has expanded, new futures markets have opened in other countries, and advanced communication technology has tied together commodity markets around the world and has resulted in near real-time exchange of market information. These changes have resulted in futures markets in other countries trading on information in market sensitive USDA reports prior to the opening of U.S. futures markets.

As a result of discussions with the Chicago Board of Trade (CBOT), USDA is currently considering two different proposals to change the release times on selected USDA reports. The first proposal calls for USDA to release reports on selected report days between 12 p.m. and 1 p.m. E.T. Trading in CBOT agricultural contracts would cease for at least a 15-minute period prior to report release and a one-hour period after report release; trading would then resume and finish at the usual closing time of 2:15 p.m., E.T.

The second proposal calls for USDA to release reports on selected report days at 8:30 a.m., E.T. Trading for the day would begin at the usual opening time of 9:30 a.m., E.T.

Both of these proposals meet the CBOT's objective of providing U.S. market interests with the first or an early opportunity to trade using USDA

crop production and use data. With respect to the first proposal, the CBOT acknowledges that a split trading session for the day could prove confusing and awkward to market participants as markets opened and closed twice on selected days.

CBOT defines selected USDA report days as those days on which the following reports are issued: (1) The January Annual Crop Production (previous year), World Supply and Demand Estimates, and Grain Stocks reports; (2) the March Grain Stocks and Prospective Plantings reports; (3) the May Crop Production and World Supply and Demand Estimates reports; (4) the June Acreage and Grain Stocks reports; (5) the August Crop Production and World Supply and Demand Estimates reports; (6) the September Crop Production and World Supply and Demand Estimates reports; and, (7) the November Crop Production and World Supply and Demand Estimates reports. These reports are issued on a single day in the respective months.

Also, the CBOT has proposed a 1 p.m., E.T. report release time for USDA's weekly Grain Export Inspections, Weekly Export Sales, and Daily Export Sales announcements, but trading on the CBOT would not cease immediately before or after these reports are released.

USDA is aware that report release times potentially affect a number of interests in the agricultural community. USDA is seeking comment from all interested parties throughout the food and fiber system. USDA is particularly seeking comments on alternative release times of 8:30 a.m., E.T.; 12 noon, E.T.; and continuation of the current release time of 3 p.m., E.T. USDA is also seeking comments on whether to maintain a common release time for most reports containing market sensitive information.

In evaluating alternative report release times, USDA will consider the effects on commodity market performance and the impact on Government operations and costs. Existing statutory requirements will be reviewed in the context of alternative release times. By statute, cotton production estimates must be released at 3 p.m., E.T. This time cannot be changed administratively, so new legal authority would be needed or cotton production estimates would have to be eliminated from the present reports and continue to be released at 3 p.m., E.T.

Also, USDA must consider these options with the knowledge that there is nothing to restrict the emergence of new futures markets in any time zone around the globe. Further, 24-hour trading is being tested in some futures markets now and others have announced plans to conduct similar tests in the near future. Accordingly, around the clock trading could diminish the rationale for any release time selected.

I. 8:30 a.m., E.T. Release Considerations

Major considerations in the 8:30 a.m., E.T. release include:

A. Other Federal agencies, including the Department of Commerce and the Department of Labor, Bureau of Labor Statistics, release market sensitive reports at 8:30 a.m., E.T. Reports are prepared in "secured" areas the day before and released the following morning. This practice appears to meet public information needs and provide adequate security.

B. Some foreign futures markets, particularly in Asia, which compete with U.S. futures markets are presently closed at 8:30 a.m., E.T. Thus, an 8:30 a.m., E.T., release with U.S. futures trading commencing at 9:30 a.m., E.T., would permit report information to be traded on U.S. futures markets before most foreign markets.

C. Information in the reports would be available to some other future markets, particularly those in Europe, while U.S. markets are presently not open for trading.

D. The length of time for uncertainly in domestic cash market pricing during the period between the release of reports and the opening of domestic futures markets would be shortened, since key U.S. futures markets would open one hour after report release. However, uncertainty in domestic cash market pricing would exist during the period between the close of the markets on the day prior to the report until the opening of the markets at 9:30 a.m., E.T., on the day of the report.

E. The length of time to be allowed for assimilation of market sensitive reports (approximately 1 hour) may be inadequate for some users but more than adequate for others.

F. If reports were prepared for the day before, even with rigid security precautions, there could be a perception of reduced security of information since several Government analysis would have access to report information and the reports would not be released immediately after the information was developed.

G. If reports and USDA personnel were secured until the reports were released directly from lockup conditions, substantial changes would be required in current operational procedures. Logistical support for and authorization of night work would be required.

II. Noon, E.T., Release Considerations

Major considerations in a 12 noon, E.T. release, assuming futures markets would close 15 minutes before release and reopen one hour after USDA released reports, are similar to an 8:30 a.m., E.T. release time, except:

A. Competitive futures markets would be closed in more countries, including those in Europe.

B. There would be less concern about reduced security, since reports would be released directly from lockup conditions.

C. If all U.S. futures markets did not adopt common trading hours, this lack of uniformity among markets on release of sensitive information could result in inequities among exchanges and put some market participants at a disadvantage.

D. The length of time for uncertainty in domestic cash market pricing would be shortened under this proposal, as compared to the current release schedule or the proposed 8:30 a.m., E.T. report release time, since there would be only 15 minutes between the close of the markets and the release of reports and 1 hour between the release of reports and re-opening of key futures markets.

III. 3 p.m., E.T. Release Considerations

Major considerations in maintaining the current release time of 3 p.m., E.T., for most USDA reports are the same as those for releasing at 8:30 a.m., E.T. and 12 noon, E.T., except the impact differs on market participants and government operations:

A. Futures markets in other countries would be able to utilize information from market sensitive USDA reports prior to U.S. futures markets.

B. During the period after reports are released at 3 p.m., E.T. and before futures markets trading begins the next day, there would be uncertainty about pricing of commodities but no opportunity to hedge in domestic markets. Cash market uncertainty would also exist during the period between the closing of the markets and the release of reports.

C. U.S. market participants would have more time to consider market sensitive information, giving farmers and others not on the trading floor the opportunity to evaluate the information in the reports and to participate in the initial trading the following day.

D. The security of USDA reports would be maintained through lockup procedures.

E. No administrative adjustments or additional operational costs would be required for preparation and release of reports.

IV. Separate/Common Report Release Time Considerations

USDA is further considering if a new release time should apply to all market sensitive reports and releases, or to a selected group of reports released under lockup conditions, taking into account that:

A. Maintaining a common release time for most of USDA's market sensitive reports would minimize confusion and uncertainty about release times for market sensitive USDA reports.

B. Maintaining a common report release time for market sensitive reports would limit disruption in agency report release practices.

Appendix I. Current Release Times, Eastern Time, for the Most Market Sensitive USDA Reports and Releases

A. Reports Without Statutory Release Times, By Agency

1. Agricultural Marketing Service Reports

2 p.m., E.T. Release Time

Daily Estimated Federally-Inspected Slaughter
Weekly Estimated Red Meat Production
Food Purchase Reports

a. announcing the initial start-up of each red meat purchase program, issued once each year.

b. announcing the volume of red meat purchased issued weekly or biweekly.

2. Agricultural Stabilization and Conservation Service Reports

Specific Release Times

Rice Adjusted World Price 3 p.m., E.T. Tuesday—by regulation
Cotton Adjusted World Price 5 p.m., E.T. Thursday—by regulation (markets trade from 10:30 a.m., E.T. to 2:40 p.m., E.T.)
Oilseeds Adjusted World Price Early (around 7:30 a.m., E.T.) Friday
Commodity Credit Corporation Purchase Prices for Dairy Products After 3:15 p.m., E.T. on an ad hoc basis (markets trade from 2:15 p.m., E.T. to 3:15 p.m., E.T.)

After 3 p.m., E.T. Release Times

Quarterly Sugar Marketing Allotiments
Acreage Reduction Program
Loan Levels: Preliminary and Final
Common Program Provisions
Farm Program Enrollment Reports
Farm Program Compliance Reports
Projected Deficiency Payments

3. Economic Research Service Outlook and Situation Reports

3 p.m., E.T. Release Time

Agricultural Exports
Agricultural Income and Finance
Agricultural Outlook
Agricultural Resources:
Inputs:
Fertilizer, Pesticides, Farm Machinery
Energy
Agricultural Land Values and Markets
Cropland, Water and Conservation
Agriculture and Trade
Africa & the Middle East
Asia & Pacific Rim
China
Europe
Former USSR
Western Hemisphere
Aquaculture
Cotton and Wool Updates
Dairy
Feed
Fruit and Tree Nuts
Global Food Assessment
Industrial Uses of Agricultural Materials
Livestock and Poultry Updates
Oil Corps
Rice
Sugar
Tobacco
Vegetables and Specialties
Wheat

4. National Agricultural Statistics Service Reports

3 p.m., E.T. Release Time

Agricultural Prices
Acreage
Catfish
Cattle
Cattle on Feed
Celery
Citrus Fruits
Cold Storage
Cranberries
Crop Production
Crop Progress
Crop Values
Dairy Products
Eggs, Chickens and Turkeys
Egg Products
Floriculture Crops
Fruits and Tree Nuts
Grain Stocks
Hogs and Pigs
Hop Stocks
Layers and Egg Production
Liverstock Slaughter
Meat Animals Products Disposition and Income
Milk Production
Mushrooms
Peanut Stocks and Processing
Potatoes
Potato Stocks
Poultry Production and Value
Poultry Slaughter
Prospective Plantings
Rice Stocks
Sheep and Goats
Turkeys
Turkey Hatchery
Trout
Vegetables
Winter Wheat and Rye Seedings
Wool and Mohair

5. Foreign Agricultural Service Reports

9 a.m., E.T. Release Time

Dairy Export Incentive Program (DEIP) Bid Acceptances
Export Enhancement Program (EEP) Bid Acceptances
Sunflowerseed Oil Assistance Program (SOAP) Bid Acceptances
Cottonseed Oil Assistance Program (COAP) Bid Acceptances

3 p.m., E.T. Release Time

P.L. 480 Releases
General Sales Manager Releases
All Commodity Circulars
Export Sales Report and Daily Export Sales Announcements
Sugar Report—(Wednesday's Only)
Export Enhancement Program (EEP) Initiatives
Dairy Export Incentive Program (DEIP) Initiatives
Sunflowerseed Oil Assistance Program (SOAP) Initiatives
Cottonseed Oil Assistance Program (COAP) Initiatives

6. World Agricultural Outlook Board Report

3 p.m., E.T. Release Time

World Agricultural Supply and Demand Estimates Report

B. Reports With Statutory Release Times

3 p.m., E.T. Release Time

Cotton Production (contained in National Agricultural Statistics Service report.)

Dated: September 24, 1993.

Keith Collins,

Acting Assistance Secretary for Economics.

[FR Doc. 93–24021 Filed 9–29–93; 8:45 am]
BILLING CODE 3410–38–M

DEPARTMENT OF COMMERCE

Bureau of Export Administration

Action Affecting Export Privileges; Rudy Yujen Tsai; Order Denying Permission To Apply For or Use Export Licenses

On March 4, 1991, following a jury trial, Rudy Yujen Tsai (hereinafter referred to as Tsai) was convicted in the U.S. District Court for the Eastern District of Pennsylvania of, among other crimes, three counts of violating section 38 of the Arms Export Control Act (22 U.S.C.A. 2778 (1990 and Supp. 1993)) (AECA), by exporting DSU–15 optical receivers and infrared domes from the United States to Taiwan without obtaining the required export licenses or written approval from the U.S. Department of State. Section 11(h) of the Export Administration Act of 1979, as amended (50 U.S.C.A. 2401–2420 (1991, Supp. 1993, and Pub. L. No. 103–10, March 27, 1993)) (EAA), provides that, at the discretion of the Secretary of Commerce,[1] no person convicted of a violation of the AECA, or certain other provisions of the United States Code, shall be eligible to apply for or use any export license issued pursuant to, or

[1] Pursuant to appropriate delegations of authority that are reflected in the Regulations, the Director, Office of Export Licensing, in consultation with the Director, Office of Export Enforcement, exercises the authority granted to the Secretary by section 11(h) of the EAA.

provided by, the EAA or the Export Administration Regulations (currently codified at 15 CFR parts 768–799 (1993)) (the Regulations), for a period of up to 10 years from the date of the conviction. In addition, any export license issued pursuant to the EAA in which such a person had any interest at the time of his conviction may be revoked.

Pursuant to §§ 770.15 and 772.1(g) of the Regulations, upon notification that a person has been convicted of violating the AECA, the Director, Office of Export Licensing, in consultation with the Director, Office of Export Enforcement, shall determine whether to deny that person permission to apply for or use any export license issued pursuant to, or provided by, the EAA and the Regulations and shall also determine whether to revoke any export license previously issued to such a person. Having received notice of Tsai's conviction for violating section 38 of the AECA, and following consultations with the Director, Office of Export Enforcement, I have decided to deny Tsai permission to apply for or use any export license, including any general license, issued pursuant to, or provided by, the EAA and the Regulations, for a period of 10 years from the date of his conviction. The 10-year period ends on March 4, 2001. I have also decided to revoke all export licenses issued pursuant to the EAA in which Tsai had an interest at the time of his conviction.

Accordingly, it is hereby Ordered.

I. All outstanding individual validated licenses in which Tsai appears or participates, in any manner or capacity, are hereby revoked and shall be returned forthwith to the Office of Export Licensing for cancellation. Further, all of Tsai's privileges of participating, in any manner or capacity, in any special licensing procedure, including, but not limited to, distribution licenses, are hereby revoked.

II. Until March 4, 2001, Rudy Yujen Tsai, 4 Briarwood Road, Framingham, Massachusetts 01701, and currently incarcerated in the Federal Correctional Institution, P.O. Box 700, Minersville, Pennsylvania 17954, hereby is denied all privileges of participating, directly or indirectly, in any manner or capacity, in any transaction in the United States or abroad involving any commodity or technical data exported or to be exported from the United States, in whole or in part, and subject to the Regulations. Without limiting the generality of the foregoing, participation, either in the United States or abroad, shall include participation, directly or indirectly, in any manner or capacity: (i) As a party or as a representative of a party to any export license application submitted to the Department; (ii) in preparing or filing with the Department any export license application or request for reexport authorization, or any document to be submitted therewith; (iii) in obtaining from the Department or using any validated or general export license, reexport authorization or other export control document; (iv) in carrying on negotiations with respect to, or in receiving, ordering, buying, selling, delivering, storing, using, or disposing of, in whole or in part, any commodities or technical data exported or to be exported from the United States, and subject to the Regulations; and (v) in financing, forwarding, transporting, or other servicing of such commodities or technical data.

III. After notice and opportunity for comment as provided in § 770.15(h) of the Regulations, any person, firm, corporation, or business organization related to Tsai by affiliation, ownership, control, or position of responsibility in the conduct of trade or related services may also be subject to the provisions of this Order.

IV. As provided in § 787.12(a) of the Regulations, without prior disclosure of the facts to and specific authorization of the Office of Export Licensing, in consultation with the Office of Export Enforcement, no person may directly or indirectly, in any manner or capacity: (i) Apply for, obtain, or use any license, Shipper's Export Declaration, bill of lading, or other export control document relating to an export or reexport of commodities or technical data by, to, or for another person then subject to an order revoking or denying his export privileges or then excluded from practice before the Bureau of Export Administration; or (ii) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate: (a) In any transaction which may involve any commodity or technical data exported or to be exported from the United States; (b) in any reexport thereof; or (c) in any other transaction which is subject to the Export Administration Regulations, if the person denied export privileges may obtain any benefit or have any interest in, directly or indirectly, any of these transactions.

V. This Order is effective immediately and shall remain in effect until March 4, 2001.

VI. A copy of this Order shall be delivered to Tsai. This Order shall be published in the **Federal Register**.

Dated: September 21, 1993.

Eileen M. Albanese,

Acting Director, Office of Export Licensing.

[FR Doc. 93–23921 Filed 9–29–93; 8:45 am]

BILLING CODE 3510–DT–M

International Trade Administration

Initiation of Antidumping and Countervailing Duty Administrative Reviews

AGENCY: International Trade Administration/Import Administration Department of Commerce.

ACTION: Notice of initiation of antidumping and countervailing duty administrative reviews.

SUMMARY: The Department of Commerce has received requests to conduct administrative reviews of various antidumping and countervailing duty orders, findings and suspension agreements with August anniversary dates. In accordance with the Commerce Regulations, we are initiating those administrative reviews.

EFFECTIVE DATE: September 30, 1993.

FOR FURTHER INFORMATION CONTACT: Holly A. Kuga, Office of Antidumping Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230, telephone: (202) 482–2104.

SUPPLEMENTARY INFORMATION:

Background

The Department of Commerce (the Department) has received timely requests, in accordance with § 353.22(a) and 355.22(a) of the Department's regulations, for administrative reviews of various antidumping and countervailing duty orders, findings, and suspension agreements with August anniversary dates.

Initiation of Reviews

In accordance with § 353.22(c) and 355.22(c) of the Department's regulations, we are initiating administrative reviews of the following antidumping and countervailing duty orders, findings, and suspension agreements. We intend to issue the final results of these reviews not later than August 31, 1994.

Antidumping duty proceedings	Period to be reviewed
Canada:	
Pure Magnesium A–122–814	
Norsk Hydro Canada, Inc	11/20/91–7/31/93

Antidumping duty proceedings	Period to be reviewed
Israel:	
Industrial Phosphoric Acid	
A–508–604	
Rotem Fertilizers Ltd.	
Haifa Chemicals Ltd.	8/1/92–7/31/93
Italy:	
Granular Polytetrafluoroethylene (PTFE) Resin	
A–475–703	
Ausimont SpA	8/1/92–7/31/93
Japan:	
Granular Polytetrafluoroethylene (PTFE) Resin	
A–588–707	
Daikin Industries, Ltd	8/1/92–7/31/93
Kazakhstan:	
Titanium Sponge	
A–834–803	
Ust Kamenogorsk Plant	8/1/92–7/31/93
Mexico:	
Gray Portland Cement and Clinker	
A–201–802	
Cemex, S.A.	
Cementos Hidalgo, S.C.L.	8/1/92–7/31/93
Russia:	
Titanium Sponge	
A–821–803	
VILS–ALL Union Institute of Light Alloys	8/1/92–7/31/93
VSMPO	
V/O Techsnabexport	
Avisma	
The People's Republic of China:	
Silicon Metal	
A–570–806	
All exporters	6/1/92–5/31/93
Ukraine:	
Titanium Sponge	
A–823–803	
Zaporozhye Titanium and Magnesium Plant	8/1/92–7/31/93
Countervailing Duty Proceedings	
Canada:	
Alloy Magnesium.	
C–122–815	12/6/91–12/31/92
Live Swine C–122–404	4/1/92–/3/31/93
Pure Magnesium.	
C–122–815	12/6/91–12/31/92
Israel:	
Industrial Phosphoric Acid C–508–605	1/1/92–12/31/92
Malaysia:	
Extruded Rubber Thread C–557–806	10/1/91–12/31/92
Thailand:	
Certain Circular Welded Carbon Steel Pipes and Tubes C–549–501	1/1/92–12/31/92
Certain Apparel.	
C–549–401	1/1/92–12/31/92
Venezuela:	
Certain Electrical Conductor Aluminum Redraw Rod C–307–702	1/1/92–12/31/92

Interested parties must submit applications for administrative protective orders in accordance with § 353.34(b) and 355.34(b) of the Department's regulations.

These initiations and this notice are in accordance with section 751(a) of the Tariff Act of 1930, as amended (19 U.S.C. 1675(a)) and 19 CFR 353.22(c)(1) and 355.22(c)(1) (1993).

Dated: September 22, 1993.

Roland L. MacDonald,

Acting Deputy Assistant Secretary for Compliance.

[FR Doc. 93–24053 Filed 9–29–93; 8:45 am]

BILLING CODE 3510–DS–M

[A–588–704]

Brass Sheet and Strip From Japan; Determination Not To Revoke Antidumping Duty Order

AGENCY: International Trade Administration/Import Administration, Department of Commerce.

ACTION: Notice of determination not to revoke antidumping duty order.

SUMMARY: The Department of Commerce is notifying the public of its determination not to revoke the antidumping duty order on brass sheet and strip from Japan.

EFFECTIVE DATE: September 30, 1993.

FOR FURTHER INFORMATION CONTACT: Chip Hayes or John Kugelman, Office of Antidumping Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230, telephone: (202) 482–3601.

SUPPLEMENTARY INFORMATION: The Department of Commerce (the Department) may revoke an antidumping duty order, pursuant to § 353.25(d)(4)(iii) of the Department's regulations, if no interested party has requested an administrative review for four consecutive annual anniversary months and no domestic interested party objects to the revocation or requests an administrative review.

We had not received a request to conduct an administrative review of the antidumpting duty order on brass sheet and strip from Japan (52 FR 1217, March 6, 1987) for the last four consecutive annual anniversary months. Therefore, pursuant to the Department's regulations, on August 5, 1993, we published in the **Federal Register** a notice of intent to revoke the order and served written notice of the intent to each interested party on the Department's service list.

On August 11, 1993, a domestic interested party, the Copper & Brass Fabricators Council, Inc., objected to our intent to revoke the order. Therefore, because a domestic interested party objected to the revocation, we no longer intend to revoke this antidumping duty order.

Dated: September 7, 1993.

Joseph A. Spetrini,

Deputy Assistant Secretary for Compliance.

[FR Doc. 93–24035 Filed 9–29–93; 8:45 am]

BILLING CODE 3510–DS–M

[A–588–605]

Cast Iron Pipe Fittings From Japan; Determination Not To Revoke Antidumping Duty Order

AGENCY: International Trade Administration/Import Administration, Department of Commerce.

ACTION: Notice of determination not to Revoke Antidumping duty order.

SUMMARY: The Department of Commerce is notifying the public of its determination not to revoke the antidumping duty order on cast iron pipe fittings from Japan.

EFFECTIVE DATE: September 30, 1993.

FOR FURTHER INFORMATION CONTACT: Pamela Woods, Office of Antidumping Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230, telephone: (202) 482–5253.

SUPPLEMENTARY INFORMATION: The Department of Commerce (the Department) may revoke an antidumping duty order, pursuant to § 353.25(d)(4)(iii) of the Department's regulations, if no interested party has requested an administrative review for four consecutive annual anniversary months and no domestic interested party objects to the revocation or requests an administrative review.

We had not received a request to conduct an administrative review of the antidumping duty order on cast iron pipe fittings from Japan (52 FR 25281, July 6, 1987) for the last four consecutive annual anniversary months. Therefore, pursuant to the Department's regulations, on July 9, 1993, we published in the **Federal Register** a notice of intent to revoke the order and served written notice of the intent to

each interested party on the Department's service list.

On July 21, 1993, several domestic interested parties, the Grinnell Corp., Stockham Valves & Fittings Co., Inc., Stanley G. Flagg & Co., Inc., and Ward Manufacturing Inc., objected to our intent to revoke the order. Therefore, because domestic interested parties objected to the revocation, we no longer intend to revoke this antidumping duty order.

Dated: September 7, 1993.

Joseph A. Spetrini,

Deputy Assistant Secretary for Compliance.

[FR Doc. 93-24034 Filed 9-29-93; 8:45 am]

BILLING CODE 3510-DS-M

[A-583-008]

Circular Pipes and Tubes From Taiwan; Determination Not To Revoke Antidumping Duty Order

AGENCY: International Trade Administration/Import Administration, Department of Commerce.

ACTION: Notice of determination not to revoke antidumping duty order.

SUMMARY: The Department of Commerce is notifying the public of its determination not to revoke the antidumping duty order on circular pipes and tubes from Taiwan.

EFFECTIVE DATE: September 30, 1993.

FOR FURTHER INFORMATION CONTACT: Fred Baker or Pamela Woods, Office of Antidumping Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230, telephone: (202) 482-5253.

SUPPLEMENTARY INFORMATION: The Department of Commerce (the Department) may revoke an antidumping duty order, pursuant to § 353.25(d)(4)(iii) of the Department's regulations, if no interested party has requested an administrative review for four consecutive annual anniversary months and no domestic interested party objects to the revocation or requests an administrative review.

We had not received a request to conduct an administrative review of the antidumping duty order on circular pipes and tubes from Taiwan (49 FR 19369, May 7, 1984) for the last four consecutive annual anniversary months. Therefore, pursuant to the Department's regulations, on June 21, 1993, we published in the **Federal Register** a notice of intent to revoke the order and served written notice of the intent to each interested party on the Department's service list.

On July 15, 1993, a domestic interested party, the Allied Tube and Conduit Corp., objected to our intent to revoke the duty order. Therefore, because a domestic interested party objected to the revocation, we no longer intend to revoke this antidumping duty order.

Dated: September 7, 1993.

Joseph A. Spetrini,

Deputy Assistant Secretary for Compliance.

[FR Doc. 93-24041 Filed 9-29-93; 8:45 am]

BILLING CODE 3510-DS-M

[A-412-801 and A-427-801]

Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof From France and the United Kingdom; Amendment to Final Results of Antidumping Duty Administrative Reviews

AGENCY: International Trade Administration/Import Administration, Department of Commerce.

ACTION: Notice of amendment to final results of antidumping duty administrative reviews.

On July 26, 1993, the Department of Commerce published the final results of its 1991-92 administrative reviews of the antidumping duty orders on antifriction bearings (other than tapered roller bearings) and parts thereof from France and the United Kingdom. The classes or kinds of merchandise covered by these reviews are ball bearings and parts thereof and cylindrical roller bearings and parts thereof from France and the United Kingdom, and spherical plain bearings from France. These reviews were for the period May 1, 1991 through April 30, 1992. Based on the correction of clerical errors, the margins have been changed for ball bearings and cylindrical roller bearings from France and cylindrical roller bearings from the United Kingdom for one of the reviewed firms, SNR Roulements (SNR).

EFFECTIVE DATE: September 30, 1993.

FOR FURTHER INFORMATION CONTACT: Joanna Schlesinger or Richard Rimlinger, Office of Antidumping Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230; telephone: (202) 482-4733.

SUPPLEMENTARY INFORMATION:

Background

On July 26, 1993, the Department of Commerce (the Department) published in the **Federal Register** (58 FR 39729) the final results of its administrative reviews of the antidumping duty orders on antifriction bearings (other than tapered roller bearings) and Parts thereof from France and the United Kingdom. The classes or kinds of merchandise covered by these reviews are ball bearings and parts thereof (BBs) and cylindrical roller bearings and parts thereof (CRBs) from the United Kingdom and France, and spherical plain bearings from France. The reviews covered the period May 1, 1991 through April 30, 1992.

After publication of our final results, we received timely allegations of clerical errors from one of the respondents, SNR. We agreed with the allegations of clerical errors. Although the final results are currently the subject of litigation before the Court of International Trade, by order dated September 13, 1993, the Court granted the Department permission to correct these errors.

Amended Final Results of Reviews

In its calculations of dumping margins, the Department corrected ministerial errors concerning the following:

France

For SNR, we corrected the double-counting of home market VAT tax by deleting the line in the SAS log which added VAT tax twice.

United Kingdom

For SNR, we corrected the double-counting of home market VAT tax by deleting the line in the SAS log which added VAT tax twice. In addition, we corrected a typographical error in the character string which had prevented home market tax from being added to USP.

As a result of our corrections of clerical errors, we have determined that the following weighted-average margins exist for the period May 1, 1991 through April 30, 1992:

Country	Company	Class or kind	Rate (percent)
France	SNR	BBS	1.08
		CRBs	.67
United Kingdom	SNR	CRBs	2.01

Based upon these rates, the Department will instruct the Customs Service to collect cash deposits of estimated antidumping duties and to assess antidumping duties on all appropriate entries in accordance with the procedures discussed in the final results of these reviews (58 FR 39732).

These deposit requirements are effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or

after the date of publication of this notice and shall remain in effect until publication of the final results of the next administrative review.

This notice also serves as a reminder to importers of their responsibility under 19 CFR 353.26 to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This notice is published in accordance with section 751(f) of the Tariff Act of 1930, as amended (19 U.S.C. 1675(f)) and 19 CFR 353.28(c).

Dated: September 23, 1993.

Richard W. Moreland,

Acting Assistant Secretary for Import Administration.

[FR Doc. 93–24052 Filed 9–29–93; 8:45 am]

BILLING CODE 3510–DS–M

[A–588–066]

Impression Fabric of Man-Made Fiber From Japan; Determination Not To Revoke Antidumping Finding

AGENCY: International Trade Administration/Import Administration, Department of Commerce.

ACTION: Notice of determination not to revoke antidumping finding.

SUMMARY: The Department of Commerce is notifying the public of its determination not to revoke the antidumping finding on impression fabric of man-made fiber from Japan.

EFFECTIVE DATE: September 30, 1993.

FOR FURTHER INFORMATION CONTACT: Joseph Fargo or Richard Rimlinger, Office of Antidumping Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230, telephone: (202) 482–4733.

SUPPLEMENTARY INFORMATION: The Department of Commerce (the Department) may revoke an antidumping finding, pursuant to § 353.25(d)(4)(iii) of the Department's regulations, if no interested party has requested an administrative review for four consecutive annual anniversary months and no domestic interested party objects to the revocation or requests an administrative review.

We had not received a request to conduct an administrative review of the antidumping finding on impression fabric of man-made fiber from Japan (43 FR 22344, May 25, 1978) for the last four consecutive annual anniversary months. Therefore, pursuant to the Department's regulations, on June 21, 1993, we published in the **Federal Register** a notice of intent to revoke the finding and served written notice of the intent to each interested party on the Department's service list.

On July 21, 1993, a domestic interested party, the Bomont Industries, objected to our intent to revoke the finding. Therefore, because a domestic interested party objected to the revocation, we no longer intend to revoke this antidumping finding.

Dated: September 7, 1993.

Joseph A. Spetrini,

Deputy Assistant Secretary for Compliance.

[FR Doc. 93–24036 Filed 9–29–93; 8:45 am]

BILLING CODE 3510–DS–M

[A–423–602]

Industrial Phosphoric Acid From Belgium Determination Not To Revoke Antidumping Duty Order

AGENCY: International Trade Administration/Import Administration, Department of Commerce.

ACTION: Notice of determination not to Revoke Antidumping Duty Order.

SUMMARY: The Department of Commerce is notifying the public of its determination not to revoke the antidumping duty order on industrial phosphoric acid from Belgium.

EFFECTIVE DATE: September 30, 1993.

FOR FURTHER INFORMATION CONTACT: Sally Hastings or John Kugelman, Office of Antidumping Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230, telephone: (202) 482–3601.

SUPPLEMENTARY INFORMATION: The Department of Commerce (the Department) may revoke an antidumping duty order pursuant to § 353.25(d)(4)(iii) of the Department's regulations, if no interested party has requested an administrative review for four consecutive annual anniversary months and no domestic interested party objects to the revocation or requests an administrative review.

We had not received a request to conduct an administrative review of the antidumping duty order on industrial phosphoric acid from Belgium (52 FR 31439, August 20, 1987) for the last four consecutive annual anniversary months. Therefore, pursuant to the Department's regulations, on August 5, 1993, we published in the **Federal Register** a notice of intent to revoke the order and served written notice of the intent to each interested party on the Department's service list.

On August 12, 1993, two domestic interested parties, the FMC Corporation and Monsanto Company, objected to our intent to revoke the duty order. Therefore, because these domestic interested parties objected to the revocation, we no longer intend to revoke this antidumping duty order.

Dated: September 7, 1993.

Joseph A. Spetrini,

Deputy Assistant Secretary for Compliance.

[FR Doc. 93–24043 Filed 9–29–93; 8:45 am]

BILLING CODE 3510–DS–M

[A–507–502]

In-Shell Pistachio Nuts From Iran; Determination Not To Revoke Antidumping Duty Order

AGENCY: International Trade Administration/Import Administration, Department of Commerce.

ACTION: Notice of determination not to revoke antidumping duty order.

SUMMARY: The Department of Commerce is notifying the public of its determination not to revoke the antidumping duty order on in-shell pistachio nuts from Iran.

EFFECTIVE DATE: September 30, 1993.

FOR FURTHER INFORMATION CONTACT: Valerie Turoscy or John Kugelman, Office of Antidumping Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230, telephone: (202) 482–3601.

SUPPLEMENTARY INFORMATION: The Department of Commerce (the Department) may revoke an antidumping duty order, pursuant to § 353.25(d)(4) (iii) of the Department's regulations, if no interested party has requested an administrative review for four consecutive annual anniversary months and no domestic interested party objects to the revocation or requests an administrative review.

We had not received a request to conduct an administrative review of the antidumping duty order on in-shell pistachio nuts from Iran (51 FR 25922, July 17, 1986) for the last four consecutive annual anniversary months. Therefore, pursuant to the Department's regulations, on July 9, 1993, we published in the **Federal Register** a notice of intent to revoke the order and served written notice of the intent to each interested party on the Department's service list.

On July 23, 1993, two domestic interested parties, the California

Pistachio Commission and the Western Pistachio Association, objected to our intent to revoke the duty order. Therefore, because these domestic interested parties objected to the revocation, we no longer intend to revoke this antidumping duty order.

Dated: September 7, 1993.

Joseph A. Spetrini,

Deputy Assistant Secretary for Compliance.

[FR Doc. 93–24044 Filed 9–29–93; 8:45 am]

BILLING CODE 3510–DS–M

[A-475–031]

Large Power Transformers From Italy; Determination Not To Revoke Antidumping Finding

AGENCY: International Trade Administration/Import Administration, Department of Commerce.

ACTION: Notice of determination not to revoke antidumping finding.

SUMMARY: The Department of Commerce is notifying the public of its determination not to revoke the antidumping finding on large power transformers from Italy.

EFFECTIVE DATE: September 30, 1993.

FOR FURTHER INFORMATION CONTACT: Joseph Hanley or Michael Rill, Office of Antidumping Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230, telephone: (202) 482–4733.

SUPPLEMENTARY INFORMATION: The Department of Commerce may revoke an antidumping finding, pursuant to § 353.25(d)(4)(iii) of the Department's regulations, if no interested party has requested an administrative review for four consecutive annual anniversary months and no domestic interested party objects to the revocation or requests an administrative review.

We had not received a request to conduct an administrative review of the antidumping finding on large power transformers from Italy (37 FR 11772, June 14, 1972) for the last four consecutive annual anniversary months. Therefore, pursuant to the Department's regulations, on June 18, 1993, we published in the **Federal Register** a notice of intent to revoke the finding and served written notice of the intent to each interested party on the Department's service list.

On June 28 and 29, 1993, two domestic interested parties, ABB Power T&D Co., Inc. and the National Electrical Manufacturers Assoc., objected to our intent to revoke the finding. Therefore, because these domestic interested parties objected to the revocation, we no longer intend to revoke this antidumping finding.

Dated: September 7, 1993.

Joseph A. Spetrini,

Deputy Assistant Secretary for Compliance.

[FR Doc. 93–24042 Filed 9–29–93; 8:45 am]

BILLING CODE 3510–DS–M

[A–351–505]

Malleable Cast Iron Pipe Fittings From Brazil; Determination Not To Revoke Antidumping Duty Order

AGENCY: International Trade Administration/Import Administration, Department of Commerce.

ACTION: Notice of determination not to revoke antidumping duty order.

SUMMARY: The Department of Commerce is notifying the public of its determination not to revoke the antidumping duty order on malleable cast iron pipe fittings from Brazil.

EFFECTIVE DATE: September 30, 1993.

FOR FURTHER INFORMATION CONTACT: Michael Diminich or Richard Rimlinger, Office of Antidumping Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230, telephone: (202) 482–4733.

SUPPLEMENTARY INFORMATION: The Department of Commerce (the Department) may revoke an antidumping duty order, pursuant to § 353.25(d)(4)(iii) of the Department's regulations, if no interested party has requested an administrative review for four consecutive annual anniversary months and no domestic interested party objects to the revocation or requests an administrative review.

We had not received a request to conduct an administrative review of the antidumping duty order on malleable iron cast iron pipe fittings from Brazil (51 FR 18640, May 21, 1986) for the last four consecutive annual anniversary months. Therefore, pursuant to the Department's regulations, on June 21, 1993, we published in the **Federal Register** a notice of intent to revoke the order and served written notice of the intent to each interested party on the Department's service list.

On July 21, 1993, several domestic interested parties, the Grinnell Corp., Stockham Valves & Fittings Co., Inc., Stanley G. Flagg & Co., Inc., and Ward Manufacturing Inc., objected to our intent to revoke the duty order. Therefore, because domestic interested parties objected to the revocation, we no longer intend to revoke this antidumping duty order.

Dated: September 7, 1993.

Joseph A. Spetrini,

Deputy Assistant Secretary for Compliance.

[FR Doc. 93–24037 Filed 9–29–93; 8:45 am]

BILLING CODE 3510–DS–M

[A–580–507]

Malleable Cast Iron Pipe Fittings, Other Than Grooved, From South Korea; Determination Not To Revoke Antidumping Duty Order

AGENCY: International Trade Administration/Import Administration, Department of Commerce.

ACTION: Notice of determination not to revoke antidumping duty order.

SUMMARY: The Department of Commerce is notifying the public of its determination not to revoke the antidumping duty order on malleable cast iron pipe fittings, other than grooved, from South Korea.

EFFECTIVE DATE: September 30, 1993.

FOR FURTHER INFORMATION CONTACT: Michael Diminch or Richard Rimlinger, Office of Antidumping Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230, telephone: (202) 482–4733.

SUPPLEMENTARY INFORMATION: The Department of Commerce (the Department) may revoke an antidumping duty order, pursuant to § 353.25(d)(4)(iii) of the Department's regulations, if no interested party has requested an administrative review for four consecutive annual anniversary months and no domestic interested party objects to the revocation or requests an administrative review.

We had not received a request to conduct an administrative review of the antidumping duty order on malleable iron cast iron pipe fittings, other than grooved, from South Korea (51 FR 18917, May 23, 1986) for the last four consecutive annual anniversary months. Therefore, pursuant to the Department's regulations, on June 21, 1993, we published in the **Federal Register** a notice of intent to revoke the order and served written notice of the intent to each interested party on the Department's service list.

On July 21, 1993, several domestic interested parties, the Grinnell Corp., Stockham Valves & Fittings Co., Inc., Stanley G. Flagg & Co., Inc., and Ward Manufacturing Inc., objected to our intent to revoke the duty order. Therefore, because domestic interested parties objected to the revocation, we no longer intend to revoke this antidumping duty order.

Dated: September 7, 1993.

Joseph A. Spetrini,

Deputy Assistant Secretary for Compliance.

[FR Doc. 93–24039 Filed 9–29–93; 8:45 am]

BILLING CODE 3510–DS–M

[A–583–507]

Pipe Fittings From Taiwan; Determination Not To Revoke Antidumping Duty Order

AGENCY: International Trade Administration/Import Administration, Department of Commerce.

ACTION: Notice of determination not to revoke antidumping duty order.

SUMMARY: The Department of Commerce is notifying the public of its determination not to revoke the antidumping duty order on pipe fittings from Taiwan.

EFFECTIVE DATE: September 30, 1993.

FOR FURTHER INFORMATION CONTACT: Dennis Askey or Wendy Frankel, Office of Antidumping Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230, telephone: (202) 482–5253.

SUPPLEMENTARY INFORMATION: The Department of Commerce (the Department) may revoke an antidumping duty order, pursuant to § 353.25(d)(4)(iii) of the Department's regulations, if no interested party has requested an administrative review for four consecutive annual anniversary months and no domestic interested party objects to the revocation or requests an administrative review.

We had not received a request to conduct an administrative review of the antidumping duty order on pipe fittings from Taiwan (51 FR 33797, May 23, 1986) for the last four consecutive annual anniversary months. Therefore, pursuant to the Department's regulations, on June 21, 1993, we published in the **Federal Register** a notice of intent to revoke the order and served written notice of the intent to each interested party on the Department's service list.

On July 21, 1993, several domestic interested parties, the Grinnell Corp., Stockham Valves & Fittings Co., Inc., Stanley G. Flagg & Co. Inc., and Ward Manufacturing Inc., objected to our intent to revoke the duty order. Therefore, because domestic interested parties objected to the revocation, we no longer intend to revoke this antidumping duty order.

Dated: September 7, 1993.

Joseph A. Spetrini,

Deputy Assistant Secretary for Compliance.

[FR Doc. 93–24040 Filed 9–29–93; 8:45 am]

BILLING CODE 3510–DS–M

[A–831–801, A–832–801, A–822–801, A–833–801, A–834–801, A–835–801, A–841–801, A–842–801, A–843–801, A–823–801, A–844–801, A–485–601, A–821–801]

Solid Urea From Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Romania, and Russia; Determinations Not to Revoke Antidumping Duty Orders

AGENCY: International Trade Administration/Import Administration, Department of Commerce.

ACTION: Notice of determinations not to revoke antidumping duty orders.

SUMMARY: The Department of Commerce is notifying the public of its determinations not to revoke the antidumping duty orders on solid urea from Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Romania, and Russia.

EFFECTIVE DATE: September 30, 1993.

FOR FURTHER INFORMATION CONTACT: Thomas Barlow or Zev Primor, Office of Antidumping Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230, telephone: (202) 482–4114.

SUPPLEMENTARY INFORMATION: The Department of Commerce (the Department) may revoke an antidumpting duty order, pursuant to § 353.25(d)(4)(iii) of the Department's regulations, if no interested party has requested an administrative review for four consecutive annual anniversary months and no domestic interested party objects to the revocation or requests an administrative review.

We had not received a request to conduct an administrative review of the antidumping duty orders on sold urea from Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Romania, and Russia (52 FR 26367, July 14, 1987) for the last four consecutive annual anniversary months. Therefore, pursuant to the Department's regulations, on July 9, 1993, we published in the **Federal Register** a notice of intent to revoke the orders and served written notice of the intent to each interested party on the Department's service list.

On July 22, 1993, a domestic interested party, the AD Hoc Committee of Domestic Nitrogene Producers, objected to our intent to revoke the duty orders. Therefore, because a domestic interested party objected to the revocations, we no longer intend to revoke these antidumping duty orders.

Dated: September 7, 1993.

Joseph A. Spetrini,

Deputy Assistant Secretary for Compliance.

[FR Doc. 93–24045 Filed 9–29–93; 8:45 am]

BILLING CODE 3510–DS–M

[A–588–604 A–588–054]

Preliminary Results of Antidumping Duty Administrative Reviews; Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From Japan and Tapered Roller Bearings, Four Inches or Less in Outside Diameter, and Components Thereof, From Japan

AGENCY: International Trade Administration/Import Administration Department of Commerce.

ACTION: Notice of Preliminary Results of Antidumping Duty Administrative Reviews.

SUMMARY: In response to requests by two respondents, one unrelated importer, and the petitioner, the Department of Commerce has conducted administrative reviews of the finding on tapered roller bearings, four inches or less in outside diameter, and components thereof, from Japan, and the antidumping duty order on tapered roller bearings and parts thereof, finished and unfinished, from Japan. The reviews of the finding (A–588–054) cover three manufacturers/exporters of the subject merchandise to the United States during the periods August 1, 1990 through September 30, 1991, and October 1, 1991 through September 30, 1992. The reviews of the order (A–588–604) cover four manufacturers/exporters for the periods October 1, 1990 through September 30, 1991, and October 1, 1991 through September 30, 1992. These reviews indicate the existence of dumping margins for all periods.

As a result of these reviews, the Department has preliminarily determined to assess antidumping duties equal to the difference between United States price and foreign market value.

Interested parties are invited to comment on these preliminary results.

EFFECTIVE DATE: September 30, 1993.

FOR FURTHER INFORMATION CONTACT: Maureen Shields (NSK), Valerie Turoscy (NTN), Sally Hastings (Koyo), Chip Hayes, or John Kugelman, Office of

Antidumping Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230, telephone: (202) 482–5253.

SUPPLEMENTARY INFORMATION:

Background

On October 2, 1991 (56 FR 49878), and October 8, 1992 (57 FR 46371), the Department of Commerce (the Department) published notices of "Opportunity to Request an Administrative Review". Two respondents, one unrelated importer, and the petitioner requested administrative reviews. We initiated the A–588–054 and A–588–604 administrative reviews for the period 1990–1991 on November 22, 1991 (56 FR 58878), and the administrative reviews for the period 1991–1992 on November 27, 1992 (57 FR 56318). The Department has now conducted these reviews in accordance with section 751 of the Tariff Act of 1930, as amended (the Tariff Act).

Scope of the Reviews

Imports covered by the A–588–054 reviews are sales or entries of tapered roller bearings (TRBs), four inches or less in outside diameter when assembled, including inner race or cone assemblies and outer races or cups, sold either as a unit or separately. This merchandise is classified under the Harmonized Tariff Schedule (HTS) item numbers 8482.20.00 and 8482.99.30.

Imports covered by the A–588–604 reviews include tapered roller bearings and parts thereof, finished and unfinished, which are flange, take-up cartridge, and hanger units incorporating TRBs, and tapered roller housings (except pillow blocks) incorporating tapered rollers, with or without spindles, whether or not for automotive use. Products subject to the A–588–054 order are not included within the scope of this order, except for those manufactured by NTN Toyo Bearing Co., Ltd (NTN). This merchandise is currently classifiable under HTS item numbers 8482.99.30, 8483.20.40, 8482.20.20, 8483.20.80, 8482.91.00, 8484.30.80, 8483.90.20, 8483.90.30, and 8483.90.60. These HTS item numbers and those for A–588–054 are provided for convenience and Customs purposes. The written description remains dispositive.

These reviews cover TRB sales by Koyo Seiko Company, Ltd. (Koyo), NSK Ltd. (formerly Nippon Seiko, K.K.) (NSK), NTN Toyo Bearing Co., Ltd. (NTN), and Nachi-Fujikoshi Corporation (Nachi). Although Nachi claimed no shipments in the A–588–054 proceeding during the 1990–91 period of review (POR), we have information from the Customs Service indicating shipments of covered merchandise produced by Nachi. Nachi also claimed no shipments during the 1991–92 period in the A–588–054 proceeding. Nachi did not respond to the Department's questionnaires in the A–588–604 proceeding. Consequently, for both proceedings we have used, as the best information available (BIA), the higher of (1) the highest of the rates found for any firm in the less-than-fair-value (LTFV) investigation or prior administrative reviews, or (2) the highest rate found in these reviews for any firm.

United States Price

The Department used exporter's sales price (ESP) for Koyo, NSK, and NTN, and purchase price (PP) for NTN's sales to Caterpillar, Inc., (Caterpillar) as defined in section 772 of the Tariff Act, to calculate United States price. ESP was based on the packed, delivered price to unrelated purchasers in the United States. We made adjustments, where applicable, for foreign pre-sale and post-sale inland freight, air freight, ocean freight, marine insurance, export inspection fees, brokerage and handling, U.S. inland freight, U.S. duty, commissions to unrelated parties, U.S. credit, discounts, price protection, technical service expenses, warranties, imputed home market consumption tax, rebates, packing expenses incurred in the United States, and indirect selling expenses (which include inventory carrying costs, warehouse transfer expenses, advertising, and other selling expenses). For NTN, we also adjusted ESP for value added by further manufacturing, including an allocation of profit earned on U.S. sales.

We have requested from Koyo additional data on further manufactured goods. This information was unavailable for these preliminary results, but we will consider it in the final results of these administrative reviews.

No other adjustments were claimed or allowed.

PP for NTN's sales to Caterpillar was based on the sales price to that unrelated purchaser in the United States. We made adjustments to PP for foreign pre-sale and post-sale inland freight, foreign brokerage and handling, export inspection fees, and imputed home market consumption tax. No other adjustments were claimed or allowed.

Foreign Market Value

The Department used the home market price, as defined in section 773 of the Tariff Act, to calculate foreign market value (FMV).

In general, the Department relies on monthly weighted-average prices in the calculation of FMV. In consideration of the significant volume of home market sales involved in these reviews, we used an average of respondents' home market sales for each review period in accordance with section 777A of the Tariff Act. To determine whether an annual average is representative of the transactions under consideration, we compared the annual weighted-average home market price for each product with each of the 12 monthly weighted-average prices for that product during each review period. Because the weighted-average prices for each model sold by Koyo, NSK, and NTN during each review period did not vary meaningfully from the monthly weighted-average prices of sales, we consider the annual weighted-average prices for each review period to be representative of the transactions under consideration. (For further details, see analysis memoranda for each firm.) Therefore, we calculated a single FMV for each model sold by Koyo, NSK, and NTN on an annual weighted-average basis, in accordance with section 777A of the Tariff Act.

When we used home market sales as the basis of comparison, we based FMV on packed, F.O.B., ex-factory, or delivered prices to related purchasers (where an arm's-length relationship was demonstrated) and unrelated purchasers in the home market. We made adjustments, where applicable, for home market pre-sale and post-sale inland freight, credit, discounts, rebates, commissions, warranties, and differences in physical characteristics. For comparison to ESP sales, we adjusted FMV for indirect selling expenses (which include advertising, inventory carrying costs, and other selling expenses) in the home market, limiting the home market indirect selling expense deductions by the amount of indirect selling expenses incurred in the United States. We added packing expenses incurred in Japan for U.S. sales and imputed home market consumption tax to FMV. For comparison to PP sales, we added U.S. packing, credit, and imputed home market consumption tax to the FMV. In addition, NTN requested and received a level-of-trade adjustment to FMV based on certain home market indirect expenses. Some of NSK's claimed adjustments were disallowed or modified due to discrepancies found at verification.

Based on petitioner's allegations and a finding by the Department that there

was reason to believe or suspect that sales below the cost of production (COP) were occurring in the home market, we investigated whether NTN, Koyo, and NSK sold such or similar merchandise in the home market at prices below COP. We calculated COP as the sum of reported materials, labor, factory overhead, and general expenses, and compared COP to home market prices, net of price adjustments and discounts. We found below COP sales by each respondent in each period.

In accordance with section 773(b) of the Tariff Act, in determining whether to disregard home market sales made at prices below the COP, we examined whether such sales have been made in substantial quantities over an extended period of time, and whether such sales were made at prices which would permit recovery of all costs within a reasonable period of time in the normal course of trade.

When less than 10 percent of the home market sales of a model in a POR were at prices below the COP, we did not disregard any sales of that model for that POR. When 10 percent or more, but not more than 90 percent, of the home market sales of a particular model in a POR were determined to be below-cost, we excluded the below-cost home market sales from our calculation of FMV for that POR provided that these below-cost home market sales were made over an extended period of time. When more than 90 percent of the home market sales of a particular model were made below cost over an extended period of time during a POR, we disregarded all home market sales of that model in our calculation of FMV for that POR.

To determine whether sales below cost had been made over an extended period of time, we compared the number of months in which sales below cost occurred for a particular model to the number of months during a POR in which that model was sold. If the model was sold in fewer than three months during a POR, we did not disregard below-cost sales unless there were below-cost sales of that model in each month sold. If a model was sold in three or more months in a POR, we did not disregard below-cost sales unless there were sales below cost in at least three of the months in which the model was sold during each POR. We used constructed value (CV) as the basis for FMV when an insufficient number of home market sales were made at prices above the COP.

We calculated CV in accordance with section 773(e) of the Tariff Act. We included the cost of materials, labor, and factory overhead in our calculations. Where the actual selling, general, and administrative expenses (SG&A) were less than the statutory minimum of 10 percent of the cost of manufacture (COM), we calculated SG&A as 10 percent of the COM. Where the actual profits were less than the statutory minimum of eight percent of the cost of manufacture plus SG&A, we calculated profit at eight percent of the sum of COM plus SG&A. We adjusted the CV for selling, credit, and packing expenses. Because of discrepancies discovered during verification of NSK's 1991–92 cost submission, we have adjusted NSK's COP and CV in both of the 1991–92 reviews by a percentage based on the differences between actual and reported costs of verified models.

Preliminary Results of Review

As a result of our comparison of United States price to FMV, we preliminarily determine that margins exist for the periods as follows:

Manufacturer/exporter	Percent margin
August 1, 1990 through September 30, 1991 (A–588–054):	
Koyo Seiko	51.46
Nachi-Fujikoshi Corp	47.63
NSK Ltd	19.03
October 1, 1990 through September 30, 1991 (A–588–604):	
Koyo Seiko	10.49
Nachi-Fujikoshi Corp	45.95
NSK Ltd	12.24
NTN	14.55
October 1, 1991 through September 30, 1992 (A–588–054):	
Koyo Seiko	33.06
Nachi-Fujikoshi Corp	[1] 47.63
NSK Ltd	12.28
October 1, 1991 through September 30, 1992 (A–588–604):	
Koyo Seiko	22.19
Nachi-Fujikoshi Corp	45.95
NSK Ltd	7.85
NTN	37.26

[1] No shipments during the period; rate from the last period in which there were shipments.

Interested parties may request disclosure within 5 days of the date of publication of this notice and may request a hearing within 10 days of publication. Any hearing, if requested, will be held 44 days after the date of publication or the first business day thereafter. Case briefs and/or written comments from interested parties may be submitted no later than 30 days after the date of publication. Rebuttal briefs and rebuttals to written comments, limited to issues raised in those comments, may be filed not later than 37 days after the date of publication of this notice. The Department will publish the final results of these administrative reviews including the results of its analysis of issues raised in any such written comments or at a hearing.

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. Individual differences between the United States price and FMV may vary from the percentages stated above. The Department will issue appraisement instructions on each exporter directly to the Customs Service.

Furthermore, the following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided for by section 751(a)(1) of the Tariff Act. A cash deposit of estimated antidumping duties based on the October 1, 1991 through September 30, 1992, margins shall be required on shipments of subject merchandise from Japan:

(1) The cash deposit rates for the reviewed companies will be those rates established in the final results of these reviews;

(2) For previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period;

(3) If the exporter is not a firm covered in this review, a prior review, or the original LTFV investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and

(4) If neither the exporter nor the manufacturer is a firm covered in this or any previous review conducted by the Department, the cash deposit rates will be the all other rate established in the LTFV investigation (A–588–604), and the "new shipper" rate established in the first review conducted by the Department in which a "new shipper" rate was established (A–588–054), as discussed below.

On May 25, 1993, the Court of International Trade (CIT) in *Floral Trade Council* v. *United States*, Slip Op. 93–79, and *Federal-Mogul Corporation and the Torrington Company* v. *United States*, Slip Op. 93–83, decided that once an "all others" rate is established for a company it can only be changed through an administrative review. The Department has determined that in order to implement these decisions, it is appropriate to reinstate the "all others" rate from the LTFV investigation (or that rate as amended for correction of clerical errors as a result of litigation) in

proceedings governed by antidumping duty orders. Thus, the "all others" rate for the A–588–604 proceeding is 36.52 percent.

In proceedings governed by antidumping findings, unless we are able to ascertain the "all others" rate from the Treasury LTFV investigation, the Department has determined that it is appropriate to adopt the "new shipper" rate established in the first final results of administrative review published by the Department (or that rate as amended for correction of clerical errors as a result of litigation) as the "all others" rate for the purposes of establishing cash deposits in all current and future administrative reviews.

Because the A–588–054 proceeding is governed by an antidumping finding, and we are unable to ascertain the "all others" rate from the Treasury LTFV investigation, the "all others" rate for the purposes of this review would normally be the "new shipper" rate established in the first notice of final results of administrative review published by the Department (47 FR 25757, June 15, 1982). However, a "new shipper" rate was not established in that notice. Therefore, the "all others" rate of 18.07 percent comes from Tapered Roller Bearings and Certain Components Thereof from Japan, Final Results of Administrative Review of Antidumping Finding, 49 FR 8976 (March 9, 1984), the first review conducted by the Department in which a "new shipper" rate was established.

All U.S. imports of subject merchandise by each respondent will be subject to the deposit rates found in each proceeding.

The cash deposit rates have been determined on the basis of the selling price to the first unrelated customer in the United States. The Department will use the entered value of the merchandise to determine the appraisement rate.

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 353.26 to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during these review periods. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

These administrative reviews and this notice are in accordance with section 751(a)(1) of the Tariff Act (19 U.S.C. § 1675(a)(1)) and 19 CFR 353.22.

Dated: September 20, 1993.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

[FR Doc. 93–24046 Filed 9–29–93; 8:45 am]

BILLING CODE 3510–DS–P

[A–588–041]

Synthetic Methionine From Japan; Determination Not To Revoke Antidumping Finding

AGENCY: International Trade Administration/Import Administration, Department of Commerce.

ACTION: Notice of determination not to revoke antidumping finding.

SUMMARY: The Department of Commerce is notifying the public of its determination not to revoke the antidumping finding on synthetic methionine from Japan.

EFFECTIVE DATE: September 30, 1993.

FOR FURTHER INFORMATION CONTACT: Dennis Askey or Wendy Frankel, Office of Antidumping Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230, telephone: (202) 482–5253.

SUPPLEMENTARY INFORMATION: The Department of Commerce (the Department) may revoke an antidumping duty order, pursuant to § 353.25(d)(4)(iii) of the Department's regulations, if no interested party has requested an administrative review for four consecutive annual anniversary months and no domestic interested party objects to the revocation or requests an administrative review.

We had not received a request to conduct an administrative review of the antidumping finding on synthetic methionine from Japan (38 FR 18382, July 23, 1973) for the last four consecutive annual anniversary months. Therefore, pursuant to the Department's regulations, on July 9, 1993, we published in the **Federal Register** a notice of intent to revoke the finding and served written notice of the intent to each interested party on the Department's service list.

On July 23, 1993, two domestic interested parties, Degussa Corp. and Novus International, Inc., objected to our intent to revoke the finding. Therefore, because domestic interested parties objected to the revocation, we no longer intend to revoke this antidumping finding.

Dated: September 7, 1993.

Joseph A. Spetrini,

Deputy Assistant Secretary for Compliance.

[FR Doc. 93–24038 Filed 9–29–93; 8:45 am]

BILLING CODE 3510–DS–M

Export Trade Certificate of Review

ACTION: Notice of Issuance of an Amended Export Trade Certificate of Review, Application No. 85–4A018.

SUMMARY: The Department of Commerce has issued an amendment to the Export Trade Certificate of Review granted to the U.S. Shippers Association ("USSA") on June 3, 1986. Notice of issuance of the Certificate was published in the **Federal Register** on June 9, 1986 (51 FR 20873).

FOR FURTHER INFORMATION CONTACT: Jude Kearney, Acting Director, Office of Export Trading Company Affairs, International Trade Association, (202) 482–5131. This is not a toll-free number.

SUPPLEMENTARY INFORMATION: Title III of the Export Trading Company Act of 1982 (15 U.S.C. 4001–21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. The regulations implementing Title III are found at 15 CFR part 325 (1993).

The Office of Export Trading Company Affairs is issuing this notice pursuant to 15 CFR 325.6(b), which requires the Department of Commerce to publish a summary of a Certificate in the **Federal Register**. Under Section 305(a) of the Act and 15 CFR 325.11(a), any person aggrieved by the Secretary's determination may, within 30 days of the date of this notice, bring an action in any appropriate district court of the United States to set aside the determination on the ground that the determination is erroneous.

Description of Amended Certificate

Export Trade Certificate of Review No. 85–00018 was issued to the U.S. Shippers Association ("USSA") on June 3, 1986 (51 FR 20873, June 9, 1986) and previously amended on January 16, 1990 (55 FR 2543, January 25, 1990), and November 13, 1990 (55 FR 48664, November 21, 1990).

USSA's Export Trade Certificate of Review has been amended to add the following additional companies as "Members" within the meaning of section 325.21 of the Regulations (15 C.F.R. 325.2(1)): ARCO Chemical Company, Newton Square, PA (Controlling entity: Atlantic Richfield Company, Inc.); and Solvay Minerals, Inc., Houston, TX (Controlling entity: Solvay, S.A.).

A copy of the amended certificate will be kept in the International Trade Association's Freedom of Information Records Inspection Facility, room 4102, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

EFFECTIVE DATE: June 24, 1993.

Dated: September 22, 1993.

Jonathan C. Menes,

Acting Assistant Secretary for Trade Development.

[FR Doc. 93–24049 Filed 9–29–93; 8:45 am]

BILLING CODE 3510–DR–M

United States-Canada Free-Trade Agreement, Article 1904 Binational Panel Reviews; Request for Panel Review

AGENCY: United States-Canada Free-Trade Agreement, Binational Secretariat, United States Section, International Trade Administration, Department of Commerce.

ACTION: Notice of first request for panel review.

SUMMARY: On September 16, 1993, three Requests for Panel Review were filed with the U.S. Section of the Binational Secretariat, pursuant to Article 1904 of the United States-Canada Free-Trade Agreement, requesting binational panel review of the Injury Determination respecting Certain Corrosion-Resistant Carbon Steel Flat Products from Canada made by the International Trade Commission and published in the **Federal Register** on August 18, 1993, (58 FR 43905). The Secretariat has assigned File No. USA–93–1904–05 to this panel review.

FOR FURTHER INFORMATION CONTACT: James R. Holbein, United States Secretary, Binational Secretariat, suite 2061, 14th and Constitution Avenue, Washington, DC 20230, (202) 482–5438.

SUPPLEMENTARY INFORMATION: Chapter 19 of the United States-Canada Free-Trade Agreement ("Agreement") establishes a mechanism to replace domestic judicial review of final determinations in antidumping and countervailing duty cases involving imports from the other country with review by independent binational panels. When a Request for Panel Review is filed, a panel is established to act in place of national courts to review expeditiously the final determination to determine whether it conforms with the antidumping or countervailing duty law of the country that made the determination.

Under Article 1904 of the Agreement, which came into force on January 1, 1989, the Government of the United States and the Government of Canada established Rules of Procedure for Article 1904 Binational Panel Reviews ("Rules"). These Rules were published in the **Federal Register** on December 30, 1988 (53 FR 53212). The Rules were amended by Amendments to the Rules of Procedure for Article 1904 Binational Panel Reviews, published in the **Federal Register** on December 27, 1989 (54 FR 53165). The Rules were further amended and a consolidated version of the amended Rules was published in the **Federal Register** on June 15, 1992 (57 FR 26698). The panel review in this matter will be conducted in accordance with these Rules, as amended.

Filing Information: Rule 35(2) requires each Secretary of the FTA Binational Secretariat to publish a notice that a first Request for Panel Review has been received. A first Request for Panel Review was filed with the U.S. Section of the Binational Secretariat, pursuant to Article 1904 of the Agreement, on September 16, 1993, requesting panel review of the final injury determination described above.

Rule 35(1)(c) of the Rules provides that:

(a) A Party or interested person may challenge the final determination in whole or in part by filing a Complaint in accordance with Rule 39 within 30 days after the filing of the first Request for Panel Review (the deadline for filing a Complaint is October 18, 1993);

(b) A Party, investigating authority or interested person that does not file a Complaint but that intends to appear in support of any reviewable portion of the final determination may participate in the panel review by filing a Notice of Appearance in accordance with Rule 40 within 45 days after the filing of the first Request for Panel Review (the deadline for filing a Notice of Appearance is November 1, 1993); and

(c) The panel review shall be limited to the allegations of error of fact or law, including the jurisdiction of the investigating authority, that are set out in the Complaints filed in the panel review and the procedural and substantive defenses raised in the panel review.

Dated: September 23, 1993.

James R. Holbein,

United States Secretary, FTA Binational Secretariat.

[FR Doc. 93–24054 Filed 9–29–93; 8:45 am]

BILLING CODE 3510–GT–M

Technology Administration

Public Meeting on Licensing of Government Owned Inventions

AGENCY: Office of Technology Commercialization, Technology Administration, Commerce.

ACTION: Invitation to public meeting.

SUMMARY: The Technology Administration invites interested members of the public to attend and participate in a review of regulations concerning the licensing of Federally owned inventions.

DATES AND TIME: The meeting will be held on November 12, 1993 starting at 2 p.m. and lasting about two hours.

ADDRESSES: The meeting will be held in room 4830 of the Department of Commerce (Herbert Hoover Building) at 14th Street and Constitution Avenue, NW., Washington, DC 20230.

FOR FURTHER INFORMATION CONTACT: Mr. Jon Paugh, Director, Office of Technology Commercialization, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230, or by telephone at (202) 482–2100.

SUPPLEMENTARY INFORMATION: The Bayh-Dole Act, Public law 96–517 (1980), as amended by Public Law 98–620 (1984), authorizes the Secretary of Commerce to promulgate regulations specifying the terms and conditions upon which Federal agencies may license their inventions. Regulations implementing that authority were issued by the Department of Commerce on March 12, 1985 (at 37 CFR Part 404). They superseded substantively identical regulations issued by the General Services Administration in 1982, and enough time has passed that it may be desirable to review them for possible revisions. Several issues have been the subject of comment and discussion, including: whether the requirement that a licensee substantially manufacture the invention in the United States be waived or relaxed; whether the domestic manufacture requirement applies to sales by a licensee outside the United States; whether a nonexclusive licensee should be given the right to enforce a licensed patent; whether the government should always retain a royalty-free license; and whether a company can be refused a license because of its prior performance under a government patent license. The meeting offers the interested public the opportunity to comment on these and any other subjects relating to 37 CFR part 404.

Dated: September 24, 1993.
Mary L. Good,
Under Secretary for Technology.
[FR Doc. 93–24050 Filed 9–29–93; 8:45 am]
BILLING CODE 3510–18–M

[Docket No. 930948–3248]

National Medal of Technology Nomination Evaluation Committee

AGENCY: Office of Technology Commercialization, Technology Administration, U.S. Department of Commerce.

ACTION: Notice of extended deadline.

SUMMARY: This notice announces an extended deadline to accommodate nominations of individuals and/or companies for the National Medal of Technology. Nominations closed August 31, 1993 but will now be extended until October 29, 1993.

FOR FURTHER INFORMATION OR NOMINATION PACKAGES, CONTACT: Dr. Paul Braden, Manager, National Medal of Technology Nomination Evaluation Committee, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Herbert C. Hoover Building, room 4418, Washington, DC 20230, (202) 482–5572.

SUPPLEMENTAL INFORMATION: A nominee for the National Medal of Technology must be a U.S. Citizen; or consist of up to four U.S. citizens who share an award jointly; or be a U.S.-owned company, which is a company more than 50 percent of whose shares or assets are owned by U.S. citizens; or be a U.S. non-profit company more than 50 percent of whose shares or assets are owned by U.S. citizens.

Nominations are solicited in two separate areas—contributions to the promotion of technology or contributions to the promotion of technological manpower (human resource development). Selections for the promotion of technology will be focussed on:

- Technology transfer from public organizations;
- Promotion of advanced manufacturing technology;
- Technology management; and
- General product and process innovations.

Selections for the promotion of technological manpower will be for strengthening a technologically competent workforce through:

- Alleviation of technical workforce shortages; and
- Motivation and improved performance of the existing workforce.

Dated: September 21, 1993.
Mary L. Good,
Under Secretary for Technology.
[FR Doc. 93–24051 Filed 9–29–93; 8:45 am]
BILLING CODE 3510–18–M

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Adjustment of Import Limits for Certain Cotton and Man-Made Fiber Textile Products Produced or Manufactured in India

September 24, 1993.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Issuing a directive to the Commissioner of Customs adjusting limits.

EFFECTIVE DATE: October 1, 1993.

FOR FURTHER INFORMATION CONTACT: Jennifer Tallarico, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482–4212. For information on the quota status of these limits, refer to the Quota Status Reports posted on the bulletin boards of each Customs port or call (202) 927–6305. For information on embargoes and quota re-openings, call (202) 482–3715.

SUPPLEMENTARY INFORMATION:

Authority: Executive Order 11651 of March 3, 1972, as amended; section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854).

The current limit for Category 341 is being increased for special shift, reducing the limit for Category 641 to account for the increase.

A description of the textile and apparel categories in terms of HTS numbers is available in the CORRELATION: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see Federal Register notice 57 FR 54976, published on November 23, 1992). Also see 57 FR 56328, published on November 27, 1992.

The letter to the Commissioner of Customs and the actions taken pursuant to it are not designed to implement all of the provisions of the bilateral agreement, but are designed to assist only in the implementation of certain of its provisions.

Rita D. Hayes,
Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

September 24, 1993.

Commissioner of Customs,
Department of the Treasury, Washington, DC 20229.

Dear Commissioner: This directive amends, but does not cancel, the directive issued to you on November 20, 1992, by the Chairman, Committee for the Implementation of Textile Agreements. That directive concerns imports of certain cotton, man-made fiber, silk blend and other vegetable fiber textile products, produced or manufactured in India and exported during the twelve-month period which began on January 1, 1993 and extends through December 31, 1993.

Effective on October 1, 1993, you are directed to amend further the directive dated November 20, 1992 to adjust the limits for the following categories, as provided under the terms of the current bilateral agreement between the Governments of the United States and India:

Category	Adjusted twelve-month limit [1]
341	3,496,071 dozen of which not more than 2,012,499 dozen shall be in Category 341–Y [2].
641	822,492 dozen.

[1] The limits have not been adjusted to account for any imports exported after December 31, 1992.

[2] Category 341–Y: only HTS numbers 6204.22.3060, 6206.30.3010 and 6206.30.3030.

The Committee for the Implementation of Textile Agreements has determined that these actions fall within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,

Rita D. Hayes,
Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 93–24048 Filed 9–29–93; 8:45 am]
BILLING CODE 3510–DR–F

Adjustment of Import Limits for Certain Cotton and Man-Made Fiber Textile Products Produced or Manufactured in the Philippines

September 24, 1993.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Issuing a directive to the Commissioner of Customs adjusting limits.

EFFECTIVE DATE: October 1, 1993.

FOR FURTHER INFORMATION CONTACT: Jennifer Aldrich, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482–4212. For information on the quota status of these limits, refer to the Quota Status Reports posted on the bulletin boards of each Customs port or call (202) 927–6713. For information on embargoes and quota re-openings, call (202) 482–3715.

SUPPLEMENTARY INFORMATION:

Authority: Executive Order 11651 of March 3, 1972, as amended; section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854).

The current limits for certain categories are being adjusted for special shift.

A description of the textile and apparel categories in terms of HTS numbers is available in the CORRELATION: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see **Federal Register** notice 57 FR 54976, published on November 23, 1992). Also see 57 FR 53473, published on November 10, 1992.

The letter to the Commissioner of Customs and the actions taken pursuant to it are not designed to implement all of the provisions of the bilateral agreement, but are designed to assist only in the implementation of certain of its provisions.

Rita D. Hayes,

Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

September 24, 1993.

Commissioner of Customs,
Department of the Treasury, Washington, DC 20229.

Dear Commissioner: This directive amends, but does not cancel, the directive issued to you on November 4, 1992, by the Chairman, Committee for the Implementation of Textile Agreements. That directive concerns imports of certain cotton, wool and man-made fiber textile products and silk blend and other vegetable fiber apparel, produced or manufactured in the Philippines and exported during the twelve-month period which began on January 1, 1993 and extends through December 31, 1993.

Effective on October 1, 1993, you are directed to amend further the directive dated November 4, 1992 to adjust the limits for the following categories, as provided under the terms of the current bilateral agreement between the Governments of the United States and the Philippines:

Category	Adjusted twelve-month limit [1]
Levels in Group I	
237	575,497 dozen.
239	11,189,479 kilograms.
335	158,220 dozen.
347/348	1,659,668 dozen.
350	70,759 dozen.
351/651	497,901 dozen.
633	41,171 dozen.
634	349,356 dozen.
635	295,981 dozen.
643	610,695 dozen.
647/648	784,371 dozen.

[1] The limits have not been adjusted to account for any imports exported after December 31, 1992.

The Committee for the Implementation of Textile Agreements has determined that these actions fall within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,

Rita D. Hayes,

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 93–24047 Filed 9–29–93; 8:45 am]

BILLING CODE 3510–DR–F

DEPARTMENT OF DEFENSE

Office of the Secretary

Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Fiscal Year 1994 Updates

AGENCY: Office of the Secretary, DoD.

ACTION: Notice of updated mental health per diem rates.

SUMMARY: This notice provides for the updating of hospital-specific per diem rates for high volume providers and regional per diem rates for low volume providers; the updated cap per diem for high volume providers; and the beneficiary per diem cost-share amount for low volume providers to be used for FY 1994 under the CHAMPUS Mental Health Per Diem Payment System.

EFFECTIVE DATE: The rates contained in this notice are effective for services occurring on or after October 1, 1993.

ADDRESSES: Office of the Civilian Health and Medical Program of the Uniformed Services (OCHAMPUS), Program Development Branch, Aurora, CO 80045–6900.

For copies of the **Federal Register** containing this notice, contact the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, (202) 783–3238. The charge for the **Federal Register** is $4.50 for each issue payable by check or money order to the Superintendent of Documents.

FOR FURTHER INFORMATION CONTACT: Stan Regensberg, Program Development Branch, OCHAMPUS, telephone (303) 361–1342. To obtain copies of this document, see the **ADDRESSES** section above. Questions regarding payment of specific claims under the CHAMPUS Mental Health Per Diem Payment System should be addressed to the appropriate CHAMPUS contractor.

SUPPLEMENTARY INFORMATION: The final rule published in the **Federal Register** on September 6, 1988, (52 FR 34285) set forth reimbursement changes that were effective for all inpatient hospital admissions in psychiatric hospitals and exempt psychiatric units occurring on or after January 1, 1989. Included in this final rule were provisions for updating reimbursement rates for each federal fiscal year. As stated in the final rule, each per diem shall be updated by the Medicare update factor for hospitals and units exempt from the Medicare Prospective Payment System. Medicare has recommended an update factor of 4.3 percent for federal fiscal year 1994 for hospitals and units excluded from the prospective payment system. CHAMPUS will adopt this update factor for FY 1994 as the final update factor. Hospitals and units with hospital-specific rates (hospitals and units with high CHAMPUS volume) will have their FY 1993 CHAMPUS per diem rates updated by 4.3 percent for FY 1994.

The following reflect an update of 4.3 percent.

REGIONAL SPECIFIC RATES FOR PSYCHIATRIC HOSPITALS AND UNITS WITH LOW CHAMPUS VOLUME

United States census region	Rate [1]
Northeast:	
New England	$496
Mid-Atlantic	474
Midwest:	
East North Central	410
West North Central	387
South:	
South Atlantic	490
East South Central	530
West South Central	446
West:	
Mountain	445
Pacific	525

[1] The wage portion of the rate, subject to the area wage adjustment, is 71.40 percent.

Beneficiary Cost-share: Beneficiary cost-share (other than dependents of active duty members) for care paid on the basis of a regional per diem rate is the lower of $132 per day or 25 percent of the hospital billed charges effective for services rendered on or after October 1, 1993.

Cap Amount: Cap amount for hospitals and units with high CHAMPUS volume is $732 per day.

Dated: September 24, 1993.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 93–23903 Filed 9–29–93; 8:45 am]

BILLING CODE 5000–04–M

DEPARTMENT OF EDUCATION

Proposed Information Collection Requests

AGENCY: Department of Education.

ACTION: Notice of proposed information collection requests.

SUMMARY: The Director, Information Resources Management Service, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1980.

DATES: Interested persons are invited to submit comments on or before November 1, 1993.

ADDRESSES: Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Dan Chenok: Desk Officer, Department of Education, Office of Management and Budget, 726 Jackson Place, NW., room 3208, New Executive Office Building, Washington, DC 20503. Requests for copies of the proposed information collection requests should be addressed to Cary Green, Department of Education, 400 Maryland Avenue, SW., room 4682, Regional Office Building 3, Washington, DC 20202–4651.

FOR FURTHER INFORMATION CONTACT: Cary Green (202) 401–3200. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

SUPPLEMENTARY INFORMATION: Section 3517 of the Paperwork Reduction Act of 1980 (44 U.S.C. chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Director of the Information Resources Management Service, publishes this notice containing proposed information collection requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g., new, revision, extension, existing or reinstatement; (2) Title; (3) Frequency of collection; (4) The affected public; (5) Reporting burden; and/or (6) Recordkeeping burden; and (7) Abstract. OMB invites public comment at the address specified above. Copies of the requests are available from Cary Green at the address specified above.

Dated: September 27, 1993.

Cary Green,

Director, Information Resources Management Services.

Office of Educational Research and Improvement

Type of Review: Extension
Title: Application for Grants Under Library Research and Demonstration Program
Frequency: Annually
Affected Public: Non-profit institutions
Reporting Burden:
Responses: 50
Burden Hours: 1,800
Recordkeeping Burden:
Recordkeepers: 0
Burden Hours: 0
Abstract: This form will be used by State Educational agencies to apply for funding under the Library Research and Demonstration Program. The Department will use the information to make grant awards.

[FR Doc. 93–24000 Filed 9–29–93; 8:45 am]

BILLING CODE 4000–01–M

Proposed Information Collection Requests

AGENCY: Department of Education.

ACTION: Notice of proposed information collection requests.

SUMMARY: The Director, Information Resources Management Service, invites comments on proposed information collection requests as required by the Paperwork Reduction Act of 1980.

DATES: An expedited review has been requested in accordance with the Act, since allowing for the normal review period would adversely affect the public interest. Approval by the Office of Management and Budget (OMB) has been requested by October 8, 1993.

ADDRESSES: Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Dan Chenok, Desk Officer, Department of Education, Office of Management and Budget, 726 Jackson Place, NW., room 3208, New Executive Office Building, Washington, DC 20503. Requests for copies of the proposed information collection request should be addressed to Cary Green, Department of Education, 400 Maryland Avenue, SW., room 4682, Regional Office Building 3, Washington, DC 20202–4651.

FOR FURTHER INFORMATION CONTACT: Cary Green, (202) 401–3200.

SUPPLEMENTARY INFORMATION: Section 3517 of the Paperwork Reduction Act of 1980 (44 U.S.C. chapter 3517) requires that the Director of OMB provide interested Federal agencies and persons an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Director of the Information Resources Management Service, publishes this notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g., new, revision, extension, existing or reinstatement; (2) Title; (3) Frequency of collection; (4) The affected public; (5) Reporting burden; and/or (6) Recordkeeping burden; and (7) Abstract. OMB invites public comment at the address specified above. Copies of the requests are available from Cary Green at the address specified above.

Dated: September 27, 1993.

Cary Green,

Director, Information Resources Management Service.

Office of Educational Research and Improvement

Type of Review: Expedited
Title: Fast Response Survey System (FRSS) Survey of High School Curricular Options
Frequency: One Time
Affected Public: Individuals or households
Reporting Burden:
Responses: 1,000
Burden Hours: 500
Recordkeeping Burden:
Recordkeepers: 0
Burden Hours: 0
Abstract: This survey will collect information regarding the extent and range of policies and practices schools develop to differentiate their curricula and meet the needs of students with different levels of academic

preparedness, abilities, achievements, or career goals.

[FR Doc. 93–24004 Filed 9–29–93; 8:45 am]
BILLING CODE 4000–01–M

Notice of Proposed Information Collection Request

AGENCY: Department of Education.
ACTION: Notice of proposed information collection request.

SUMMARY: The Director, Information Resources Management Service, invites comments on the proposed information collection request as required by the Paperwork Reduction Act of 1980.

DATES: An emergency review has been requested in accordance with the Act, since allowing for the normal review period would adversely affect the public interest. Approval by the Office of Management and Budget (OMB) has been requested by October 1, 1993.

ADDRESSES: Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Dan Chenok, Desk Officer: Department of Education, Office of Management and Budget, 726 Jackson Place, NW., room 3208, New Executive Office Building, Washington, DC 20503. Requests for copies of the proposed information collection request should be addressed to Cary Green, Department of Education, 7th & D Streets, SW., room 4682, Regional Office Building 3, Washington, D.C. 20202–4651.

FOR FURTHER INFORMATION CONTACT: Cary Green (202) 401–3200. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8 a.m. and 8 p.m., Eastern time Monday through Friday.

SUPPLEMENTARY INFORMATION: Section 3517 of the Paperwork Reduction Act of 1980 (44 U.S.C. chapter 3517) requires that the Director of OMB provide interested Federal agencies and persons an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Acting Director, Office of Information Resources Management, publishes this notice with attached proposed information collection requests prior to submission to OMB. For each proposed information collection request, grouped by office, this notice contains the following information: (1) Type of review requested, e.g., new, revision, extension, existing, or reinstatement; (2) Title; (3) Frequency of collection; (4) The affected public; (5) Reporting and/or Recordkeeping burden; and (6) Abstract. Because an emergency review is requested, the additional information to be requested in this collection is included in the section on **ADDITIONAL INFORMATION** in this notice.

Dated: September 27, 1993.

Cary Green, Director,

Information Resources Management Service.

Office of the Secretary

Type of Review: Emergency
Title: Pre-Forum Survey
Abstract: This pre-forum survey will gather information from teachers regarding their knowledge, perceptions and their resources in educational reform. The Department is requesting an emergency clearance by October 1 to collect and evaluate data from the survey in order to allow enough time for the preparation and design of a teacher forum in November. Without the clearance, the Department would be unable to achieve its goals for the teacher forum, which plays a significant role in supporting the National Education Goals.
Frequency: One time
Affected Public: Individuals or households
Reporting Burden:
Responses: 119
Burden Hours: 60
Recordkeeping Burden:
Recordkeepers: 0
Burden Hours: 0

[FR Doc. 93–24001 Filed 9–29–93; 8:45 am]
BILLING CODE 4000–01–M

DEPARTMENT OF ENERGY

Statement of Findings for Bridge Replacements at Savannah River Site (603–71G and 603–72G)

AGENCY: Department of Energy (DOE).
ACTION: Floodplain statement of findings

SUMMARY: This is a Statement of Findings prepared pursuant to Executive Order 11988 and 10 CFR 1022, Compliance with Floodplain/Wetlands Environmental Review Requirements. DOE has determined that specified activities associated with the replacement and widening of bridges (603–71G and 603–72G: Road B Crossing Lower Three Runs Creek below PAR Pond Dam and of 603–4G: Road 4 Crossing Fourmile Branch) are within floodplains of Lower Three Runs Creek and Fourmile Branch. DOE proposes to demolish and dispose of these bridges which are 40–65 years old and to construct three new bridges conforming to current design and construction practices in a floodplain located in Aiken and Barnwell Counties, South Carolina.

DOE prepared a Floodplain/Wetlands Assessment describing the effects, alternatives, and measures designed to avoid or minimize potential harm to or within the affected floodplain. On the basis of this assessment, DOE has determined that there is no practicable alternative to the proposed actions and that the proposed action has been designed to avoid or minimize impacts on the floodplain/wetlands. The Notice of Floodplain and Wetland Involvement was published in the **Federal Register**, [58 FR 132 (July 13, 1993)]. No comments were received. This action is categorically excluded under the Department of Energy's National Environmental Policy Act Implementing Procedures (10 CFR part 1021).

FOR FURTHER INFORMATION CONTACT: Information and maps are available from Stephen R. Wright, U.S. Department of Energy, Savannah River Operations Office, P.O. Box A, Aiken, South Carolina 29802, Phone Number (803) 725–3957, Fax Number (803) 725–7688.

FOR FURTHER INFORMATION ON GENERAL DOE FLOODPLAIN/WETLANDS ENVIRONMENTAL REVIEW REQUIREMENTS, CONTACT: Ms. Carol M. Borgstrom, Office of NEPA Oversight (EH–25), U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585, Telephone: (202) 586–4600 or (800) 472–2756.

SUPPLEMENTARY INFORMATION: Each of the bridges included in these replacements was identified in a site-wide bridge inspection as no longer capable of supporting the transportation of heavy loads across the site. The replacements shall be similar in design and construction with some latitude for length of span and end abutment configuration. Bridges will be designed using prestressed, precast concrete beams or cast-in-place post-tensioned beam construction with a reinforced concrete deck and asphalt or concrete wearing surface. Guardrails and parapet walls will meet or exceed South Carolina Department of Highways and Public Transportation and American Association of State Highway Transportation Officials approved standards. Bridges will be supported by approximately four reinforced concrete

piers at each pier cap. The piers shall be supported by driven piles.

The method of demolition is also similar for each of the three bridges with only the number of spans varying. Demolition of the bridges will require cutting the deck at the span joints and hoisting the deck in sections off the pier caps. The pier caps can then be separated from the timber piles or concrete piles and removed. Depending on the final location of the piers, the timber piles, or the concrete piles may be cut below the water surface and abandoned in-place limiting disturbance to the stream and reducing costs. If the timber piles interfere with the new piles, they will be pulled to prevent decay of the piles, leaving a unacceptable void near the proposed pile foundation.

There are no clear long-term impacts on the floodplain associated with these projects as they are currently defined. Some minor short-term sediment increases may be experienced due to the construction of the new bridges if significant rain events occur during the construction, but appropriate use of pre-existing road and compacted work areas will minimize this impact. No deterioration of floodplain function is expected, as drainage and flow in Fourmile Branch may be improved by the widening of the bridge and improvement of the channel. The proposed action conforms to applicable state and local floodplain protection standards.

Because of the deteriorated condition of the bridges associated with these projects, and the importance of the bridges to the transportation system of the site, the "no action" alternative is not feasible. The projects have been formulated to provide structures of sufficient capacity and load bearing to meet the current and future needs of the site and to cause a minimum disturbance to the surrounding floodplain. Expanded and enlarged projects to increase the size and width of the existing bridges would result in increased and unnecessary damage to the riparian systems that they are crossing.

During construction, portions of roadways shall be closed to traffic and detoured. This will provide greater flexibility to implement construction methods to minimize environmental impacts that would otherwise be impossible to use while maintaining through traffic.

DOE will endeavor to allow 15 days of public review after publication of this statement of findings prior to implementing the action.

Issued in Washington, DC, on this 21st day of September 1993.

Victor Stello, Jr.,

Principal Deputy Assistant, Secretary for Facilities, Defense Programs.

[FR Doc. 93–24027 Filed 9–29–93; 8:45 am]

BILLING CODE 6450–01–P

Federal Energy Regulatory Commission

[Docket No. QF83–161–002]

Calciner Industries, Inc.; Application for Commission Certification of Qualifying Status of a Cogeneration Facility

September 24, 1993.

On September 10, 1993, Calciner Industries, Inc. of, P.O. Box 1306, Chalmette, Louisiana 70044, submitted for filing an application for certification of a facility as a qualifying cogeneration facility pursuant to § 292.207(b) of the Commission's Regulations. No determination has been made that the submittal constitutes a complete filing.

According to the applicant the bottoming-cycle cogeneration facility which is located in St. Bernard Parish County, Chalmette, Louisiana and consists of a condensing steam turbine generator and a waste heat recovery boiler. The facility converts green petroleum coke to calcined coke to be purchased by Superior Graphite Co., an unaffiliated entity, for use in production of refined carbon product and form of synthetic graphite used in making carbon steel. The primary energy source will be volatiles in the petroleum coke and natural gas. The maximum net electric power production capacity will be approximately 20 MW. The facility is expected to go on line in April 1994.

Any person desiring to be heard or objecting to the granting of qualifying status should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with rules 211 and 214 of the Commission's Rules of Practice and Procedure. All such motions or protests must be filed within 30 days after the date of publication of this notice in the **Federal Register** and must be served on the applicant. Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 93–23956 Filed 9–29–93; 8:45 am]

BILLING CODE 6717–01–M

[Project No. 11124–000 Maine]

Lawrence E. and Veronica P. Smith; Availability of Draft Environmental Assessment

September 24, 1993.

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's regulations, 18 CFR part 380 (Order No. 486, 52 FR 47897), the Office of Hydropower Licensing staff has reviewed the application for the existing 350-kilowatt Upper Kezar Falls Project located on the Ossipee River in York and Oxford Counties, Maine, and has prepared the attached Draft Environmental Assessment (DEA). The DEA contains staff's analysis of the environmental impacts of the proposal and concludes that approval with mitigative measures, would not constitute a major federal action significantly affecting the quality of the human environment.

Copies of the DEA are available for review in the Public Reference Branch, room 3308, of the Commission's offices at 941 North Capitol Street, NE., Washington, DC 20426.

Please submit any comments within 30 days of the date of this letter. Comments should be addressed to Lois D. Cashell, Secretary, Federal Energy Regulatory Commission, 825 North Capitol St. NE., Washington, DC, 20426. Please affix the project number to all comments. For further information, please contact Monte TerHaar, Environmental Coordinator, at 202–219–2768.

Lois D. Cashell,

Secretary.

[FR Doc. 93–23955 Filed 9–29–93; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. QF93–15–001]

Tiger Bay Limited Partnership; Application for Commission Recertification of Qualifying Status of a Cogeneration Facility

September 24, 1993.

On September 15, 1993, Tiger Bay Limited Partnership of 2500 Citywest Blvd., suite 150, Houston, Texas 77042, submitted for filing an application for recertification of a facility as a qualifying cogeneration facility

pursuant to § 292.207(b) of the Commission's Regulations. No determination has been made that the submittal constitutes a complete filing.

According to the applicant, the natural gas fueled cogeneration facility is located in Polk County, Florida. The Commission previously certified the facility as a 215.9 MW cogeneration facility [62 FERC ¶ 62,092 (1993)]. Thermal energy recovered from the facility was to be used by Fort Meade Chemical Products, primarily for production of concentrated phosphoric acid. The instant recertification is requested to reflect a change in the upstream ownership structure. Certain ownership interests in the facility will now be owned indirectly by various utility entities. All other aspects of the facility remain as that described in the original application.

Any person desiring to be heard or objecting to the granting of qualifying status should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with rules 211 and 214 of the Commission's Rules of Practice and Procedure. All such motions or protests must be filed within 30 days after the date of publication of this notice in the **Federal Register** and must be served on the applicant. Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 93–23966 Filed 9–29–93; 8:45 am]

BILLING CODE 6717–01–M

[Project No. 2411–005 Virginia]

STS Hydropower, Ltd. and Dan River, Inc.; Availability of Draft Environmental Assessment

September 24, 1993.

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's (Commission's) regulations, 18 CFR part 380 (Order No. 486, 52 FR 47897), the Office of Hydropower Licensing has reviewed the application for a new license for the existing Schoolfield Dam Project, located on the Dan River in Pittsylvania County, Virginia, in the city of Danville, and has prepared a Draft Environmental Assessment (DEA) for the project. In the DEA, the Commission's staff has analyzed the existing and potential future environmental impacts of the project and has concluded that approval of the project, with appropriate mitigation or enhancement measures, would not constitute a major federal action that would significantly affect quality of the human environment.

Copies of the DEA are available for review in the Public Reference Branch, room 3104, of the Commission's offices at 941 North Capitol Street, NE., Washington, DC 20426.

Any comments should be filed within 30 days from the date of this notice and should be addressed to Lois D. Cashell, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426. For further information, contact Charles R. Hall, Environmental Coordinator, at (202) 219–2853.

Lois D. Cashell,

Secretary.

[FR Doc. 93–23954 Filed 9–29–93; 8:45 am]

BILLING CODE 6717–01–M

[Docket Nos. ER86–562–005, ER87–232–003, and ER91–149–006]

Boston Edison Co.; Filing

September 24, 1993.

Take notice that on September 14, 1993, Boston Edison Company tendered for filing its refund report in compliance with the Commission's letter order issued on August 4, 1993.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before October 8, 1993. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 93–23959 Filed 9–29–93; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. TM94–1–114–001]

Gateway Pipeline Co.; Filing of Revised Tariff Sheets

September 24, 1993.

Take notice that on September 21, 1993, Gateway Pipeline Company (Gateway), tendered for filing as part of its FERC Gas Tariff, First Revised Volume No. 1, Substitute First Revised Sheet No. 4, to be effective October 1, 1993:

Gateway states that the above referenced tariff sheet reflects a pagination change from the ACA filing made August 31, 1993 and reflects no other changes.

Gateway also states that the tariff sheets are being mailed to its customers and to interested state commissions.

Any person desiring to protest said filing should file a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with § 385.211 of the Commission's regulations. All such protests should be filed on or before October 1, 1993. Protests will be considered by the Commission in determining appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 93–23957 Filed 9–29–93; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. ER93–966–000]

Hardee Power Partners Limited; Filing

September 24, 1993.

Take notice that on September 20, 1993, Hardee Power Partners Limited (Hardee Power), tendered for filing proposed changes to its FERC Rate Schedules Nos. 1 and 2. The proposed changes reflect adjustments to the Monthly Capacity Charge payable to Hardee Power under the two above-mentioned rate schedules. Hardee requests an effective date for these charges of January 1, 1993.

These changes are made to reflect recovery of certain capital expenditures in connection with the construction of a 295 MW gas-fired generating facility, located in Hardee and Polk Counties, Florida, and the reimbursement of certain fuel expenses incurred during pre-operational testing.

Copies of the filing were served upon Hardee Power's only two wholesale customers.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before October 8, 1993. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 93–23963 Filed 9–29–93; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. ER93–967–000]

Iowa-Illinois Gas and Electric Co.; Filing

September 24, 1993.

Take notice that Iowa-Illinois Gas and Electric Company (Iowa-Illinois), 206 East Second Street, P.O. Box 4350, Davenport, Iowa 52808, on September 22, 1993, tendered for filing pursuant to § 35.13 of the Regulations under the Federal Power Act the following rate schedule changes:

1. First Amendment dated August 10, 1993 to Interconnection Agreement dated June 13, 1983 (Agreement) between Iowa-Illinois and Central Iowa Power Cooperative (Cooperative) with First Revised Service Schedule A to the Agreement;

2. First Amendment to Facilities Schedule No. 2 to Service Schedule C to the Agreement; and

3. First Amendment to Transmission Service Schedule No. 3 to Service Schedule D to the Agreement which amends Exhibit A to Transmission Service Schedule No. 3.

Iowa-Illinois states that the rate schedule changes apply only to transactions between Iowa-Illinois and Cooperative. The rate schedule changes are described as follows:

1. *First Amendment to Interconnection Agreement with First Revised Service Schedule A*—This Amendment deletes Service Schedule A to the Agreement and adds First Revised Service Schedule A which clarifies and more accurately reflects Iowa-Illinois' current contractual and operational relationship with Cooperative by adding Section 1.(d)(1) to cross-reference a provision in a prior agreement relating to Substation 56 which is the subject of Section 1.(d). In addition, Section 3, which was contained in Service Schedule A and related to a power supply connection at the Sharon Substation has been omitted from First Revised Service Schedule A since that substation is no longer considered a power supply connection by Iowa-Illinois and Cooperative;

2. *First Amendment to Facilities Schedule No. 2 to Service Schedule C*—This Amendment revises Facilities Schedule No. 2 to reflect the current operating status of facilities under the Facilities Schedule and to provide for future use and reconfiguration of such facilities. Specifically, the Amendment terminates billings for fixed charges and operation and maintenance expense associated with such facilities. While billing termination is not justified by the Sharon Substation load pursuant to Section 2.01 of the Facilities Schedule, it is justified by Cooperative's transmission equipment additions in the area. The Amendment also acknowledges that such billing termination fulfills Iowa-Illinois' obligations pursuant to an August 26, 1970 letter agreement regarding Cooperative's use of 69 Kv facilities at Hills Substation as assigned to Cooperative by Eastern Iowa Light and Power Cooperative. The Amendment revises and clarifies the ownership, replacement, removal, operation and maintenance provisions relating to existing and future equipment associated with the 69 Kv circuit breaker-equipped terminating bay at Hills Substation; and

3. *First Amendment to Transmission Service Schedule No. 3 to Service Schedule D*—This Amendment increases the availability of transmission capacity to Cooperative at Iowa-Illinois' Hills Substation 345–161 Kv transformer from 17 MW to 48 MVA. This change is necessary to reflect Cooperative's current variable usage and to provide for future growth. The Amendment changes the Total Monthly Charges for Transformer Costs to reflect the increased availability of transmission capacity at the same rate per MVA as provided in the Service Schedule prior to amendment but subject to a minimum charge based on 17 MW as provided in the Service Schedule prior to amendment.

Iowa-Illinois proposes the rate schedule changes to be effective on November 1, 1993. The filing includes a request for waiver of the 60-day prior notice requirement under the Federal Power Act.

Copies of the filing were served upon the Iowa Utilities Board, the Illinois Commerce Commission and Cooperative.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before October 8, 1993. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 93–23964 Filed 9–29–93; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. ER93–843–000]

Iowa Southern Utilities Co.; Notice of Filing

September 24, 1993.

Take notice that on September 20, 1993, Iowa Southern Utilities Company (ISU), tendered for filing an amendment to its August 3, 1993 filing in this docket. The amendment included the filing of a Letter Agreement for lease of Albia Substation, dated December 19, 1986. Iowa Southern requests the Commission, pursuant to the amnesty provisions issued in the Final Order in Docket No. PL93–2–002, to waive its prior notice requirements and authorize an effective date for the Letter Agreement of April 5, 1986.

A copy of the filing was served upon Iowa State Utilities Board and Northeast Missouri Power Cooperative.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before October 8, 1993. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party

must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 93–23962 Filed 9–29–93; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. TM94–1–116–000]

OkTex Pipeline Co.; Proposed Changes in FERC Gas Tariff

September 24, 1993.

Take notice that on September 20, 1993, OkTex Pipeline Company (OkTex), tendered for filing as part of its FERC Gas Tariff, Original Volume No. 1, the following tariff sheet, with a proposed effective date of October 1, 1993:

Second Revised Sheet No. 5
Superseding First Revised Sheet No. 5

OkTex states that the purpose of this filing is to permit the tracking of the ACA unit surcharge authorized by the Commission for fiscal year 1994. The ACA unit surcharge authorized by the Commission for fiscal year 1994 is $0.0026 per dekatherm.

OkTex states that copies of the filing were served on OkTex's jurisdictional customers, interested state commissions and all current Rate Schedule FTS and ITS shippers.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 826 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure. All such motions or protests should be filed on or before October 1, 1993. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 93–23958 Filed 9–29–93; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. ER93–597–000]

PJM Interconnection Agreement; Filing

September 24, 1993.

Take notice that on September 22, 1993, the Office of the Pennsylvania-New Jersey-Maryland (PJM) Interconnection Association on behalf of the members of the PJM Interconnection (PJM Group) submitted additional supporting material requested by the FERC staff, amending the filing previously submitted in this docket. The amendment provides more detailed explanation of the purpose for the proposed revised schedules.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before October 8, 1993. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 93–23960 Filed 9–29–93; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. ER93–840–000]

PSI Energy, Inc.; Filing

September 24, 1993.

Take notice that on September 20, 1993, PSI Energy, Inc. (PSI) tendered for filing an Attachment to the Third Supplemental Agreement to the Interim Scheduled Power Agreement between Wabash Valley Power Association, Inc. and PSI to the FERC's Filing in Docket No. ER93–840–000 to comply with a FERC Staff request.

Copies of the filing were served on Wabash Valley Power Association, Inc. and the Indiana Utility Regulatory Commission.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before October 8, 1993. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc., 93–23961 Filed 9–29–93; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. ER93–968–000]

Public Service Company of New Mexico; Filing

September 24, 1993.

Take notice that on September 22, 1993, Public Service Company of New Mexico (PNM) submitted for filing Modification 8 to the San Juan Project Operating Agreement (Operating Agreement). On the same date, PNM also submitted, to the extent they may be deemed jurisdictional, (1) an associated letter agreement pertaining to deficiency tonnage payments under the Operating Agreement (Letter Agreement), and (2) a memorandum of agreement of the San Juan Project Fuel Cost Allocation Task Force setting out principles which were incorporated in Modification 8 (the Memorandum of Agreement). Under the foregoing agreements, the San Juan Project owners have agreed upon mechanisms to reallocate costs associated with the purchase of coal for San Juan Generating Station.

PNM requests waivers of the Commission's notice requirements so that Modification 8 may be effective as of January 1, 1993, so that the Letter Agreement (if deemed jurisdictional) may be effective as of January 14, 1993 and so that the Memorandum of Agreement (if deemed jurisdictional) may be effective as of April 1, 1993.

Copies of the filing have been served upon Tucson Electric Power Company and the New Mexico Public Utility Commission, and have also been provided to all unit participants in the San Juan Generating Station.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before October 8, 1993. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding.

Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 93–23965 Filed 9–29–93; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. CP93–734–000]

Texas Eastern Transmission Co.; Request Under Blanket Authorization

September 24, 1993.

Take notice that on September 22, 1993, Texas Eastern Transmission Company (Texas Eastern), 5400 Westheimer Court, Houston, Texas 77056–5310, filed in Docket No. CP93–734–000, a request pursuant to §§ 157.205 and 157.211 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205) for authorization to add an existing point of receipt to Texas Eastern's Master Meter List as a bidirectional meter so that Texas Eastern may make natural gas deliveries to Southeastern Natural Gas Company ("Senat") under the blanket certificate issued in Docket No. CP82–535–000 pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request that is on file with the Commission and open to public inspection.

Texas Eastern states that it will add an existing receipt meter station, designated as Meter Station No. 72879, as a delivery point on Texas Eastern's Master Meter List. Meter Station No. 72879 is located on Texas Eastern's 30-inch Line No. 15 in Athens County, Ohio at M.P. 634.63 and is on Texas Eastern's Master Meter List as a receipt meter.

Meter Station No. 72879 is currently a one-directional meter. Meter Station 72879 is owned and operated by Senat. Senat has requested that Texas Eastern add Meter Station 72879 as a point of delivery on Texas Eastern's Master Meter List once Senat completes the facilities modifications necessary to make Meter Station 72879 a bi-directional meter.

Texas Eastern states that the peak and average day deliveries at the points will be 30,000 Dth/d at the Athens County, Ohio bidirectional point.

Texas Eastern also states that the addition of the receipt point as a delivery point will have no effect on Texas Eastern's peak day or annual deliveries. Texas Eastern submits that the proposal will be accomplished without detriment or disadvantage to Texas Eastern's other customers.

Further, Texas Eastern states that the service it renders for Senat will be performed pursuant to the IT–1 Rate Schedule as listed previously of Texas Eastern's FERC Gas Tariff, Sixth Revised Volume No. 1 and that Texas Eastern's existing tariff does not prohibit the additional volumes.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to section 7 of the Natural Gas Act.

Lois D. Cashell,

Secretary.

[FR Doc. 93–23953 Filed 9–29–93; 8:45 am]

BILLING CODE 6717–01–M

Office of Fossil Energy

[FE Docket No. 93–64–NG]

Associated Natural Gas, Inc., Order Granting Blanket Authorization To Export Natural Gas to Mexico

AGENCY: Office of Fossil Energy, DOE.

ACTION: Notice of order.

SUMMARY: The Office of Fossil Energy of the Department of Energy gives notice that it has issued an order granting Associated Natural Gas, Inc. authorization to export up to 200 billion cubic feet of natural gas to Mexico over a two-year term, beginning on the date of first delivery.

This order is available for inspection and copying in the Office of Fuels Programs Docket Room, 3F–056, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586–9478. The docket room is open between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

Issued in Washington, DC, September 24, 1993.

Clifford P. Tomaszewski,

Director, Office of Natural Gas, Office of Fuels Programs, Office of Fossil Energy.

[FR Doc. 93–24029 Filed 9–29–93; 8:45 am]

BILLING CODE 6450–01–M

[FE Docket No. 93–58–NG]

Amoco Energy Trading Corp.; Blanket Authorization to Export Natural Gas to Mexico

AGENCY: Office of Fossil Energy, DOE.

ACTION: Notice of order.

SUMMARY: The Office of Fossil Energy of the Department of Energy gives notice that it has issued an order granting blanket authorization to Amoco Energy Trading Corporation (AETC) to export up to 146 Bcf of natural gas to Mexico. The authorization is granted for a period of two years beginning on the date of first delivery after November 8, 1993, when AETC's current blanket export authorization expires.

This order is available for inspection and copying in the Office of Fuels Programs Docket Room, 3F–056, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586–9478. The docket room is open between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

Issued in Washington, DC on September 24, 1993.

Clifford P. Tomaszewski,

Director, Office of Natural Gas, Office of Fuels Programs, Office of Fossil Energy.

[FR Doc. 93–24028 Filed 9–29–93; 8:45 am]

BILLING CODE 6450–01–M

[FE Docket No. 93–81–NG]

Midland Cogeneration Venture Limited Partnership; Blanket Authorization To Import Natural Gas From Canada

AGENCY: Office of Fossil Energy, DOE.

ACTION: Notice of order.

SUMMARY: The Office of Fossil Energy of the Department of Energy gives notice that it has issued an order granting blanket authorization to Midland Cogeneration Venture Limited Partnership to import up to 20 Bcf of natural gas from Canada over a two-year period beginning on the date of the first delivery.

This order is available for inspection and copying in the Office of Fuels Programs Docket Room, 3F–056, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585,

(202) 586–9478. The docket room is open between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

Issued in Washington, DC on September 24, 1993.

Clifford P. Tomaszewski,

Director, Office of Natural Gas, Office of Fuels Programs, Office of Fossil Energy.

[FR Doc. 93–24030 Filed 9–29–93; 8:45 am]

BILLING CODE 6450–01–M

[FE Docket No. 93–69–NG]

Mobil Natural Gas Inc., Order Granting Blanket Authorization To Export Natural Gas to Mexico and To Export Liquefied Natural Gas to Any Foreign Country

AGENCY: Office of Fossil Energy, DOE.

ACTION: Notice of order.

SUMMARY: The Office of Fossil Energy of the Department of Energy gives notice that it has issued an order granting Mobil Natural Gas Inc. authorization to export a combined total of up to 200 Bcf of natural gas to Mexico and liquefied natural gas to any foreign country, over a two-year term, beginning on the date of first delivery after September 30, 1993.

MNGI's order is available for inspection and copying in the Office of Fuels Programs Docket Room, 3F–056, Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585, (202) 586–9478. The docket room is open between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

Issued in Washington, DC, September 24, 1993.

Clifford P. Tomaszewski,

Director, Office of Natural Gas, Office of Fuels Programs, Office of Fossil Energy.

[FR Doc. 93–24031 Filed 9–29–93; 8:45 am]

BILLING CODE 6450–01–M

[FE Docket No. 93–75–NG]

Natural Gas Clearinghouse; Order Granting Blanket Authorization To Import and Export Natural Gas From and To Mexico, and To Export Liquefied Natural Gas to Any Foreign Country

AGENCY: Office of Fossil Energy, DOE.

ACTION: Notice of order.

SUMMARY: The Office of Fossil Energy of the Department of Energy gives notice that it has issued an order granting Natural Gas Clearinghouse (NGC) blanket authorization to import and export natural gas from and to Mexico and to export liquefied natural gas (LNG) to any foreign country. The authorization allows NGC to export a combined total of up to 200 Bcf of natural gas and LNG and to import up to 200 Bcf of natural gas beginning on the date of the first delivery of either imports or exports after October 31, 1993.

This order is available for inspection and copying in the Office of Fuels Programs Docket Room, 3F–056, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586–9478. The docket room is open between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

Issued in Washington, DC, September 24, 1993.

Clifford P. Tomaszewski,

Director, Office of Natural Gas, Office of Fuels Programs, Office of Fossil Energy.

[FR Doc. 93–24032 Filed 9–29–93; 8:45 am]

BILLING CODE 6450–01–M

ENVIRONMENTAL PROTECTION AGENCY

[FRL–4782–3]

Acid Rain Program: Notice of Final Permits

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of final permits.

SUMMARY: The U.S. Environmental Protection Agency [EPA] is issuing five-year Acid Rain permits, according to the Acid Rain Program regulations [40 CFR part 72], to the following 5 utility plants: Jack McDonough and Wansley in Georgia, Cheswick and Shawville in Pennsylvania, and Albright in West Virginia.

FOR FURTHER INFORMATION CONTACT: For Albright and Shawville, James Topsale at (215) 597–6553; for Cheswick, Kimberly Peck at (215) 597–9839. Air, Radiation and Toxics Division, EPA Region 3 (3AT–22), 841 Chestnut Bldg., Philadelphia, PA 19107.

For Jack McDonough and Wansley: Brian Beals at (404) 347–5014. Air, Pesticides and Toxics Management Division, EPA Region 4, 345 Courtland Ave. NE., Atlanta, GA 30365.

Dated: September 27, 1993.

Brian J. McLean,

Director, Acid Rain Division, Office of Atmospheric Programs, Office of Air and Radiation.

[FR Doc. 93–24063 Filed 9–29–93; 8:45 am]

BILLING CODE: 8560–50–P

[FRL–4782–2]

Acid Rain Program: Notice of Public Comment Period and Proposed Retired Unit Exemptions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed retired unit exemptions.

SUMMARY: The U.S. Environmental Protection Agency (EPA) is issuing for comment draft, five-year retired unit exemptions to 4 utility units under the Acid Rain Program regulations (40 CFR part 72).

DATES: Comments on retired unit exemptions must be received no later than November 1, 1993 or the publication date of this notice in local newspapers.

ADDRESSES: *Administrative Records.* The administrative record for each exemption, except information protected as confidential, may be viewed at the addresses listed in "**SUPPLEMENTARY INFORMATION.**"

Comments. Send comments, requests for public hearings, and requests to receive notice of future actions concerning a retired unit exemption to William A. Spratlin, Director, Air and Toxics Division, EPA Region 7 (ARTX), 726 Minnesota Ave., Kansas City, KS 66101.

Submit all comments in duplicate and identify the unit to which the comments apply, the commenter's name, address, and telephone number, and the commenter's interest in the matter and affiliation, if any, to the owners and operators of the unit covered by the exemption. All timely comments will be considered, except those pertaining to standard provisions under 40 CFR 72.9 and issues not relevant to the exemption.

Hearings. To request a public hearing, state the issues proposed to be raised in the hearing. EPA may schedule a hearing if EPA finds that it will contribute to the decision-making process by clarifying significant issues affecting the exemption.

FOR FURTHER INFORMATION CONTACT: Jon Knodel at (913) 551–7622. Air and Toxics Division, EPA Region 7 (ARTX), 726 Minnesota Ave., Kansas City, KS 66101.

SUPPLEMENTARY INFORMATION: *Retired unit exemptions.* EPA proposes to issue exemptions from the Acid Rain permit and continuous emission monitoring requirements for the following units in Iowa: Des Moines units 5, 10, and 11; and Maynard unit 1. The designated representative is William D. Leech.

Addresses. The administrative records for each plant may be viewed during normal operating hours at (1) EPA Region 7 library, 726 Minnesota Ave., Kansas City, KS 66101 (913) 551–7358, (2) Iowa Department of Natural Resources, 900 East Grand, Des Moines, IA 50309, (515) 281–8012, and (3) the additional locations for each unit:

Des Moines units 5, 10, and 11: Public Library of Des Moines, 100 Locust St., Des Moines, IA 50309, (515) 283–4152;

Maynard unit 1: Waterloo Public Library, 415 Commercial St., Waterloo, IA 50701–1385, (319) 291–4476.

Dated: September 23, 1993.

Brian McLean,

Director, Acid Rain Division, Office of Atmospheric Programs, Office of Air and Radiation.

[FR Doc. 93–24062 Filed 9–29–93; 8:45 am]

BILLING CODE 6560–50–P

[OPP–24013; FRL–4645–8]

State Registrations of Pesticides

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has received notices of registration of pesticides to meet special local needs under section 24(c) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, from 41 States. A registration issued under this section of FIFRA shall not be effective for more than 90 days if the Administrator disapproves the registration or finds it to be invalid within that period. If the Administrator disapproves a registration or finds it to be invalid after 90 days, a notice giving that information will be published in the Federal Register.

DATES: The last entry for each item is the date the State registration of that product became effective.

FOR FURTHER INFORMATION CONTACT: Daria Mills, Program Management and Support Division, Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 216, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202, (703)-305-7406.

SUPPLEMENTARY INFORMATION: This notice only lists the section 24(c) applications submitted to the Agency. The Agency has 90 days to approve or disapprove each application listed in this notice. Applications that are not approved are returned to the appropriate State for action. The registrations listed below were received by EPA in April through July of 1993. Receipts of State registrations will be published periodically. Of the following registrations, 22 involve a changed-use pattern (CUP) and are so designated. The term "changed use pattern" is defined in 40 CFR 162.3(k) as a significant change from a use pattern approved in connection with the registration of a pesticide product. Examples of significant changes include, but are not limited to, changes from a nonfood to food use, outdoor to indoor use, ground to aerial application, terrestrial to aquatic use, and nondomestic to domestic use.

Alabama

1. *EPA SLN No. AL 93 0004.* Uniroyal Chemical Co., Inc. Registration is for Diflubenzuron to be used on aquatic sites to control mosquitoes and midges. April 6, 1993. (CUP)

2. *EPA SLN No. AL 93 0005.* FMC Corp. Registration is for Clomazone to be used on sweet potatoes to control weeds and grasses. April 3, 1993.

3. *EPA SLN No. AL 93 0006.* FMC Corp. Registration is for Carbofuran to be used on cotton to control cotton aphid. July 10, 1993. (CUP)

4. *EPA SLN No. AL 93 0007.* Albaugh, Inc. Registration is for 2,4-D Amine 4 to be used on aquatic places to control water hyacinth, etc. July 9, 1993.

Arizona

5. *EPA SLN No. AZ 93 0003.* FMC Corp. Registration is for Permethrin to be used on bermuda grass grown for seed to control bee foraging. April 2, 1993. (CUP)

6. *EPA SLN No. AZ 93 0004.* Zeneca, Inc. Registration is for Eptam 7-E to be used on safflower preplant to control weeds. May 7, 1993.

7. *EPA SLN No. AZ 93 0005.* Valent U.S.A. Corp. Registration is for Methamidophos to be used on crisp head lettuce to control leafminer. May 7, 1993.

8. *EPA SLN No. AZ 93 0007.* Zeneca, Inc. Registration is for Permethrin to be used on horizontal barriers to control subterranean termite. May 7, 1993.

9. *EPA SLN No. AZ 93 0008.* Zeneca, Inc. Registration is for Cypermethrin to be used on horizontal barriers to control subterranean termite. May 7, 1993.

10. *EPA SLN No. AZ 93 0009.* FMC Corp. Registration is for Cypermethrin to be used on onions grown for seed to control onion thrips. May 1, 1993. (CUP)

11. *EPA SLN No. AZ 93 0010.* FMC Corp. Registration is for Bifenthrin to be used on outdoor ornamentals to control whiteflies. May 8, 1993

12. *EPA SLN No. AZ 93 0011.* Helena Chemical Co. Registration is for Dimethoate to be used on citrus to control thrips. May 10, 1993.

13. *EPA SLN No. AZ 93 0012.* Gowan Co. Registration is for Endosulfan to be used on ornamentals to control whiteflies. June 2, 1993.

Arkansas

14. *EPA SLN No. AR 93 0005.* Rohm & Haas Co. Registration is for Mancozeb to be used on cotton to control seedling diseases. April 7, 1993.

15. *EPA SLN No. AR 93 0006.* Rohm & Haas Co. Registration is for Mancozeb to be used on cotton to control seedling diseases. April 7, 1993.

16. *EPA SLN No. AR 93 0008.* FMC Corp. Registration is for Carbofuran to be used on cotton to control cotton aphid. July 3, 1993. (CUP)

California

17. *EPA SLN No. CA 93 0004.* Griffin Corp. Registration is for Copper Hydroxide to be used on lilies to control botrytis elliptica. April 2, 1993.

18. *EPA SLN No. CA 93 0005.* Gowan Co. Registration is for Trifluralin to be used on clover seed to control panicum, pigweed, etc. July 2, 1993

19. *EPA SLN No. CA 93 0006.* Baker Performance Chemicals, Inc. Registration is for Acrolein to be used on burrowing systems to control ground squirrels. May 7, 1993.

20. *EPA SLN No. CA 93 0007.* Zeneca, Inc. Registration is for Captan to be used on European pears to control pear scab. June 1, 1993.

21. *EPA SLN No. CA 93 0008.* Easter Lily Research Foundation Registration is for Sprout-Nip 3 EC to be used on Easter lily bulbs to control botrytis infection. June 8, 1993.

22. *EPA SLN No. CA 93 0009.* California Sweet Potato Growers Coalition. Registration is for Endosulfan to be used on sweet potato nursery to control sweet potato weevil. June 1, 1993.

23. *EPA SLN No. CA 93 0010.* FMC Corp. Registration is for Permethrin to be used on greenhouse-grown ornamentals to control whiteflies, etc. July 4, 1993.

24. *EPA SLN No. CA 93 0012.* Chas H. Lilly Co. Registration is for 2,4-D to be used on citrus groves to control broadleaf weeds. July 7, 1993.

Delaware

25. *EPA SLN No. DE 93 0002.* FMC Corp. Registration is for Clomazone to be used on squash (winter) to control broadleaf weeds and grasses. April 3, 1993.

Florida

26. *EPA SLN No. FL 93 0007.* FMC Corp. Registration is for Permethrin to

be used on turf to control army sod webworms. June 4, 1993.

27. *EPA SLN No. FL 93 0008.* Tree Saver, Inc. Registration is for Terramycin to be used on ornamental palm tree to control lethal yellowing. July 7, 1993.

Georgia

28. *EPA SLN No. GA 93 0002.* FMC Corp. Registration is for Bifenthrin to be used on ornamentals to control aphids, mites, etc. July 9, 1993.

29. *EPA SLN No. GA 93 0003.* DowElanco. Registration is for Chlorpyrifos to be used on peppers and tomatoes to control armyworms, etc. July 10, 1993.

30. *EPA SLN No. GA 93 0004.* DowElanco. Registration is for Chlorpyrifos to be used on peppers and tomatoes to control armyworms, etc. July 10, 1993.

Hawaii

31. *EPA SLN No. HI 93 0002.* FMC Corp. Registration is for Bifenthrin to be used on outdoor flowers to control sweet potato whitefly. June 5, 1993.

32. *EPA SLN No. HI 93 0004.* Platte Chemical Co., Inc. Registration is for Dimethoate to be used on anthuriums to control thrips and whiteflies. May 1, 1993.

33. *EPA SLN No. HI 93 0005.* Wilbur Ellis Co. Registration is for Sulfur to be used on macadamia nuts to control broad mites. April 6, 1993.

34. *EPA SLN No. HI 93 0007.* Sandoz Agro, Inc. Registration is for Sulfur to be used on papaya to control mites (exc. carmine). June 3, 1993.

35. *EPA SLN No. HI 93 0008.* Sandoz Agro, Inc. Registration is for Sulfur to be used on macadamia nuts to control broad mites. June 3, 1993.

Idaho

36. *EPA SLN No. ID 90 0001.* Riverside/Terra Corp. Registration is for Dimethoate to be used on lentils to control aphids and lygus bugs. June 9, 1993

37. *EPA SLN No. ID 93 0003.* Ciba-Geigy Corp. Registration is for Methidathion to be used on alfalfa grown for seed to control insects. April 9, 1993.

Iowa

38. *EPA SLN No. IA 93 0001.* FMC Corp. Registration is for Carbofuran to be used on cucurbits to control cucumber beetles. April 2, 1993.

Illinois

39. *EPA SLN No. IL 93 0003.* Monsanto Agricultural Co. Registration is for Alachlor/Atrazine to be used on grain sorghum (milo) to control weeds. May 6, 1993.

40. *EPA SLN No. IL 93 0004.* FMC Corp. Registration is for Bifenthrin to be used on ornamental tree/shrubs to control insects. May 10, 1993.

41. *EPA SLN No. IL 93 0005.* Gowan Co. Registration is for Phosmet to be used on blueberries to control blueberry maggot, etc. July 3, 1993.

Indiana

42. *EPA SLN No. IN 93 0002.* Miles, Inc. Registration is for Metribuzin to be used on field corn to control weeds. April 3, 1993.

43. *EPA SLN No. IN 93 0003.* Valent U.S.A. Corp. Registration is for Methamidophos to be used on tomatoes (fresh fruit) to control insects. April 3, 1993.

Kentucky

44. *EPA SLN No. KY 93 0001.* Platte Chemical Co., Inc. Registration is for Ethalfluralin to be used on squash (summer) to control weeds. April 7, 1993.

Louisiana

45. *EPA SLN No. LA 93 0002.* FMC Corp. Registration is for Bifenthrin to be used on ornamentals to control various insects. May 1, 1993.

46. *EPA SLN No. LA 93 0005.* Rohm & Haas Co. Registration is for Mancozeb to be used on cotton to control seedling diseases. April 9, 1993.

47. *EPA SLN No. LA 93 0006.* FMC Corp. Registration is for Clomazone to be used on sweet potatoes to control grasses and weeds. July 1, 1993.

48. *EPA SLN No. LA 93 0007.* Hoechst Celanese. Registration is for Diclofop-Methyl to be used on bermudagrass turf to control goosegrass. April 3, 1993. (CUP)

49. *EPA SLN No. LA 93 0008.* E.I. Du Pont De Nemours & Co., Inc. Registration is for Diuron to be used on sugarcane to control weeds. May 1, 1993.

50. *EPA SLN No. LA 93 0009.* Zeneca, Inc. Registration is for Fonofos to be used on sweet potatoes to control white-fringed beetle, etc. April 9, 1993.

51. *EPA SLN No. LA 93 0010.* Zeneca, Inc. Registration is for Fonofos to be used on sweet potatoes to control white-fringed beetle, etc. April 9, 1993.

52. *EPA SLN No. LA 93 0011.* Rohm & Haas Co. Registration is for Oxyfluorfen to be used on corn to control weeds. May 4, 1993.

53. *EPA SLN No. LA 93 0012.* FMC Corp. Registration is for Carbofuran to be used on cotton to control cotton aphid. July 3, 1993. (CUP)

Maine

54. *EPA SLN No. ME 93 0003.* Rhone-Poulenc Ag Co. Registration is for Ethroprop to be used on potatoes to control acid scab. May 3, 1993. (CUP)

55. *EPA SLN No. ME 93 0004.* Platte Chemical Co., Inc. Registration is for Dimethoate to be used on spruce larch orchards to control cone seed insects. May 8, 1993.

56. *EPA SLN No. ME 93 0005.* FMC Corp. Registration is for Bifenthrin to be used on conifers and Christmas trees to control insects. May 8, 1993.

Michigan

57. *EPA SLN No. MI 93 0004.* FMC Corp. Registration is for Clomazone to be used on winter squash to control grass and broadleaf weeds. June 4, 1993.

58. *EPA SLN No. MI 93 0005.* Gowan Co. Registration is for Cryolite to be used on potatoes to control Colorado potato beetle. June 4, 1993.

59. *EPA SLN No. MI 93 0006.* Gowan Co. Registration is for Phosmet to be used on blueberries to control maggot, fruitworm, etc. July 10, 1993.

Minnesota

60. *EPA SLN No. MN 93 0004.* Ciba-Geigy Corp. Registration is for Metalaxyl and Mancozeb to be used on potatoes to control blight, tuber rot, etc. May 6, 1993.

61. *EPA SLN No. MN 93 0005.* Zeneca, Inc. Registration is for Diquat Dibromide to be used on potatoes to control potatoe vine dessication. May 4, 1993.

Mississippi

62. *EPA SLN No. MS 93 0003.* FMC Corp. Registration is for Clomazone to be used on sweet potatoes to control grasses and broadleaf weeds. April 8, 1993.

63. *EPA SLN No. MS 93 0004.* Riverdale Chemical Co. Registration is for Mcpa-4 Amine to be used on rice to control weeds and grasses. April 10, 1993.

64. *EPA SLN No. MS 93 0005.* Riverdale Chemical Co. Registration is for Mcpa Low Volatile to be used on rice to control weeds and grasses. April 10, 1993.

65. *EPA SLN No. MS 93 0006.* DowElanco. Registration is for Warrant to be used on rice to control weeds. June 8, 1993.

66. *EPA SLN No. MS 93 0007.* FMC Corp. Registration is for Carbofuran to be used on cotton to control cotton aphid. July 1, 1993. (CUP)

Missouri

67. *EPA SLN No. MO 93 0006.* FMC Corp. Registration is for Carbofuran to

be used on cotton to control cotton aphid. July 7, 1993. (CUP)

Montana

68. *EPA SLN No. MT 93 0006.* FMC Corp. Registration is for Bifenthrin to be used on ornamentals to control insects. May 7, 1993.

69. *EPA SLN No. MT 93 0007.* E. I. Du Pont De Nemours & Co., Inc. Registration is for Metsulfuron Methyl to be used on pastures, etc. to control weeds. July 6, 1993.

Nebraska

70. *EPA SLN No. NE 93 0003.* Ciba-Geigy Corp. Registration is for Atrazine to be used on grass seed production to control weeds. June 8, 1993.

Nevada

71. *EPA SLN No. NV 93 0002.* Rohm & Haas Co. Registration is for Oxyfluorfen to be used on pepper spearmint to control weeds. May 6, 1993.

72. *EPA SLN No. NV 93 0003.* Wilco Distributors, Inc. Registration is for Chlorophacinone to be used on orchards, fence lines to control ground squirrels. May 7, 1993.

73. *EPA SLN No. NV 93 0004.* Gowan Co. Registration is for Endosulfan to be used on seed alfalfa to control alfalfa aphid. June 5, 1993.

74. *EPA SLN No. NV 93 0005.* Zeneca, Inc. Registration is for Paraquat Diquat Dibromide to be used on alfalfa to control desiccation. July 2, 1993. (CUP)

New Jersey

75. *EPA SLN No. NJ 93 0002.* FMC Corp. Registration is for Carbofuran to be used on cucurbits to control cucumber beetles. June 5, 1993.

76. *EPA SLN No. NJ 93 0003.* FMC Corp. Registration is for Clomazone to be used on winter squash to control weeds and grasses. June 7, 1993.

77. *EPA SLN No. NJ 93 0004.* FMC Corp. Registration is for Carbofuran to be used on peppers to control flea beetles and thrips. June 3, 1993.

78. *EPA SLN No. NJ 93 0005.* U C B Chemicals Corp. Registration is for Carbamate Wdg to be used on cranberries to control fairy ring disease. June 8, 1993. (CUP)

79. *EPA SLN No. NJ 93 0006.* Gowan Co. Registration is for Cryolite to be used on potatoes to control Colorado potato beetle. June 10, 1993.

New Mexico

80. *EPA SLN No. NM 93 0002.* Valent U.S.A. Corp. Registration is for Acephate to be used on peanut to control thrips. April 10, 1993.

New York

81. *EPA SLN No. NY 93 0004.* E.I. Du Pont De Nemours & Co., Inc. Registration is for Harmony Extra Herbicide to be used on wheat and barley to control weeds. April 6, 1993.

82. *EPA SLN No. NY 93 0005.* E.I. Du Pont De Nemours & Co., Inc. Registration is for Tribenuron to be used on wheat and barley to control broadleaf weeds. April 6, 1993.

83. *EPA SLN No. NY 93 0006.* Zeneca, Inc. Registration is for Diquat Dibromide to be used on outflow ponds and ditches to control weeds. May 9, 1993.

North Carolina

84. *EPA SLN No. NC 93 0002.* FMC Corp. Registration is for Clomazone to be used on sweet potatoes to control weeds and grasses. May 3, 1993.

85. *EPA SLN No. NC 93 0003.* Valent U.S.A. Corp. Registration is for Acephate to be used on peanuts to control thrips. May 1, 1993.

86. *EPA SLN No. NC 93 0004.* BASF Corp. Registration is for Sethoxydim to be used on tobacco to control weeds and grasses. May 7, 1993.

North Dakota

87. *EPA SLN No. ND 93 0002.* Rohm & Haas Co. Registration is for Oxyfluorfen to be used on shelter belts/wind breaks to control weeds. April 2, 1993.

88. *EPA SLN No. ND 93 0003.* Miles, Inc. Registration is for Metribuzin to be used on lentils and field peas to control broadleaf weeds. May 6, 1993.

89. *EPA SLN No. ND 93 0004.* Miles, Inc. Registration is for Metribuzin to be used on dry field peas to control weeds. May 8, 1993.

90. *EPA SLN No. ND 93 0005.* Miles, Inc. Registration is for Metribuzin to be used on lentils and field peas to control weeds. May 8, 1993.

91. *EPA SLN No. ND 93 0006.* Miles, Inc. Registration is for Metribuzin to be used on field peas to control weeds. May 8, 1993.

92. *EPA SLN No. ND 93 0007.* Zeneca, Inc. Registration is for Diquat Dibromide to be used on potatoes to control desiccation. July 5, 1993.

Ohio

93. *EPA SLN No. OH 93 0004.* FMC Corp. Registration is for Clomazone to be used on winter squash to control broadleaf weeds and grasses. May 7, 1993.

Oklahoma

94. *EPA SLN No. OK 93 0004.* Ciba-Geigy Corp. Registration is for Atrazine/Metolachlor to be used on buffalograss and bermuda grass to control weeds. May 7, 1993.

95. *EPA SLN No. OK 93 0005.* Ciba-Geigy Corp. Registration is for Atrazine/Metolachlor to be used on buffalograss and bermuda grass to control weeds. May 7, 1993.

96. *EPA SLN No. OK 93 0006.* Monsanto Agricultural Co. Registration is for Alachlor to be used on grain sorghum to control weeds and grasses. May 6, 1993.

97. *EPA SLN No. OK 93 0007.* Monsanto Agricultural Co. Registration is for Alachlor to be used on grain sorghum to control weeds and grasses. May 7, 1993.

98. *EPA SLN No. OK 93 0008.* Monsanto Agricultural Co. Registration is for Alachlor to be used on grain sorghum to control weeds and grasses. May 6, 1993.

99. *EPA SLN No. OK 93 0009.* FMC Corp. Registration is for Carbofuran to be used on cucurbits to control cucumber beetles. June 5, 1993.

100. *EPA SLN No. OK 93 0010.* FMC Corp. Registration is for Carbofuran to be used on cotton foliar application to control cotton aphid. July 8, 1993. (CUP)

Oregon

101. *EPA SLN No. OR 93 0001.* American Cyanamid Co. Registration is for Pendimethalin to be used on alfalfa seed production to control weeds. July 8, 1993.

102. *EPA SLN No. OR 93 0002.* American Cyanamid Co. Registration is for Pendimethalin to be used on carrots for seed production to control weeds. July 8, 1993.

103. *EPA SLN No. OR 93 0003.* Platte Chemical Co., Inc. Registration is for Petroleum oil to be used on caneberries to control aphids, mites, etc. July 3, 1993.

Pennsylvania

104. *EPA SLN No. PA 78 0008.* E.I. Du Pont De Nemours & Co., Inc. Registration is for Benlate to be used on cherries, peaches, and plums to control brown rot and peach scab. May 7, 1993.

105. *EPA SLN No. PA 93 0001.* FMC Corp. Registration is for Clomazone to be used on squash (winter) to control broadleaf weeds and grasses. April 6, 1993.

106. *EPA SLN No. PA 93 0002.* E.I. Du Pont De Nemours & Co., Inc. Registration is for Methomyl to be used on peaches and nectarines to control western flower thrip. April 3, 1993.

107. *EPA SLN No. PA 93 0003.* Sandoz Agro, Inc. Registration is for Fluvalinate to be used on seed potatoes to control aphids, thrips, etc. April 4, 1993.

108. *EPA SLN No. PA 93 0004.* Valent U.S.A. Corp. Registration is for Acephate to be used on greenhouse-grown potatoes to control aphids and thrips. May 5, 1993.

109. *EPA SLN No. PA 93 0005.* Gowan Co. Registration is for Cryolite to be used on potatoes to control potato beetles. June 9, 1993.

South Carolina

110. *EPA SLN No. SC 93 0003.* BASF Corp. Registration is for Basamid granular to be used on soil to control witchweed. April 10, 1993.

South Dakota

111. *EPA SLN No. SD 93 0001.* Rohm & Haas Co. Registration is for Propanil to be used on oats to control foxtail seedling. April 6, 1993.

112. *EPA SLN No. SD 93 0002.* Sandoz Agro, Inc. Registration is for Dicamba to be used on wheat preharvest to control annual weeds. July 6, 1993.

Tennessee

113. *EPA SLN No. TN 93 0006.* Zeneca, Inc. Registration is for Molinate to be used on rice to control weeds and grasses. April 9, 1993.

114. *EPA SLN No. TN 93 0007.* Zeneca, Inc. Registration is for Molinate to be used on rice to control weeds and grasses. April 9, 1993.

115. *EPA SLN No. TN 93 0008.* Hoechst Celanese. Registration is for Diclofop-methyl to be used on bermudagrass turf to control goosegrass. April 2, 1993. (CUP)

116. *EPA SLN No. TN 93 0009.* FMC Corp. Registration is for Clomazone to be used on sweet potatoes to control weeds and grasses. May 4, 1993.

Texas

117. *EPA SLN No. TX 93 0004.* Soil Chemicals Corp. Registration is for Methyl Bromide to be used on structures to control termites. July 1, 1993. (CUP)

118. *EPA SLN No. TX 93 0005.* FMC Corp. Registration is for Bifenthrin to be used on conifer seed orchard to control cone seed worms. July 1, 1993.

119. *EPA SLN No. TX 93 0008.* FMC Corp. Registration is for Carbofuran to be used on cucurbits to control cucumber beetles. April 8, 1993.

120. *EPA SLN No. TX 93 0009.* Valent U.S.A. Corp. Registration is for Clethodim to be used on cotton to control volunteer sorghum. May 7, 1993.

121. *EPA SLN No. TX 93 0010.* E.I. Du Pont De Nemours & Co., Inc. Registration is for Oxamyl to be used on carrots to control carrot weevils. May 7, 1993.

122. *EPA SLN No. TX 93 0011.* FMC Corp. Registration is for Carbofuran to be used on sugar beets and peppers to control insects. May 8, 1993.

123. *EPA SLN No. TX 93 0012.* FMC Corp. Registration is for Clomazone to be used on sweet potatoes to control grasses and weeds. June 9, 1993.

124. *EPA SLN No. TX 93 0013.* Zeneca, Inc. Registration is for Diquat Dibromide to be used on bermudagrass to control emerged weeds. June 9, 1993.

125. *EPA SLN No. TX 93 0014.* Zeneca, Inc. Registration is for Paraquat to be used on tank mix accelerate to control cotton desiccation. June 9, 1993.

126. *EPA SLN No. TX 93 0015.* U.S. Dept of Agriculture Registration is for Sodium Nitrate to be used on dens on range and crops to control red fox. June 4, 1993.

127. *EPA SLN No. TX 93 0016.* FMC Corp. Registration is for Carbofuran to be used on cotton to control cotton aphid. June 10, 1993. (CUP)

128. *EPA SLN No. TX 93 0017.* Miles, Inc. Registration is for Metribuzin to be used on corn to control weeds postemergence. July 8, 1993.

Utah

129. *EPA SLN No. UT 93 0001.* Riverside/Terra Corp. Registration is for Dimethoate to be used on cherries to control cherry fruit fly. April 6, 1993. (CUP)

130. *EPA SLN No. UT 93 0002.* U.S. Dept. of Agriculture. Registration is for Sodium Nitrate to be used on dens to control coyotes and red foxes. May 7, 1993.

131. *EPA SLN No. UT 93 0003.* Drew Industrial Division. Registration is for Terbuthylazine to be used on wastewater ponds to control algae. June 3, 1993.

Virginia

132. *EPA SLN No. VA 93 0003.* FMC Corp. Registration is for Clomazone to be used on cotton to control weeds. May 2, 1993.

133. *EPA SLN No. VA 93 0004.* FMC Corp. Registration is for Clomazone to be used on winter squash to control weeds and grasses. April 3, 1993.

134. *EPA SLN No. VA 93 0005.* Valent U.S.A. Corp. Registration is for Acephate to be used on peanuts to control thrips. May 7, 1993.

135. *EPA SLN No. VA 93 0006.* Zeneca, Inc. Registration is for Paraquat Dichloride to be used on tomatoe vine to control post harvest desiccation. June 6, 1993.

136. *EPA SLN No. VA 93 0007.* Isk Biotech Corp. Registration is for Chlorothalonil to be used on peaches and nectarines to control scab. June 3, 1993.

137. *EPA SLN No. VA 93 0008.* Miles, Inc. Registration is for Metribuzin to be used on field corn to control weeds. June 2, 1993.

138. *6EPA SLN No. VA 93 0009.* FMC Corp. Registration is for Clomazone to be used on sweet potatoes to control grass and broadleaf weeds. June 2, 1993.

Washington

139. *EPA SLN No. WA 93 0006.* E.I. Du Pont De Nemours & Co., Inc. Registration is for Metsulfuron Methyl to be used on Hanford testing site to control broadleaf weeds. April 6, 1993. (CUP)

140. *EPA SLN No. WA 93 0008.* FMC Corp. Registration is for Bifenthrin to be used on parsley seed to control spider mites, aphids, etc. April 6, 1993.

141. *EPA SLN No. WA 93 0009.* FMC Corp. Registration is for Bifenthrin to be used on parsnip seed to control spider mites and aphids. April 6, 1993.

142. *EPA SLN No. WA 93 0010.* Platte Chemical Co., Inc. Registration is for Phorate to be used on hops to control aphids. April 6, 1993.

143. *EPA SLN No. WA 93 0011.* Nor-Am Chemical Co. Registration is for Ethofumesate to be used on spinach grown for seed to control weeds. April 2, 1993.

144. *EPA SLN No. WA 93 0012.* Zeneca, Inc. Registration is for Diquat Dibromide to be used on potatoes to control potato plant dessication. May 3, 1993.

145. *EPA SLN No. WA 93 0013.* Zeneca, Inc. Registration is for Diquat Dibromide to be used on carrots and turnips to control desiccation of foliage. May 3, 1993

146. *EPA SLN No. WA 93 0014.* Zeneca, Inc. Registration is for Paraquat Dichloride to be used on hops to control suckering weeds. April 5, 1993.

147. *EPA SLN No. WA 93 0015.* Riverside/Terra Corp. Registration is for Methyl Parathion to be used on canola/rapeseed to control flea beetle, etc. April 6, 1993. (CUP)

148. *EPA SLN No. WA 93 0016.* Wilbur Ellis Co. Registration is for Diazinon to be used on cranberries to control blackheaded fireworm. May 8, 1993.

149. *EPA SLN No. WA 93 0017.* Isk Biotech Corp. Registration is for Maneb/Chlorothalinol to be used on bulbing ornamentals to control diseases. June 9, 1993.

150. *EPA SLN No. WA 93 0018.* Platte Chemical Co., Inc. Registration is for Malathion Methoxychl concentrated spray to be used on orchards to control insects. June 10, 1993.

151. *EPA SLN No. WA 93 0019.* Zeneca, Inc. Registration is for Cycloate to be used on preplant spinach to control weeds. July 8, 1993.

West Virginia

152. *EPA SLN No. WV 93 0001.* Miles, Inc. Registration is for Cyfluthrin to be used on lawns and turf to control cicada killer. June 1, 1993. (CUP)

153. *EPA SLN No. WV 93 0002.* Miles, Inc. Registration is for Cyfluthrin to be used on lawns and turf to control cicada killer. June 1, 1993. (CUP)

154. *EPA SLN No. WV 93 0003.* E.I. Du Pont De Nemours & Co., Inc. Registration is for Methomyl to be used on nectarines and peaches to control thrips. June 2, 1993.

Wisconsin

155. *EPA SLN No. WI 93 0001.* Platte Chemical Co., Inc. Registration is for Diazinon to be used on cranberries to control cranberry girdler. April 1, 1993. (CUP)

156. *EPA SLN No. WI 93 0002.* Zeneca, Inc. Registration is for Diquat Dibromide to be used on rivers, canals, and streams to control aquatic weeds. April 9, 1993.

157. *EPA SLN No. WI 93 0003.* Novo Nordisk. Registration is for Foray 48b to be used on forests, trees, and shrubs to control gypsy moth. May 1, 1993.

158. *EPA SLN No. WI 93 0004.* Ciba-Geigy Corp. Registration is for Triforene to be used on cranberries to control cotton ball. May 1, 1993.

Wyoming

159. *EPA SLN No. WY 93 0002.* E.I. Du Pont De Nemours & Co., Inc. Registration is for Metsulfuron Methyl to be used on rangeland and pastures to control seaside arrowgrass. June 4, 1993.

List of Subjects

Environmental protection, Agricultural commodities, Pesticides and pests, State registrations.

Dated: September 17, 1993.

Allan S. Abramson,

Director, Program Management Support Division, Office of Prevention, Pesticides and Toxic Substances.

[FR Doc. 93–24059 Filed 9–29–93; 8:45 am]

BILLING CODE 6560–50–F

[OPPTS–51822; FRL–4647–6]

Certain Chemicals; Premanufacture Notices

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Section 5(a)(1) of the Toxic Substances Control Act (TSCA) requires any person who intends to manufacture or import a new chemical substance to submit a premanufacture notice (PMN) to EPA at least 90 days before manufacture or import commences. Statutory requirements for section 5(a)(1) premanufacture notices are discussed in the final rule published in the **Federal Register** of May 13, 1983 (48 FR 21722). This notice announces receipt of 60 such PMNs and provides a summary of each.

DATES: Close of review periods:

P 93–1041, August 17, 1993.
P 93–1042, August 18, 1993.
P 93–1043, August 17, 1993.
P 93–1044, 93–1045, August 15, 1993.
P 93–1046, 93–1047, 93–1048, 93–1049, August 18, 1993.
P 93–1050, 93–1051, 93–1052 93–1053, August 21, 1993.
P 93–1054, 93–1055, 93–1056, 93–1057, 93–1058, 93–1059, 93–1060, 93–1061, 93–1062, 93–1063, August 22, 1993.
P 93–1064, 93–1065, 93–1066, 93–1067, 93–1068, 93–1069, 93–1070, 93–1071, 93–1072, 93–1073, 93–1074, August 24, 1993.
P 93–1075, 93–1076, 93–1077, 93–1078, August 25, 1993.
P 93–1079, 93–1080, 93–1081, 93–1082, 93–1083, 93–1084, 93–1085, 93–1086, August 29, 1993.
P 93–1087, 93–1088, 93–1089, 93–1090, 93–1091, 93–1092, 93–1093, 93–1094, August 30, 1993.
P 93–1095, September 7, 1993.
P 93–1096, August 30, 1993.
P 93–1097, August 31, 1993.
P 93–1098, 93–1099, 93–1100, August 30, 1993.

Written comments by:

P 93–1041, July 18, 1993.
P 93–1042, July 19, 1993.
P 93–1043, July 18, 1993.
P 93–1044, 93–1045, July 16, 1993.
P 93–1046, 93–1047, 93–1048, 93–1049, July 19, 1993.
P 93–1050, 93–1051, 93–1052, 93–1053, July 22, 1993.
P 93–1054, 93–1055, 93–1056, 93–1057, 93–1058, 93–1059, 93–1060, 93–1061, 93–1062, 93–1063, July 23, 1993.
P 93–1064, 93–1065, 93–1066, 93–1067, 93–1068, 93–1069, 93–1070, 93–1071, 93–1072, 93–1073, 93–1074 July 25, 1993.
P 93–1075, 93–1076, 93–1077, 93–1078, July 26, 1993.
P 93–1079, 93–1080, 93–1081, 93–1082, 93–1083, 93–1084, 93–1085, 93–1086, July 30, 1993.
P 93–1087, 93–1088, 93–1089, 93–1090, 93–1091, 93–1092, 93–1093, 93–1094, July 31, 1993.
P 93–1095, August 8, 1993.
P 93–1096, July 31, 1993.
P 93–1097, August 1, 1993.
P 93–1098, July 31, 1993.
P 93–1099, August 8, 1993.
P 93–1100, August 1, 1993.

ADDRESSES: Written comments, identified by the document control number "[OPPTS–51822]" and the specific PMN number should be sent to: Document Control Center (TS–790), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 401 M St., SW., Rm. ETG 9, Washington, DC, 20460, (202) 260–3532.

FOR FURTHER INFORMATION CONTACT: Susan Hazen, Director, Environmental Assistance Division (TS–799), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. E–545, 401 M St., SW., Washington, DC, 20460 (202) 554–1404, TDD (202) 554–0551.

SUPPLEMENTARY INFORMATION: The following notice contains information extracted from the nonconfidential version of the submission provided by the manufacturer on the PMNs received by EPA. The complete nonconfidential document is available in the TSCA Nonconfidential Information Center, (NCIC) ETG–102 at the above address between 8 a.m. and noon and 1 p.m. and 4 p.m., Monday through Friday, excluding legal holidays.

P 93–1041

Manufacturer. Henkel Corporation.

Chemical. (G) Alkyl alkoxylate epoxide.

Use/Production. (G) Rheology modifier for coating, inks and adhesives. Prod. range: Confidential.

P 93–1042

Manufacturer. Confidential.

Chemical. (G) Polyether polyurethane acrylate oligomer.

Use/Production. (S) Radiation curable resin for coatings, inks, and adhesives. Prod. range: Confidential.

P 93–1043

Manufacturer. Kwik-Mark, Inc.

Chemical. (G) Plasticized sulfur mixture.

Use/Production. (G) Paint filler. Prod. range: 4,000,000–20,000,000 kg/yr.

P 93–1044

Importer. Hoechst Celanese Corporation.

Chemical. (G) Cationic polymer made from styrene, perfluoroethylacrylate, aminofunctional acrylate, alkylating agent, alkylacrylate and hydroxyalkyl acrylate.

Use/Import. (G) Textile chemical for hydrophobation and oleophobation. Import range: Confidential.

P 93–1045

Importer. Confidential.

Chemical. (G) Alkoxylated alkyl phenol amino alkyl ether.
Use/Import. (G) Gasoline additive. Import range: Confidential.

P 93–1046

Importer. Confidential.
Chemical. (G) Substituted polyoxtyethylene salt.
Use/Import. (S) Emulsifier for paint adhesive. Import range: Confidential.

P 93–1047

Importer. Fosroc Inc.
Chemical. (G) Formulated amine.
Use/Import. (G) Surface coating. Import range: Confidential.

P 93–1048

Manufacturer. Confidential.
Chemical. (G) Rosin-modified alkyd resin.
Use/Production. (G) Surface coating. Prod. range: Confidential.

P 93–1049

Manufacturer. Confidential.
Chemical. (G) High solids baking polyester.
Use/Production. (S) Baking finishes with melamine resins. Prod. range: Confidential.

P 93–1050

Manufacturer. Confidential.
Chemical. (G) Powder coating polyester resin.
Use/Production. (S) Powder coatings. Prod. range: Confidential.

P 93–1051

Importer. Reichhold Chemicals, Inc.
Chemical. (G) Polyurethane prepolymer.
Use/Import. (G) Intermediate for adhesives. Import range: Confidential.

P 93–1052

Manufacturer. Reichhold Chemicals, Inc.
Chemical. (G) Polyurethane adhesive.
Use/Production. (G) Hot melt adhesive. Prod. range: Confidential.

P 93–1053

Importer. Jowat Corporation.
Chemical. (G) Moisture curing polyurethane.
Use/Import. (S) Moisture curing hot melt for binding wood.Prod. range:

P 93–1054

Manufacturer. Huls America, Inc.
Chemical. (G) *N*-Propyl cyanoacetate.
Use/Production. (S) Cyanoacrylate adhesive. Prod. range: Confidential.

P 93–1055

Importer. Huls America, Inc.
Chemical. (G) Polyester of aromatic polybasic acids and alkanediols.
Use/Import. (S) Resin for use in coatings for metal cans. Import range: 20,000–50,000 kg/yr.

P 93–1056

Importer. Huls America, Inc.
Chemical. (G) Polyester of aryl and alkyl dicarboxylic acids/anhydrides and cyclic diol.
Use/Import. (S) Resin for use as binder in coil coatings. Import range: Confidential.

P 93–1057

Manufacturer. Olin Corporation.
Chemical. (G) Salt of mono and di-dodecyl phenoxy benzene sulfonic acid.
Use/Production. (G) Surfactant for use in textile processing. Prod. range: Confidential.

P 93–1058

Manufacturer. Confidential.
Chemical. (G) Alkanoic acids.
Use/Production. (G) Closed, destructive use in the on-site production of a PMN chemical substance. Prod. range: Confidential.

P 93–1059

Manufacturer. Confidential.
Chemical. (G) Alkanoic acids.
Use/Production. (G) Closed, destructive use in the on-site production of a PMN chemical substance. Prod. range: Confidential.

P 93–1060

Manufacturer. Confidential.
Chemical. (G) Alkanoic acid copolymer.
Use/Production. (G) Open, nondispersive use for packaging, fabric, and devices. Prod. range: Confidential.

P 93–1061

Manufacturer. Confidential.
Chemical. (G) Substituted alkanoic acid polymer.
Use/Production. (G) Open, nondispersive use for packaging, fabric, and devices. Prod. range: Confidential.

P 93–1062

Manufacturer. Confidential.
Chemical. (G) Substituted alkanoic acid/lactone polymer.
Use/Production. (G) Open, nondispersive use for packaging, fabric, and devices. Prod. range: Confidential.

P 93–1063

Manufacturer. Confidential.
Chemical. (G) Alkanoic acid/lactone copolymer.
Use/Production. (G) Open, nondispersive use for packaging, fabric, and devices. Prod. range: Confidential.

P 93–1064

Manufacturer. Confidential.
Chemical. (G) Acid functional polyester resin.
Use/Production. (G) Component of dispersively applied coating. Prod. range: 10,000–250,000 kg/yr.

P 93–1065

Manufacturer. Confidential.
Chemical. (G) Acid functional polyester resin.
Use/Production. (G) Component of dispersively applied coating. Prod. range: 10,000–250,000 kg/yr.

P 93–1066

Manufacturer. Confidential.
Chemical. (G) Acid functional polyester resin.
Use/Production. (G) Component of dispersively applied coating. Prod. range: 10,000–250,000 kg/yr.

P 93–1067

Manufacturer. Confidential.
Chemical. (G) Acid functional polyester resin.
Use/Production. (G) Component of dispersively applied coating. Prod. range: 10,000–250,000 kg/yr.

P 93–1068

Manufacturer. Confidential.
Chemical. (G) Acid functional polyester resin.
Use/Production. (G) Component of dispersively applied coating. Prod. range: 10,000–250,000 kg/yr.

P 93–1069

Manufacturer. Confidential.
Chemical. (G) Isocyanate reaction products with cyclic amine.
Use/Production. (G) Lubricant additive. Prod. range: Confidential.

P 93–1070

Manufacturer. Confidential.
Chemical. (G) Isocyanate reaction products with cyclic amine.
Use/Production. (G) Lubricant additive. Prod. range: Confidential.

P 93–1071

Manufacturer. Confidential.
Chemical. (G) Isocyanate reaction products with cyclic amine.
Use/Production. (G) Lubricant additive. Prod. range: Confidential.

P 93–1072

Manufacturer. Confidential.
Chemical. (G) Coating for open, nondispersive use in orginal equipment manufacture.
Use/Production. (G) Lubricant additive. Prod. range: Confidential.

P 93–1073

Manufacturer. Confidential.
Chemical. (G) Acrylic copolymer.

Use/Production. (G) Lubricant additive. Prod. range: Confidential.

P 93–1074

Importer. Mitsubishi Gas Chemical America, Inc.

Chemical. (S) Formaldehyde, polymer with chloromethyloxirane phenol and m-xylene.

Use/Importer. (S) Heat resistance molding and friction materials Import range: 10,000–15,000 kg/yr.

P 93–1075

Manufacturer. Confidential.

Chemical. (G) Siloxanes and silicones, diMe, bis(dialkyetoximino) stopped.

Use/Production. (G) RTV silicone sealant. Prod. range: Confidential.

P 93–1076

Importer. Confidential.

Chemical. (G) Fatty acid amide.

Use/Import. (S) Wet waxing agent and softener for bleached/dyed yarn. Import range: Confidential.

P 93–1077

Importer. Confidential.

Chemical. (G) Polyurethane aqueous dispersion.

Use/Import. (G) Open, nondispersive. Import range: Confidential.

P 93–1078

Importer. Newport Adhesives & Composites, Inc.

Chemical. (G) Epoxy prepolymer.

Use/Import. (G) Open, nondispersive use. Import range: Confidential.

P 93–1079

Manufacturer. Confidential.

Chemical. (G) Oxoaluminum fatty acid complex.

Use/Production. (G) Grease/printing ink additive. Prod. range: Confidential.

P 93–1080

Manufacturer. Confidential.

Chemical. (G) Oxoaluminum acrylate complex.

Use/Production. (G) Grease/printing ink additive. Prod. range: Confidential.

P 93–1081

Manufacturer. Confidential.

Chemical. (G) Oxoaluminum acrylate complex.

Use/Production. (G) Grease/printing ink additive. Prod. range: Confidential.

P 93–1082

Manufacturer. Minnesota Mining and Manufacturing Co.

Chemical. (G) Treated vermiculite.

Use/Production. (S) Intuumescent high temperature mat for automotive catalyst converter. Prod. range: Confidential.

P 93–1083

Manufacturer. Confidential.

Chemical. (G) Acrylic polymer.

Use/Production. (G) Diaquatic beads. Prod. range: Confidential.

P 93–1084

Manufacturer. Confidential.

Chemical. (G) Lithium carboxylate soap.

Use/Production. (G) Lubricating grease thickner. Prod. range: Confidential.

P 93–1085

Manufacturer. Confidential.

Chemical. (G) Poly amine poly amide.

Use/Production. (G) Fiberglass lubricant. Prod. range: Confidential.I95P 93–1086

Importer. Confidential.

Chemical. (G) Poly-B-fluoroalkylethyl acrylate and polyoxyalkyl ethacrylate.

Use/Import. (G) Soil release agent for textile. Import range: 1,000–20,000 kg/yr.

P 93–1087

Manufacturer. Confidential.

Chemical. (G) Oil modified polyurethane.

Use/Production. (S) Chemical intermediate. Prod. range: Confidential.

P 93–1088

Manufacturer. Confidential.

Chemical. (G) Alkyl trihlorosilane.

Use/Production. (S) Chemical intermediate. Prod. range: Confidential.

P 93–1089

Manufacturer. Confidential.

Chemical. (G) Aqueous polyurethane-acrylic interpenetrating polymer network.

Use/Production. (G) Highly dispersive use. Prod. range: Confidential.

P 93–1090

Manufacturer. Confidential.

Chemical. (G) Aqueous polyurethane-acrylic interpenetrating polymer network.

Use/Production. (G) Highly dispersive use. Prod. range:

P 93–1091

Manufacturer. Confidential.

Chemical. (G) Polycarbonate urethane resin.

Use/Production. (G) Highly dispersive use. Prod. range: Confidential.

P 93–1092

Manufacturer. Confidential.

Chemical. (G) Waterbone polycarbonate urethane resin.

Use/Production. (G) Highly dispersive use. Prod. range: Confidential.

P 93–1093

Manufacturer. Confidential.

Chemical. (G) Waterborne polycarbonate urethane resin.

Use/Production. (G) Highly dispersive use. Prod. range: Confidential.

P 93–1094

Manufacturer. Confidential.

Chemical. (G) Waterborne polycarbonate urethane resin.

Use/Production. (G) Highly dispersive use. Prod. range: Confidential.

P 93–1095

Manufacturer. Allied Signal Inc.

Chemical. (S) Ethylene-acrylic and copolymer, siloxanes and silicones, 3-aminopropylmethyl laurylmethyl methyl 2-phenylpropyl.

Use/Production. (G) Plastics lubricant. Prod. range: Confidential.

P 93–1096

Manufacturer. Eastman Chemical Company.

Chemical. (S) 2-Butanone, condensation product with formaldehyde, dehydrated, hydrogenated, distillation residues.

Use/Production. (S) Fuel enchancer, wood protection solvent, and general-run solvent. Prod. range: Confidential.

P 93–1097

Manufacturer. GE Silcones.

Chemical. (G) Siloxanes and silicones, dialkyl,*Me* hydrogen, eaction product with siloxanes and silicones, dialkyl, vinyl group terminated.

Use/Production. (S) Fuel enchancer, wood protection solvent, and general-run solvent. Prod. range: Confidential.

P 93–1098

Importer. Harcros Chemicals Inc.

Chemical. (G) Phosphonic acid esters.

Use/Import. (S) The chemical substances will be a constituent of liquid mixed metal soap products for the stabilization. Import range: 1,000–5,000 kg/yr.

P 93–1099

Importer. Confidential.

Chemical. (G) Mixed alkoxyalkyl aryl organophosphite esters.

Use/Import. (S) The chemical substances will be a constituent of liquid mixed metal soap products for the stabilization. Import range: 1,000–5,000 kg/yr.

P 93–1100

Manufacturer. Catalyst Resources, Inc.

Chemical. (G) A magnesium, titanium organo-complex compond.

Use/Production. (S) Polypropylene manufacturing catalyst. Prod. range: Confidential.

List of Subjects

Environmental protection, Premanufacture notification.

Dated: September 23, 1993.

Frank V. Caesar,

Acting Director, Information Management Division, Office of Pollution Prevention and Toxics.

[FR Doc. 93–24058 Filed 9–29–93; 8:45 am]

BILLING CODE 6560–50–F

FEDERAL COMMUNICATIONS COMMISSION

[DA 93–1096]

Additional VHF Channels for Aircraft Use

ACTION: Notice of waiver.

SUMMARY: The Order provides additional VHF channels for aircraft use during environmental emergencies in Alaska. This action was in response to a request from the Alyeska Pipeline Service Company. It will increase Alyeska's capability to respond rapidly and efficiently to oil spill and other environmental emergencies.

EFFECTIVE DATE: September 3, 1993.

FOR FURTHER INFORMATION CONTACT: Roger Noel, Federal Communications Commission, Washington, DC 20554, (202) 632–7175.

SUPPLEMENTARY INFORMATION:

Order

In the Matter of Waiver of the Aviation Service Rules (Part 87) to Provide Additional VHF Channels for Aircraft Use During Environmental Emergencies in Alaska.

Adopted: September 3, 1993; Released: September 14, 1993.

By the Chief, Private Radio Bureau:

1. The Alyeska Pipeline Service Company (Alyeska), has requested a waiver of part 87 of the Commission's Rules, 47 CFR part 87, to permit the use of certain marine VHF frequencies by five aircraft stations operating in the vicinity of Valdez within Prince William Sound, Alaska. Alyeska states that under the terms of an emergency order by the State of Alaska's Department of Environmental Conservation, it must have the capability to respond rapidly and efficiently to any oil spill or emergency situation. As a result, Alyeska plans to establish a telecommunications system which will include its private coast station WAB 890, emergency/oil spill related vessels, oil tankers, escort vessels and a fleet of five aircraft in order to support general navigation, safety operations and oil spill clean-up during emergencies and routine drill exercises.

2. Alyeska's private coast station, WAB 890, and all associated ship stations are authorized to operate on seven marine VHF channels.[1] Under the Commission's Rules, however, only three of these channels may be utilized by aircraft stations.[2] Alyeska argues that in order to ensure an effective emergency response, all stations involved in a clean-up operation must have the capability to communicate on all seven channels.

Accordingly, Alyeska asks for a waiver of Section 87.187(1) of the Commission's Rules, 47 CFR 87.187(1),[3] to allow its fleet of five aircraft to operate on the four remaining marine VHF channels as a part of Alyeska's proposed emergency telecommunications system.

3. We believe that this request has merit. The seven marine VHF frequencies in question are available to Alyeska on a shared basis with other private coast stations and commercial vessels in Prince William Sound, Alaska. Therefore, increasing the number of channels available to communicate with associated aircraft should provide Alyeska more flexibility to efficiently handle the communications between various entities participating in the clean-up effort, minimize congestion among commercial marine VHF channels, and promote safety at sea. Further, allowing the use of such alternate channels is in accordance with Appendix 18 of the international Radio Regulations (1990, Geneva) which permits communication between aircraft and ship/land stations on the requested frequencies.

4. This Order provides an indefinite waiver of Section 87.187(1) of the Commission's Rules, 47 CFR 87.187(1), to permit Alyeska's fleet of five aircraft to use marine VHF channels 7A, 10, 19A, and 80A within Prince William Sound, Alaska, during environmental emergencies and routine drill exercises. Operation under the terms of this waiver must be in accordance with the requirements found in 47 CFR 80.379(b)(5). Additionally, the aircraft stations must utilize transmitters which have been type accepted for use in the maritime services (47 CFR part 80).

[1] Private coast station WAB 890 and all associated ship stations are authorized to operate on the following marine VHF channels: 156.35 MHz (channel 7A), 156.45 MHz (channel 9A), 156.50 MHz (channel 10), 156.80 MHz (channel 16), 156.90 MHz (channel 18A), 156.95 (channel 19A), and 157.025 MHz (channel 80A).

[2] The following marine VHF channels are available to private coast station WAB 890, all associated ship stations, and aircraft stations: 156.45 MHz (channel 9), 156.80 MHz (channel 16), and 156.90 MHz (channel 18A).

[3] 47 CFR 87.187(1) lists the frequencies which are available to aircraft stations for communications with stations in the maritime service.

5. *It is therefore ordered* that, pursuant to the authority contained in Sections 0.331 and 1.3 of the Commission's Rules, 47 CFR §§ 0.331 and 1.3, that Section 87.187(1) of the Commission's Rules, 47 CFR § 87.187(1) is waived for an indefinite period to the extent that Alyeska may obtain a fleet license, authorizing five aircraft stations to operate on 156.35 MHz, 156.50 MHz, 156.95 MHz and 157.025 MHz in order to communicate with private coast station WAB 890 and associated ship stations in the vicinity of Valdez within Prince William Sound, Alaska. This Order is effective on the date adopted and may be terminated at any time without a hearing if, in the Commission's discretion, the need for such action arises.

Federal Communications Commission.

Ralph A. Haller,

Chief, Private Radio Bureau.

[FR Doc. 93–23871 Filed 9–29–93; 8:45 am]

BILLING CODE 6712–01–M

FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA–996–DR]

Iowa; Amendment to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the State of Iowa, (FEMA–996–DR), dated July 9, 1993, and related determinations.

EFFECTIVE DATE: September 21, 1993.

FOR FURTHER INFORMATION CONTACT: Pauline C. Campbell, Disaster Assistance Programs, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–3606.

SUPPLEMENTARY INFORMATION: The notice of a major disaster for the State of Iowa dated July 9, 1993, is hereby amended to include the following areas among those areas determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of July 9, 1993:

Adams, Appanoose, Bremer, Butler, Calhoun, Cerro Gordo, Chickasaw, Delaware, Floyd, Grundy, Hardin, Howard, Humboldt, Marion, Mitchell, O'Brien, Pocahontas, Sac, Washington, Winnebago, and Wright Counties for Public Assistance. (Already designated for Individual Assistance.)

(Catalog of Federal Domestic Assistance No. 83.516, Disaster Assistance.)

Laurence W. Zensinger,

Chief, Public Assistance Division, Disaster Assistance Programs, State and Local Programs and Support.

[FR Doc. 93–24017 Filed 9–29–93; 8:45 am]

BILLING CODE 6718–02–M

[FEMA–997–DR]

Illinois; Amendment to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the State of Illinois, (FEMA–997–DR), dated July 9, 1993, and related determinations.

EFFECTIVE DATE: September 21, 1993.

FOR FURTHER INFORMATION CONTACT: Pauline C. Campbell, Disaster Assistance Programs, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–3606.

SUPPLEMENTARY INFORMATION: Notice is hereby given that the incident period for Cass County is reopened. The incident period for this county is April 13, 1993, and continuing.

(Catalog of Federal Domestic Assistance No. 83.516, Disaster Assistance.)

Laurence W. Zensinger,

Chief, Public Assistance Division, Disaster Assistance Programs, State and Local Programs and Support.

[FR Doc. 93–24016 Filed 9–29–93; 8:45 am]

BILLING CODE 6718–02–M

[FEMA–1002–DR]

Indiana; Amendment to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the State of Indiana, (FEMA–1002–DR), dated September 9, 1993, and related determinations.

EFFECTIVE DATE: September 24, 1993.

FOR FURTHER INFORMATION CONTACT: Pauline C. Campbell, Disaster Assistance Programs, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–3606.

SUPPLEMENTARY INFORMATION: The notice of a major disaster for the State of Indiana dated September 9, 1993, is hereby amended to include the following area among those areas determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of September 9, 1993:

Morgan County for Individual Assistance.

(Catalog of Federal Domestic Assistance No. 83.516, Disaster Assistance.)

Richard W. Krimm,

Deputy Associate Director, State and Local Programs and Support.

[FR Doc. 93–24019 Filed 9–29–93; 8:45 am]

BILLING CODE 6718–02–M

[FEMA–1003–DR]

North Carolina; Amendment to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the State of North Carolina, (FEMA–1003–DR), dated September 10, 1993, and related determinations.

EFFECTIVE DATE: September 23, 1993.

FOR FURTHER INFORMATION CONTACT: Pauline C. Campbell, Disaster Assistance Programs, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–3606.

SUPPLEMENTARY INFORMATION: The notice of a major disaster for the State of North Carolina dated September 10, 1993, is hereby amended to include Public Assistance for the Cape Hatteras School determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of September 10:

Cape Hatteras School in Dare County for Public Assistance.

(Catalog of Federal Domestic Assistance No. 83.516, Disaster Assistance.)

Richard W. Krimm,

Deputy Associate Director, State and Local Programs and Support.

[FR Doc. 93–24020 Filed 9–29–93; 8:45 am]

BILLING CODE 6718–02–M

[FEMA–1001–DR]

North Dakota; Amendment to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the State of North Dakota, (FEMA–1001–DR), dated July 26, 1993, and related determinations.

EFFECTIVE DATE: September 21, 1993.

FOR FURTHER INFORMATION CONTACT: Pauline C. Campbell, Disaster Assistance Programs, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–3606.

SUPPLEMENTARY INFORMATION: Notice is hereby given that the incident period for this disaster is closed effective September 24, 1993. This incident period is effective for all counties except Stutsman, Benson, Nelson, and Ramsey. The incident period for these counties is June 22, 1993, and continuing.

(Catalog of Federal Domestic Assistance No. 83.516, Disaster Assistance.)

Laurence W. Zensinger,

Chief, Public Assistance Division, Disaster Assistance Programs, State and Local Programs and Support.

[FR Doc. 93–24018 Filed 9–29–93; 8:45 am]

BILLING CODE 6718–02–M

FEDERAL RESERVE SYSTEM

Banco Santander, S.A., et al.; Acquisitions of Companies Engaged in Permissible Nonbanking Activities

The organizations listed in this notice have applied under § 225.23(a)(2) or (f) of the Board's Regulation Y (12 CFR 225.23(a)(2) or (f)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to acquire or control voting securities or assets of a company engaged in a nonbanking activity that is listed in § 225.25 of Regulation Y as closely related to banking and permissible for bank holding companies. Unless otherwise noted, such activities will be conducted throughout the United States.

Each application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a

hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated for the application or the offices of the Board of Governors not later than October 22, 1993.

A. Federal Reserve Bank of New York (William L. Rutledge, Vice President) 33 Liberty Street, New York, New York 10045:

1. Banco Santander, S.A., Santander, Spain; to acquire Greenwich Financial Corporation and its subsidiary, Greenwich Federal Savings and Loan Association, Greenwich, Connecticut, and thereby engage in operating a savings association pursuant to § 225.25(b)(9) of the Board's Regulation Y. In connection with this application, Banco Santander's indirect bank subsidiary, Union Trust Company, Stamford, Connecticut, will acquire the assets and liabilities of Greenwich Federal Savings and Loan Association, Greenwich, Connecticut in a conversion transaction pursuant to Section 5(d)(3) of the Federal Deposit Insurance Act.

B. Federal Reserve Bank of Chicago (James A. Bluemle, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. Princeton National Bancorp, Inc., Princeton, Illinois; to acquire Heart of Illinois Investment Corp., East Peoria, Illinois, and thereby engage in operating a savings association through the acquisition of 100 percent of the Heart of Illinois Investment Corp., East Peoria, Illinois, and thereby indirectly acquiring the Heart of Illinois Bank, F.S.B., Spring Valley, Illinois, pursuant to § 225.25(b)(9) of the Board's Regulation Y.

Board of Governors of the Federal Reserve System, September 23, 1993.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 93-23948 Filed 9-29-93; 8:45 am]

BILLING CODE 6210-01-F

First Interstate Bancorp; Formation of, Acquisition by, or Merger of Bank Holding Companies; and Acquisition of Nonbanking Company

The company listed in this notice has applied under § 225.14 of the Board's Regulation Y (12 CFR 225.14) for the Board's approval under section 3 of the Bank Holding Company Act (12 U.S.C. 1842) to become a bank holding company or to acquire voting securities of a bank or bank holding company. The listed company has also applied under § 225.23(a)(2) of Regulation Y (12 CFR 225.23(a)(2)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to acquire or control voting securities or assets of a company engaged in a nonbanking activity that is listed in § 225.25 of Regulation Y as closely related to banking and permissible for bank holding companies, or to engage in such an activity. Unless otherwise noted, these activities will be conducted throughout the United States.

The application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Comments regarding the application must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than October 22, 1993.

A. Federal Reserve Bank of San Francisco (Kenneth R. Binning, Director, Bank Holding Company) 101 Market Street, San Francisco, California 94105:

1. First Interstate Bancorp, Los Angeles, California; to merge with San Diego Financial Corporation, San Diego, California, and thereby indirectly acquire San Diego Trust & Savings Bank, San Diego, California.

In connection with this application, Applicant also proposes to acquire San Diego Life Insurance Company, San Diego, California, and thereby engage in the underwriting and reinsurance of credit life insurance to consumer borrowers pursuant to § 225.25(b)(8); and San Diego Trust Securities, Inc., San Diego, California, and thereby engage in discount brokerage activities consisting of execution of orders for the purchase or sale of securities at the request of bank's customers pursuant to § 225.25(b)(15) of the Board's Regulation Y.

Board of Governors of the Federal Reserve System, September 23, 1993.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 93-23949 Filed 9-29-93; 8:45 am]

BILLING CODE 6210-01-F

HNB Financial Group; Notice of Application To Engage de novo in Permissible Nonbanking Activities

The company listed in this notice has filed an application under § 225.23(a)(1) of the Board's Regulation Y (12 CFR 225.23(a)(1)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to commence or to engage *de novo*, either directly or through a subsidiary, in a nonbanking activity that is listed in § 225.25 of Regulation Y as closely related to banking and permissible for bank holding companies. Unless otherwise noted, such activities will be conducted throughout the United States.

The application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Comments regarding the application must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than October 19, 1993.

A. Federal Reserve Bank of San Francisco (Kenneth R. Binning, Director, Bank Holding Company) 101 Market Street, San Francisco, California 94105:

1. HNB Financial Group, Huntington Beach, California; to engage *de novo* through its subsidiary, HNB Mortgage Company, Huntington Beach, California, in processing and funding of long-term mortgage loans pursuant to § 225.25(b)(1) of the Board's Regulation Y.

Board of Governors of the Federal Reserve System, September 23, 1993.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 93-23950 Filed 9-29-93; 8:45 am]

BILLING CODE 6210-01-F

JAM Family Partnership I, L.P., et al.; Formations of; Acquisitions by; and Mergers of Bank Holding Companies

The companies listed in this notice have applied for the Board's approval under section 3 of the Bank Holding Company Act (12 U.S.C. 1842) and § 225.14 of the Board's Regulation Y (12 CFR 225.14) to become a bank holding company or to acquire a bank or bank holding company. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Each application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank or to the offices of the Board of Governors. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Unless otherwise noted, comments regarding each of these applications must be received not later than October 18, 1993.

A. Federal Reserve Bank of Atlanta (Zane R. Kelley, Vice President) 104 Marietta Street, N.W., Atlanta, Georgia 30303:

1. JAM Family Partnership I, L.P., and JAM Family Partnership II, L.P., Elberton, Georgia; to become a bank holding company by acquiring 25 percent of the voting shares of Pinnacle Financial Corporation, Elberton, Georgia, formerly First Elbert Corporation.

2. Pinnacle Financial Corporation, Elberton, Georgia, formerly First Elbert Corporation; to acquire 100 percent of the voting shares of Tri-County Bank of Royston, Royston, Georgia.

Board of Governors of the Federal Reserve System, September 23, 1993.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 93-23951 Filed 9-29-93; 8:45 am]

BILLING CODE 6210-01-F

Jeffrey Shulman, et al.; Change In Bank Control Notices; Acquisitions of Shares of Banks or Bank Holding Companies

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. Once the notices have been accepted for processing, they will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than October 19, 1993.

A. Federal Reserve Bank of New York (William L. Rutledge, Vice President) 33 Liberty Street, New York, New York 10045:

1. Jeffrey Shulman, Leonard Ackerman, Frederick Shulman, Frank Tramontano, Rosemarie Tramontano, Paul Tramontano, Blue Marlin, Inc., White Marlin Partners, L.P., and Oakwood Tree Surgeons Defined Benefit Plan & Trust, White Plains, New York; to acquire up to 19.80 percent of the voting shares of Hampton Bancshares, Inc., Southampton, New York, and thereby indirectly acquire The Bank of The Hamptons, N.A., Easthampton, New York.

B. Federal Reserve Bank of Minneapolis (James M. Lyon, Vice President) 250 Marquette Avenue, Minneapolis, Minnesota 55480:

1. Adams Bancshares, Inc. Employee Stock Ownership Plan, Adams, Minnesota; to acquire an additional 21.66 percent of the voting shares of Adams Bancshares, Inc., Adams, Minnesota, for a total of 24.99 percent, and thereby indirectly acquire Farmers State Bank of Adams, Adams, Minnesota.

C. Federal Reserve Bank of Kansas City (John E. Yorke, Senior Vice President) 925 Grand Avenue, Kansas City, Missouri 64198:

1. Thomas M. Higgins, III, and Paget Gates Higgins, Kansas City, Kansas; to acquire an additional 38.04 percent of the voting shares of Twin City Corporation, Kansas City, Kansas, for a total of 62.92 percent, and thereby indirectly acquire The Twin City State Bank, Kansas City, Kansas.

D. Federal Reserve Bank of Dallas (Genie D. Short, Vice President) 2200 North Pearl Street, Dallas, Texas 75201-2272:

1. H. Gary and Cynthia Blankenship, Southlake, Texas; to acquire an additional 8.33 percent of the voting shares of Greater Southwest Bancshares, Inc., Irving, Texas, for a total of 31.22 percent, and thereby indirectly acquire Bank of the West, Irving, Texas.

Board of Governors of the Federal Reserve System, September 23, 1993.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 93-23952 Filed 9-29-93; 8:45 am]

BILLING CODE 6210-01-F

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Toxic Substances and Disease Registry

Board of Scientific Counselors, Agency for Toxic Substances and Disease Registry: Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), the Agency for Toxic Substances and Disease Registry (ATSDR) announces the following committee meeting.

Name: Board of Scientific Counselors, ATSDR.

Times and Dates: 8:30 a.m.–5:30 p.m., November 1, 1993. 8:30 a.m.–4:30 p.m., November 2, 1993.

Place: The Radisson Hotel Atlanta, Plantation Suite, 165 Courtland and International Boulevard, Atlanta, Georgia 30303.

Status: The entire meeting will be open to the public.

Purpose: The Board of Scientific Counselors, ATSDR, advises the Administrator, ATSDR, on ATSDR programs to ensure scientific quality, timeliness, utility, and dissemination of results. Specifically, the Board advises on the adequacy of the science in ATSDR-supported research, emerging problems that require scientific investigation, accuracy and currency of the science in ATSDR reports, and program areas to emphasize and/or to de-emphasize.

Agenda: The agenda will include an update on Superfund reauthorization and will also focus on other issues of concern to ATSDR, including (1) Public Health Assessments and Community Assistance

Panels, (2) progress in carrying out the ATSDR Federal Facilities Program, (3) Bloomington Polychlorinated Biphenyls Project, (4) critical issues in dealing with multiple chemical sensitivity, (5) research findings of the ATSDR clinical fellows research program, (6) ATSDR substance-specific applied research program (private sector voluntarism, Great Lakes Health Effects research, and Association of Minority Health Professions Schools' research), and (7) the ATSDR proposed Mississippi Delta Project.

Written comments are welcome and should be received by the contact person listed below prior to the opening of the meeting.

CONTACT PERSON FOR MORE INFORMATION: Charles Xintaras, Sc.D., Executive Secretary, Board of Scientific Counselors, ATSDR, Mailstop E–28, 1600 Clifton Road, NE., Atlanta, Georgia 30333, telephone 404/639–0708.

Dated: September 24, 1993.

Elvin Hilyer,

Associate Director for Policy Coordination.

[FR Doc. 93–23971 Filed 9–29–93; 8:45 am]

BILLING CODE 4160–70–M

Food and Drug Administration

Advisory Committees; Renewal

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) announces the renewal of the Nonprescription Drugs Advisory Committee (formerly the OTC Drugs Advisory Committee) by the Commissioner of Food and Drugs. This notice is issued under the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92–463 (5 U.S.C. app. 2)).

DATES: Authority for this committee will expire on August 27, 1995, unless the Commissioner formally determines that renewal is in the public interest.

FOR FURTHER INFORMATION CONTACT: Donna M. Combs, Committee Management Office (HFA–306), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–2765.

Dated: September 23, 1993.

Jane E. Henney,

Deputy Commissioner for Operations.

[FR Doc. 93–23995 Filed 9–29–93; 8:45 am]

BILLING CODE 4160–01–F

Request for Nominations for Members on Public Advisory Committees in the Center for Biologics Evaluation and Research

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is requesting nominations for members to serve on certain public advisory committees in the Center for Biologics Evaluation and Research. Nominations will be accepted for current vacancies and vacancies that will or may occur on the committees during the next 12 months.

FDA has a special interest in ensuring that women, minority groups, and the physically handicapped are adequately represented on advisory committees and, therefore, extends particular encouragement to nominations for appropriately qualified female, minority, and physically handicapped candidates. Final selection from among qualified candidates for each vacancy will be determined by the expertise required to meet specific agency needs and in a manner to ensure appropriate balance of membership.

DATES: Because scheduled vacancies occur on various dates throughout each year, no cutoff date is established for receipt of nominations.

ADDRESSES: All nominations for membership, except for consumer-nominated members should be sent to Jack Gertzog (address below). All nominations for consumer-nominated members should be sent to Joyce Edwards (address below).

FOR FURTHER INFORMATION CONTACT: Regarding all nominations for membership, except consumer-nominated memberships: Jack Gertzog, Center for Biologics Evaluation and Research (HFM–21), Food and Drug Administration, 1401 Rockville Pike, Rockville, MD 20852–1448, 301–594–1054.

Regarding all nominations for consumer-nominated members: Joyce Edwards, Office of Consumer Affairs (HFE–20), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–5006.

SUPPLEMENTARY INFORMATION: FDA is requesting nominations of members for the following four advisory committees for vacancies listed below. Individuals should have expertise in the activity of the committee.

1. *Allergenic Products Advisory Committee*: Three vacancies occurring immediately and three vacancies occurring August 31, 1994.

2. *Biological Response Modifiers Advisory Committee*: Five vacancies occurring immediately and four vacancies occurring March 31, 1994.

3. *Blood Products Advisory Committee*: Two vacancies occurring immediately and two vacancies occurring September 30, 1994.

4. *Vaccines and Related Biological Products Advisory Committee*: One vacancy occurring immediately and two vacancies occurring January 31, 1994.

The functions of the four committees listed above are to review and evaluate available scientific, technical, and medical data concerning the safety, effectiveness, and appropriate use of allergenic products, blood and products derived from blood and serum, vaccines, immunological products, biological response modifiers, and other biological products intended for use in the diagnosis, prevention, or treatment of human diseases, and to make appropriate recommendations to the Commissioner of Food and Drugs. These four committees also review and evaluate intramural research programs.

Criteria for Members

Persons nominated for membership on the committees described above must have adequately diversified research and/or clinical experience appropriate to the work of the committee in such fields as allergenic products, internal medicine, cytokines, lymphokines, molecular biology, rDNA technology, infectious diseases, viral oncology, cellular kinetics, epidemiology, statistics, hematology, immunology, blood banking, virology, bacteriology, pediatrics, microbiology, nuclear biology, and biochemistry, or other appropriate areas of expertise.

The specialized training and experience necessary to qualify the nominees as an expert suitable for appointment is subject to review, but may include experience in medical practice, teaching, research, and/or public service relevant to the field of activity of the committee. The term of office is 4 years.

Criteria for Consumer-Nominated Members

FDA currently attempts to place on each of the committees described above one voting member who is nominated by consumer organizations. These members are recommended by a consortium of 12 consumer organizations which has the responsibility for screening, interviewing, and recommending consumer-nominated candidates with appropriate scientific credentials. Candidates are sought who are aware of

the consumer impact of committee issues, but who also possess enough technical background to understand and contribute to the committee's work. This would involve, for example, and understanding of research design, benefit/risk, and the legal requirements for safety and efficacy of the products under review, and considerations regarding individual products. The agency notes, however, that for some advisory committees, it may require such nominees to meet the same technical qualifications and specialized training required of other expert members of the committee. The term of office for these members is 4 years. Nominations for all committees listed above are invited for consideration for membership as openings become available.

Nomination Procedure

Any interested person may nominate one or more qualified persons for membership on one or more of the advisory committees. Nominations shall specify the committee for which the nominee is recommended. Nominations shall state that the nominee is aware of the nomination, is willing to serve as a member of the advisory committee, and appears to have no conflict of interest that would preclude committee membership. Potential candidates will be asked by FDA to provide detailed information concerning such matters as financial holdings, consultancies, and research grants or contracts in order to permit evaluation of possible sources of conflict of interest.

This notice is issued under the Federal Advisory Committee Act (5 U.S.C. App. 2) and 21 CFR part 14, relating to advisory committees.

Dated: September 23, 1993.

Jane E. Henney,

Deputy Commissioner for Operations.

[FR Doc. 93–23911 Filed 9–29–93; 8:45 am]

BILLING CODE 4160–01–F

Health Care Financing Administration

[BPO–117–GNC]

Medicare Program; Criteria and Standards for Evaluating Intermediary and Carrier Performance During FY 1994

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

ACTION: General notice with comment period.

SUMMARY: This notice describes the criteria and standards to be used for evaluating the performance of fiscal intermediaries and carriers in the administration of the Medicare program beginning October 1, 1993. The results of these evaluations are considered whenever HCFA enters into, renews, or terminates an intermediary agreement or carrier contract or takes other contract actions (for example, assigning or reassigning providers of services to an intermediary, or designating regional or national intermediaries).

This notice is published in accordance with sections 1816(f) and 1842(b)(2) of the Social Security Act. We are publishing for public comment in the **Federal Register** those criteria and standards against which we evaluate intermediaries and carriers.

DATES: Effective Date: The criteria and standards are effective October 1, 1993.

Comments: Comments will be considered if we receive them at the appropriate address, as provided below, no later than 5 p.m. on November 1, 1993.

ADDRESSES: Mail written comments (1 original and 3 copies) to the following address: Health Care Financing Administration, Department of Health and Human Services, Attention: BPO–117–GNC, P.O. Box 26676, Baltimore, MD 21207.

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

Room 309–G, Hubert H. Humphrey Building, 200 Independence Avenue, SW., Washington, DC 20201, or

Room 132, East High Rise Building, 6325 Security Boulevard, Baltimore, MD 21207.

Because of staffing and resource limitations, we cannot accept comments by facsimile (FAX) transmission. In commenting, please refer to file code BPO–117–GNC. Comments received timely will be available for public inspection as they are received, generally beginning approximately 3 weeks after publication of a document, in Room 309–G of the Department's offices at 200 Independence Avenue, SW., Washington, DC, on Monday through Friday of each week from 8:30 a.m. to 5 p.m. (phone: (202) 690–7890).

FOR FURTHER INFORMATION CONTACT: Larry Pratt, (410) 966–7403.

SUPPLEMENTARY INFORMATION:

A. Background

Under section 1816 of the Social Security Act (the Act), public or private organizations and agencies participate in the administration of Part A (Hospital Insurance) of the Medicare program under agreements with the Secretary of Health and Human Services. These agencies or organizations, known as fiscal intermediaries, determine whether medical services are covered under Medicare and determine correct payment amounts. The intermediaries then make payments to the health care providers on behalf of the beneficiaries. Section 1816(f) of the Act requires us to develop criteria, standards, and procedures to evaluate an intermediary's performance of its functions under its agreement. We evaluate intermediary performance through the Contractor Performance Evaluation Program (CPEP).

Under section 1842 of the Act, we are authorized to enter into contracts with carriers to fulfill various functions in the administration of Part B (Supplementary Medical Insurance) of the Medicare program. Beneficiaries, physicians, and suppliers of services submit claims to these carriers. The carriers determine whether the services are covered under Medicare and the payable amount for the services or supplies and then make payment to the appropriate party. Under section 1842(b)(2) of the Act, we are required to develop criteria, standards, and procedures to evaluate a carrier's performance of its functions under its contract. We also evaluate carrier performance through the Contractor Performance Evaluation Program (CPEP).

We are publishing the criteria and standards in the **Federal Register** in order to allow the public an opportunity to comment before implementation. In addition to the statutory requirement, our regulations at 42 CFR 421.120 and 421.122 provide for publication of a **Federal Register** notice to announce criteria and standards for intermediaries prior to implementation. The current criteria and standards were published in the **Federal Register** on September 18, 1992 (57 FR 43230).

To the extent possible, we make every effort to publish the criteria and standards prior to the beginning of the Federal fiscal year, which is October 1st. In general, the evaluation period which the criteria and standards measure is the Federal fiscal year.

If we do not publish a **Federal Register** notice before the new fiscal year begins, readers may presume that until and unless notified otherwise, the criteria and standards which were in effect for the previous fiscal year remain in effect.

In those instances where we are unable to meet our goal of publishing the subject **Federal Register** notice before the beginning of the fiscal year, we may publish the criteria and

standards notice at any subsequent time during the year. If we choose to publish a notice in this manner, the evaluation period for any such criteria and standards which are the subject of the notice will be revised to be effective on the first day of the first month following publication. Hence, any revised criteria and standards will measure performance prospectively; that is, we will not apply new measurements to assess performance on a retroactive basis.

Also, it is not our intention to revise the criteria and standards which will be used during the evaluation period once this information has been published in a Federal Register notice. However, on occasion, either because of Administrative mandate or Congressional action, there may be a need for changes which have direct impact upon the criteria and standards previously published, or which require the addition of new criteria or standards, or that cause the deletion of previously published criteria and standards. Should such changes be necessitated, we will issue a Federal Register notice prior to implementation of the changes.

In all instances, necessary manual issuances will be published each year to ensure that the criteria and standards are implemented uniformly and accurately. Also, as in previous years, the Federal Register notice will be republished and the effective date revised if changes are warranted as a result of the public comments received on the criteria and standards.

B. Incentive Payments to Carriers

In accordance with section 1842(c)(1)(B) of the Act, this notice also describes the new methodology that will be used to award incentive payments to carriers that successfully increase the proportion of physicians in the carrier's service area who are participating physicians, or the proportion of payments to participating physicians. Because of the limitations on the national Medicare contractor budget and the lack of data indicating that the increasing number of participating physicians is a direct result of carrier efforts, we are modifying our method of calculating incentive payments to carriers.

Section 1842(h) of the Act sets forth the Medicare participating physician program. "Participating" means accepting assignment on all Medicare claims. "Accepting assignment" means physicians accept Medicare's approved charge as full payment, with the beneficiary responsible for only the Medicare deductible and coinsurance amounts. The main goal of the program is to reduce the financial impact of medical costs upon beneficiaries by establishing incentives for physicians to accept assignment on all Medicare claims. The provisions give all physicians an opportunity to enroll or disenroll annually as a Medicare participating physician.

Section 1842(b)(3)(H) of the Act requires Medicare carriers to implement programs to recruit and retain physicians as participating physicians. These programs include educational and outreach activities and the use of professional relations personnel to handle billing and other problems relating to payment of claims of participating physicians. These programs are also designed to familiarize beneficiaries with the participating physician program and to assist the beneficiaries in locating participating physicians. Carriers also increase participation through the use of public relations, literature, and training in the physician community. We believe carriers will continue to perform these activities because they are advantageous to their operations. By properly educating the provider community, carriers save staff time and produce cleaner claims which result in fewer inquiries as well as fewer exceptions.

We believe that the implementation of the resource-based relative value scale fee schedule has also contributed largely to the increase in the number of physicians participating in the Medicare program. Nonparticipation is discouraged by the "limiting charges" imposed under physician payment reform.

Furthermore, the total amount of funding reserved for carrier bonuses can be reduced without affecting physician participation rates because of the many other incentives within the Medicare participating physician program. The incentives include: faster payment of claims; a higher prevailing charge for participating physicians; distribution of a directory of participants (MEDPARD) to beneficiaries; toll-free telephone lines available to beneficiaries to locate participating physicians; information on the Medicare participating physician program on each Explanation of Medicare Benefits for a nonassigned claim; and direct lines for the submission of electronic claims. These incentives will continue to be offered and remain good reasons for physicians to join the participating physician program.

We will continue to pay incentive bonuses to any carrier that achieves an increase of at least one-tenth of one percent in the participating physicians' rate or proportion of payments for participating physicians' services in the carrier's total service area. Carriers that achieve an increase in physicians' participation or payments for participating physician services of less than 2 percentage points will be paid a partial incentive payment. Carriers that achieve an increase of at least 2 percentage points will be paid the full incentive payment. Carriers that achieve an increase of more than 2 percentage points will be paid a bonus for each additional 2 percentage point increase.

As required by section 1842(c)(1)(B) of the Act, the amount of the total incentive payable to carriers is one percent of the total payments to carriers for claims processing costs for the fiscal year. Due to the current constraints on the Medicare contractor budget, we believe the cost of paying the carrier bonuses based on the prior year's claims processing costs do not justify the marginal benefit of increasing the participation rate. The rates of participation have been increasing steadily since the inception of the participating physician program. Each year it becomes increasingly uneconomical to target those physicians who have resisted participating in the Medicare program. Thus, the total incentive pool will be calculated by summing the total claims processing costs reported by each carrier in fiscal year (FY) 1985 and multiplying the total by one percent. The total claims processing costs in that fiscal year amounted to $380 million. Therefore, the total funding available for payment of carrier bonuses in FY 1994 and each year thereafter will be one percent of this amount or $3.8 million. Fiscal year 1985 has been used as a base because it reflects the claims processing costs and workload at the inception of the participating physician program. Basing the bonus on current claims processing costs increases the bonus pool substantially, but without any corresponding increase in effort by the carriers to increase participation rates.

For the purpose of determining each carrier's eligibility for an incentive payment, we make two comparisons. We compare the carrier's physician participation rate after the latest enrollment period with the physician participation rate after the prior enrollment date. We make a similar comparison of the proportion of covered charges for services by participating physicians during the quarter following the enrollment period with those of the quarter following the prior enrollment period. We intend to use whichever difference yields the higher percentage increase to determine eligibility for

award of the incentive payment. Currently, we issue carrier incentive payments by September 30 following each annual enrollment period. The amount of these payments will be included in line 10 of the carrier's Notice of Budget Approval, Form HCFA–1524.

C. Criteria and Standards—General

The basic tenets of the Medicare program are to pay claims promptly and accurately and to foster good beneficiary and provider relations. Contractors must administer the Medicare program efficiently and economically. We have developed a CPEP (one for intermediaries and one for carriers) for FY 1994 that will measure contractor compliance with program requirements; promote contractor initiatives to improve administrative processes; provide comparable data on customer satisfaction; and serve as a basis of information for contract management activities (such as those described in the law). We have restructured CPEP into three criteria, designed to meet these objectives. This restructuring effort considered comments from HCFA components as well as the Medicare contractor community and beneficiary and provider groups which have commented on past CPEP Federal Register notifications. A significant revision to the CPEP for FY 1994 is the elimination of numerical scoring. Numerical scoring has been eliminated in order to shift the focus of contractor performance from the attainment of points to the performance of the activity under evaluation.

The first criterion in the FY 1994 CPEP, titled Program Requirements, follows the format of the FY 1993 CPEP and measures contractor performance against basic program requirements. However, standards are no longer allotted points. Standard requirements have been structured on a met/not met basis. An intermediary or carrier will meet a standard if it achieves the basic requirements of the appropriate operational instructions. We believe that this concept will continue to promote satisfactory performance in all areas measured by CPEP and, at the same time, provide contractors with flexibility to manage and administer the Medicare program effectively in areas not included in CPEP.

In the Program Requirements criterion, we have combined several standards where such an evaluation will yield a more efficient outcome and separated standards where a more accurate measure will result. Within the Program Requirements criterion, we have identified those performance standards which, when measured, will evidence how well each contractor is performing the basic requirements of administering the Medicare program.

The second criterion, titled Process Improvement, recognizes contractor performance improvement (compared to the previous review period) and contractor efforts to achieve program efficiencies by evaluating and improving the processes with which it administers the Medicare program. The Process Improvement criterion complements the Program Requirements criterion which looks at *meeting* manual requirements. Successful process improvements will be shared within the contractor community to help improve the overall administration of the Medicare program.

The third criterion, titled Customer Satisfaction, assesses the degree to which the contractor's customers are satisfied with the services provided by the contractor in its administration of the Medicare program. In FY 1994, customer satisfaction surveys, including the National Physician Survey, will be used to collect comparable data on customer satisfaction and identify areas in need of improvement.

We have also developed separate (i.e., separate and apart from the "traditional" CPEP) criteria and standards that measure only the activities of regional home health intermediaries (RHHIs) and Common Working File (CWF) hosts.

Section 1816(e)(4) of the Act requires the Secretary to designate regional agencies or organizations, which are already Medicare intermediaries under section 1816, to perform bill processing functions with respect to freestanding home health agency (HHA) bills. The law requires that we limit the number of such regional intermediaries (i.e., RHHIs) to not more than 10; there are currently 9 (see 42 CFR 421.117 and the Federal Register published on May 19, 1988 (53 FR 17936) for more details about the RHHIs).

In addition, section 1816(e)(4) of the Act requires the Secretary to develop criteria and standards in order to determine whether to designate an agency or organization to perform services with respect to hospital-affiliated HHAs. We have developed criteria and standards for RHHIs in order to measure the distinct RHHI functions. These functions include the processing of freestanding HHA, hospital-affiliated HHA, and hospice bills. Through the evaluation of these criteria and standards, we will determine whether the RHHI functions should be moved from one intermediary to another in order to ensure effective and efficient administration of the program benefit.

At this time, CWF hosts are selected from existing Medicare contractors under the authority of section 1842 of the Act which allows the Secretary to enter into or amend carrier contracts. The functions of a CWF host include making available to Medicare contractors (intermediaries and carriers) and their providers within the CWF territory, or "sector," Medicare beneficiary entitlement and utilization data; and providing intermediaries and carriers with prepayment approval of Part A bills and Part B claims of all types. These functions are distinctly different than those of the traditional Medicare carrier in that the CWF host does not adjudicate claims and determine the amount of payment. For this reason, it is necessary to evaluate CWF host performance and customer satisfaction with a separate set of criteria and standards.

D. Criteria and Standards for Intermediaries

Below we list the criteria and standards to be used for evaluating the performance of intermediaries and carriers. In a number of instances, we identify a HCFA manual as a source of more detailed requirements. See for example Standard 11 under the Program Requirements Criterion. Intermediaries and carriers have copies of the various Medicare manuals referenced in this notice. Members of the public also have access to our manualized instructions.

Medicare manuals are available for review at local Federal Depository Libraries (FDLs). Under the FDL Program, government publications are sent to approximately 1400 designated libraries throughout the United States. Interested parties may examine the documents at any one of the FDLs. Some may have arrangements to transfer material to a local library not designated as an FDL. To locate the nearest FDL, individuals should contact any library.

In addition, individuals may contact regional depository libraries, which receive and retain at least one copy of nearly every Federal government publication, either in printed or microfilm form, for use by the general public. These libraries provide reference services and interlibrary loans; however, they are not sales outlets. Individuals may obtain information about the location of the nearest regional depository library from any library.

Finally, all HCFA regional offices maintain all Medicare manuals for public inspection. To find the location of the nearest available HCFA regional office, individuals may contact the

individual listed at the beginning of this notice. That individual can also provide information about purchasing or subscribing to the various Medicare manuals.

Program Requirements Criterion

The criterion contains a total of 22 standards.

Standard 1—95% of clean electronically submitted non-Periodic Interim Payment (PIP) bills paid within mandated timeframes.

Standard 2—95% of clean paper non-PIP bills paid within mandated timeframes.

Standard 3—98% of all bills processed within 60 days.

Standard 4—Intermediary system processing accuracy rate of 95%.

Standard 5—Electronic Media Claims goals (EMC) are met.

Contractors are advised of their specific EMC goals through program instructions prior to the evaluation period. In determining the contractor-specific goal, HCFA considers such factors as the contractor's claim mix and historical performance.

Standard 6—95% of reconsiderations are accurately processed and Administrative Law Judges (ALJ) reversal rate is at or below 5.0%.

Standard 7—75% of reconsiderations are processed within 60 days and 90% are processed within 90 days.

Standard 8—95% of responses to written inquiries are accurate and issued within 30 days.

Standard 9—Telephone inquiries are accurately and timely answered.

Telephone calls are to be answered within 120 seconds.

Standard 10—97.5% of medical review (MR) coverage decisions, including decisions on SNF demand bills, are accurate.

Standard 11—Focused MR program is effective.

Detailed requirements for measuring MR effectiveness under this standard are contained in Part III of the Medicare Intermediary Manual (MIM), Section 3939.

Standard 12—Administer the Medicare Secondary Payer (MSP) Program accurately.

Detailed requirements for measuring MSP program accuracy under this standard are contained in Part III of the MIM, Sections 3400ff and 3600ff.

Standard 13—Identify and recover mistaken Medicare payments.

Detailed requirements for identifying and recovering mistaken Medicare payments under this standard are contained in Part III of the MIM, Sections 3600ff.

Standard 14—Fraud and abuse cases are detected and properly developed.

Detailed requirements for detection and development of fraud and abuse cases are contained in Part III of the MIM, Section 3950ff.

Standard 15—Interim provider payments approximate actual reimbursable costs.

Detailed requirements for measuring the accuracy of interim provider payments under this standard are contained in the Provider Reimbursement Manual, Sections 2406 and 2407.

Standard 16—Cost reports/statements are 93% accurate.

Standard 17—Process TEFRA target rate adjustments, exceptions, and exemptions within mandated timeframes.

TEFRA target rate adjustments, exceptions, and exemptions must be processed within 75 days if the application is complete. If the application is incomplete, the intermediary has 60 days to provide instructions for accurate completion.

Standard 18—90% of provider cost reports are timely settled.

Standard 19—Implement critical tasks accurately and timely.

Accuracy and timeliness requirements under this standard are contained in Part II of the MIM, Section 2901.1.

Standard 20—Implement HCFA directives accurately and timely.

Accuracy and timeliness requirements under this standard are contained in Part II of the MIM, Section 2901.1.

Standard 21—Budget and Performance Requirements are met.

Budget and Performance Requirements, sent to each contractor prior to the fiscal year, set forth the comprehensive level of work to be completed by contractors.

Standard 22—Initial Final Administrative Cost Proposals (FACPs) accurately reflect costs.

The initial FACP submission must be accurate, include the contractor's final administrative costs, and not be materially different from the Interim Expenditure Report filed as of September 30.

Process Improvement Criterion

There are no specific performance standards under the Process Improvement criterion. Fiscal intermediaries are encouraged to review administrative processes and develop initiatives for improvement. Initiatives must contain a description of goals, a methodology to accomplish goals, and a description of methods and documentation used to verify outcome-oriented measurements. Process improvements initiated by an intermediary will be reviewed to determine the success of the initiative in meeting its objective. We will review the intermediary's efforts to reduce cost and implement process improvements. Public relations activities, educational programs, publications, and all other intermediary initiatives will be reviewed to ascertain the success of each effort. The fiscal intermediary will be recognized in the Report of Contractor Performance for the initiatives that result in improvements of the administrative process.

Customer Satisfaction Criterion

There are no specific performance standards under the Customer Satisfaction criterion. We will review the intermediary's efforts to enhance customer satisfaction through the use of customer satisfaction surveys. Results of the surveys will be used to establish comparable data on customer satisfaction and to identify areas in need of improvement. The results will be summarized for publication in the Report of Contractor Performance and shared with individual contractors. Results are also used by HCFA to evaluate the adequacy of the performance standards in the Program Requirements criterion.

E. Criteria and Standards for Carriers

Program Requirements Criterion

The criterion contains a total of 22 standards.

Standard 1—95% of clean electronically submitted claims processed within mandated timeframes.

Standard 2—95% of clean paper claims processed within mandated timeframes.

Standard 3—95% of durable medical equipment, prosthetics, orthotics, and supplies (DMEPOS) claims are processed within 30 days.

Contractors are required to process 95% of all DMEPOS claims within 30 days of receipt. Contractors must continue to process DMEPOS claims and perform at this level until the transition of the DMEPOS workload to the DME regional carriers (DMERCs) is complete. After the transition is complete, processing of DMEPOS claims will be measured separately under the DMERC contract.

Standard 4—98% of all claims processed within 60 days.

Standard 5—Claims processed with a payment/deductible accuracy rate of 98.8%.

Standard 6—DMEPOS claims processed with an occurrence accuracy rate of 95%.

Contractors are required to process DMEPOS claims with an occurrence

accuracy rate of 95%. Contractors must continue to process DMEPOS claims and perform at this level until the transition of the DMEPOS workload to the DMERCs is complete. After the transition is complete, processing of DMEPOS claims will be measured separately under the DMERC contract.

Standard 7—98% of Explanations of Medicare Benefits (EOMBs) are properly generated.

Standard 8—Electronic Media Claims (EMC) goals are met.

Contractors are advised of their specific EMC goals through program instructions prior to the evaluation period. In determining the contractor-specific goal, HCFA considers such factors as the contractor's claims mix and historical performance.

Standard 9—95% of reviews are accurate and clear and completed within 45 days.

Standard 10—90% of carrier hearings are accurate and completed within 120 days.

Standard 11—95% of responses to written inquiries are accurate and issued within 30 days.

Standard 12—Telephone inquiries are accurately and timely answered.

Telephone calls are to be answered within 120 seconds and callers are not to get a busy signal more than 20% of the time.

Standard 13—97.5% of medical review (MR) coverage decisions are accurate.

Standard 14—Focused MR is effective.

Detailed requirements for measuring MR effectiveness under this standard are contained in Part II of the Medicare Carriers Manual (MCM), Section 5261.1.

Standard 15—Postpayment MR program is effective.

Detailed requirements for measuring MR effectiveness under this standard are contained in Part III of the MCM, Sections 7512–7514.

Standard 16—Administer the Medicare Secondary Payer (MSP) Program accurately.

Detailed requirements for measuring MSP Program accuracy under this standard are contained in Part III of the MCM, Sections 3300ff and 4300ff.

Standard 17—Identify and recover mistaken Medicare payments.

Detailed requirements for identifying and recovering mistaken Medicare payments under this standard are contained in Part III of the MCM, Sections 3300ff and 4300ff.

Standard 18—Fraud and abuse cases are detected and properly developed.

Detailed requirements for detection and development of fraud and abuse cases are contained in Part III of the MCM, Section 14000ff.

Standard 19—Implement critical tasks accurately and timely.

Accuracy and timeliness requirements under this standard are contained in Part II of the MCM, Section 5261.1.

Standard 20—Implement HCFA directives accurately and timely.

Accuracy and timeliness requirements under this standard are contained in Part II of the MCM, Section 5261.1.

Standard 21—Budget and Performance Requirements are met.

Budget and Performance Requirements, sent to each contractor prior to the fiscal year, set forth the comprehensive level of work to be completed by contractors.

Standard 22—Initial Final Administrative Cost Proposals (FACPs) accurately reflect costs.

The initial FACP submission must be accurate, include the contractor's final administrative costs, and not be materially different from the Interim Expenditure Report filed as of September 30.

Process Improvement Criterion

There are no specific performance standards under the Process Improvement criterion. Carriers are encouraged to review administrative processes and develop initiatives for improvement. Initiatives must contain a description of goals, a methodology to accomplish goals, and a description of methods and documentation used to verify outcome-oriented measurements. Process improvements initiated by a carrier will be reviewed to determine the success of the initiative in meeting its objective. We will review the carrier's efforts to reduce cost and implement efficiency plans. Public relations activities, educational programs, publications, and all other carrier initiatives will be reviewed to ascertain the success of each effort. The carrier will be recognized in the Report of Contractor Performance for the initiatives that result in improvements of the administrative process.

Customer Satisfaction Criterion

There are no specific performance standards under the Customer Satisfaction criterion. We will review the carrier's efforts to enhance customer satisfaction through the use of customer satisfaction surveys, including the National Physician Survey. Results of the surveys will be used to establish comparable data on customer satisfaction and to identify areas in need of improvement. The results will be summarized for publication in the Report of Contractor Performance and shared with individual contractors. Results are also used by HCFA to evaluate the adequacy of the performance standards in the Program Requirements criterion.

F. Criterion and Standards for Regional Home Health Intermediaries (RHHIs)

RHHI Criterion

We will use this criterion containing 9 standards to review a RHHI's performance with respect to handling the HHA/hospice workload. This includes processing HHA/hospice bills timely and accurately, properly paying and settling HHA cost reports, and processing reconsiderations from beneficiaries, HHAs, and hospices timely and accurately.

Standard 1—95% of clean non-PIP HHA/hospice bills paid within mandated timeframes.

Standard 2—98% of all HHA/hospice bills processed within 60 days.

Standard 3—Electronic Media Claims (EMC) goals are met.

Contractors are advised of their specific EMC goals through program instructions prior to the evaluation period. In determining the contractor-specific goal, HCFA considers such factors as the contractor's provider mix and historical performance.

Standard 4—HHA cost reports are 93% accurate.

Standard 5—90% of freestanding HHA cost reports timely settled.

Standard 6—Interim payments for freestanding HHAs approximate actual reimbursement.

Detailed requirements for measuring the accuracy of interim provider payments under this standard are contained in the Provider Reimbursement Manual, Sections 2406 and 2407.

Standard 7—97.5% of HHA/hospice medical review coverage decisions are accurate.

Standard 8—95% of HHA/hospice reconsiderations are accurately processed.

Standard 9—75% of HHA/hospice reconsiderations are processed within 60 days and 90% are processed within 90 days.

G. Criterion and Standards for Common Working File (CWF) Hosts

CWF Host Criterion

The CWF host must process transactions for satellites (i.e., intermediaries and carriers) within and out of its sector and maintain complete beneficiary entitlement and claims history records; provide services to its satellite sites, including operational and maintenance support; and take all necessary measures to ensure compliance with HCFA directives. We

will use this criterion containing 8 standards to evaluate CWF host performance.

Standard 1—Provide on-line access to CWF records for 99% of the time for the required available hours of operation.

Available hours are specified in section 3.4 of the currently applicable Proposal Submission Requirements (PSR).

Standard 2—Meet the 24-hour turnaround requirement 99% of the time for all satellite files.

Standard 3—Notify satellites within 1 hour and 15 minutes of major downtime discovery and report occurrences to HCFA within 2 hours of discovery.

Standard 4—Accurately install, test, and implement CWF software releases by the required due date.

Accuracy requirements and due dates are published in each CWF software release.

Standard 5—Submit accurate Schedule IIA and IIB reports by the 30th day following the period covered by the reports.

Standard 6—Files transmitted to HCFA and out-of-service area hosts are accurate and timely.

CWF hosts transmit beneficiary entitlement and claims history data to HCFA and other hosts. The correct entitlement and history data must be transmitted in a timely manner.

Standard 7—Files transmitted from HCFA to the host sites are loaded and processed accurately and timely.

HCFA transmits files to the host sites at various times during the fiscal year. These files must be accurately loaded and processed by the due date.

Standard 8—Validate change controls within 30 days after receipt of documentation.

We will review the host's efforts to enhance customer satisfaction through the use of customer satisfaction surveys. Results of the surveys will be used to establish comparable data on customer satisfaction and to identify areas in need of improvement. The results will be summarized for publication in the Report of Contractor Performance and shared with individual contractors. HCFA will set goals for improvement in areas indicated by the surveys, and subsequent host evaluations will measure improvement in those areas.

H. Action Based on Performance Evaluations

A contractor's performance is evaluated against each applicable standard in the Program Requirements criterion. If a contractor meets the level of performance required by operational instructions, it meets the requirements of that standard. Any performance measured below basic operational expectations constitutes a deficiency. The contractor may be required to develop and implement a corrective action plan when performance problems are identified. The contractor will be monitored to assure effective and efficient compliance with the corrective action plan and improved performance where standards are not met.

A contractor's performance is assessed under the Process Improvement criterion to determine the success of the improvements developed and/or implemented by the contractor during the review period. A contractor's performance is similarly assessed under the Customer Satisfaction criterion to determine the degree to which the contractor has satisfied its customers.

The results of performance evaluations and assessments under all three criteria will be used for contract management activities and will be published in the contractor's annual performance report. We may initiate administrative actions as a result of the evaluation of contractor performance based on these performance criteria and standards. Under sections 1816 and 1842 of the Act, we consider the results of the evaluation in our determinations on:

- Entering into, renewing, or terminating agreements or contracts with contractors; and
- Decisions concerning other contract actions for intermediaries and carriers (such as deletion of an automatic renewal clause). These decisions are made on a case-by-case basis and depend primarily on the nature and degree of performance. More specifically, they depend on:
  + Relative overall performance compared to other contractors;
  + Number of standards in which deficient performance occurs;
  + Extent of each deficiency;
  + Relative significance of the standards for which deficient performance occurs within the overall CPEP; and
  + Efforts to improve program quality, service, and efficiency.
- Decisions concerning the assignment or reassignment of providers and designation of regional or national intermediaries for classes of providers.

We make individual contract action decisions after considering these factors in terms of their relative significance and impact on the effective and efficient administration of the Medicare program.

I. Response to Public Comments

Because of the large number of items of correspondence we normally receive on **Federal Register** documents published for comment, we are unable to acknowledge or respond to them individually. We will consider all comments we receive by the date and time specified in the "DATES" section of this preamble, and, if we proceed with a subsequent document, we will respond to the comments in the preamble to that document.

Authority: (Secs. 1102, 1816, 1842, and 1871 of the Social Security Act (42 U.S.C. 1302, 1395h, 1395u, and 1395hh)).

(Catalog of Federal Domestic Assistance Program No. 13.773, Medicare—Hospital Insurance Program; and No. 13.774, Medicare—Supplementary Medical Insurance Program)

Dated: August 2, 1993.

Bruce C. Vladeck,

Administrator, Health Care, Financing Administration.

[FR Doc. 93–24237 Filed 9–29–93; 8:45 am]

BILLING CODE 4120–01–P

Health Resources and Services Administration

[PN 2113]

Program Announcement and Proposed Minimum Percentages for "High Rate" and "Significant Increase in the Rate" for Implementation of the General Statutory Funding Preference for Grants for Faculty Development in General Internal Medicine and General Pediatrics for Fiscal Year 1994

The Health Resources and Services Administration (HRSA) announces that applications for fiscal year (FY) 1994 for Grants for Faculty Development in General Internal Medicine and General Pediatrics are being accepted under the authority of section 748 (previously section 784), title VII of the Public Health Service (PHS) Act, as amended by the Health Professions Education Extension Amendments of 1992, title I of Public Law 102–408, dated October 13, 1992. Comments are invited on the proposed minimum percentages for "high rate" and "significant increase in the rate" for implementation of the general statutory funding preference.

The Administration's budget request for FY 1994 includes $4.0 million for the Faculty Development in General Internal Medicine and General Pediatrics program. Total continuation support recommended is $1.9 million. It is anticipated the $2.1 million will be available to support approximately 14 competing awards averaging $153,000.

This program announcement is subject to the appropriation of funds for FY 1994. Applicants are advised that this program announcement is a contingency action being taken to assure

that should funds become available for this purpose, they can be awarded in a timely fashion consistent with the needs of the program as well as to provide for even distribution of funds throughout the fiscal year. This notice regarding applications does not reflect any change in this policy.

Previous Funding Experience

Previous funding experience information is provided to assist potential applicants to make better informed decisions regarding submission of an application for this program.

In FY 1993, HRSA reviewed 32 applications for Grants for Faculty Development in General Internal Medicine and General Pediatrics. Of those applications, 56 percent were approved and 44 percent were disapproved. Twelve projects, or 38 percent of the applications received, were funded. There was no competitive cycle in FY 1992.

In FY 1991, HRSA reviewed 36 applications. Of those applications, 64 percent were approved and 36 percent were disapproved. Fourteen projects, or 39 percent of the applications received, were funded.

Purpose

Section 748 of the Public Health Service Act authorizes Federal assistance to schools of medicine and osteopathic medicine, public or private nonprofit hospitals or other public or private nonprofit entities for planning, developing and operating programs for the training of physicians who plan to teach in general internal medicine or general pediatrics training programs. These grants are intended to promote the development of faculty skills in physicians who are currently teaching or who plan teaching careers in general internal medicine or general pediatrics training programs. These grants also provide financial assistance in meeting the cost of supporting physicians who are trainees in such programs.

In addition, section 748 authorizes the award of grants to support general internal medicine or general pediatrics residency training programs and a separate grant program exists for this purpose. Further, section 748 now authorizes the award of grants to support predoctoral training in general internal medicine and general pediatrics and a new grant program is currently being developed for implementation in FY 1994.

To receive support, applicants must meet the requirements of final regulations as specified in 42 CFR part 57, subpart FF and section 791(b) of the PHS Act. The period of Federal support will not exceed 5 years.

National Health Objectives for the Year 2000

The Public Health Service (PHS) urges applicants to submit work plans that address specific objectives of Healthy People 2000. Potential applicants may obtain a copy of *Healthy People 2000* (Full Report; Stock No. 017–001–00474–0) or *Healthy People 2000* (Summary Report; Stock No. 017–001–00473–1) through the Superintendent of Documents, Government Printing Office, Washington, DC 20402–9325 (Telephone (202) 783–3238).

Education and Service Linkage

As part of its long-range planning, HRSA will be targeting its efforts to strengthening linkages between U.S. Public Health Service education programs and programs which provide comprehensive primary care services to the underserved.

Review Criteria

The review of applications will take into consideration the following criteria:

(1) The degree to which the applicant demonstrates a commitment to general internal medicine or general pediatrics;

(2) The degree to which the proposed project adequately provides for the project requirements;

(3) The administrative and management capability of the applicant to carry out the proposed project in a cost-effective manner;

(4) The qualifications of the proposed staff and faculty; and

(5) The potential of the project to continue on a self-sustaining basis.

Other Considerations

In addition, the following funding factors may be applied in determining the funding of approved applications:

1. A funding preference is defined as the funding of a specific category or group of approved applications ahead of other categories or groups of approved applications.

2. A funding priority is defined as the favorable adjustment of aggregate review scores when applications meet specified objective criteria.

It is not required that applicants request consideration for a funding factor. Applications which do not request consideration for funding factors will be reviewed and given full consideration for funding.

Statutory General Funding Preference

As provided in section 791(a) of the PHS Act, preference will be given to any qualified applicant that—

(A) has a high rate for placing graduates in practice settings having the principal focus of serving residents of medically underserved communities; or

(B) during the 2-year period preceding the fiscal year for which an award is sought, has achieved a significant increase in the rate of placing graduates in such settings. This preference will only be applied to applications that rank above the 20th percentile that have been recommended for approval by the peer review group.

Proposed Minimum Percentages for "High Rate" and "Significant Increase in the Rate"

"High rate" is defined as a minimum of 20 percent of faculty development/fellowship program graduates in academic year 1991–92 or academic year 1992–93, whichever is greater, who spend at least 50 percent of their worktime in the specified settings.

"Significant increase in the rate" means that, between academic years 1991–92 and 1992–93, the rate of placing faculty development/fellowship program graduates in the specified settings has increased by a minimum of 50 percent and that not less than 15 percent of the academic year 1992–1993 graduates are working in these areas.

Additional information concerning the implementation of this preference has been published in the Federal Register at 58 FR 40659, dated July 29, 1993.

Established Funding Priority for FY 1994

The following funding priority was established in FY 1993, after public comment, dated January 22, 1993, at 58 FR 5737 and is being continued in FY 1994:

A funding priority will be given to applications that can demonstrate either substantial progress over the last 3 years or a significant experience of 10 or more years in enrolling and graduating trainees from those minority or low-income populations identified as at-risk of poor health outcomes.

Information Requirements Provision in Statute

Under section 791(b) of the Act, the Secretary may make an award under the Grants for Faculty Development in General Internal Medicine and General Pediatrics program only if the applicant for the award submits to the Secretary the following information:

1. A description of rotations of preceptorships for students, or clinical training programs for residents, that have the principal focus of providing

health care to medically underserved communities.

2. The number of faculty on admissions committees who have a clinical practice in community-based ambulatory settings in medically underserved communities.

3. With respect to individuals who are from disadvantaged backgrounds or from medically underserved communities, the number of such individuals who are recruited for academic programs of the applicant, the number of such individuals who are admitted to such programs, and the number of such individuals who graduate from such programs.

4. If applicable, the number of recent graduates who have chosen careers in primary health care.

5. The number of recent graduates whose practices are serving medically underserved communities.

6. A description of whether and to what extent the applicant is able to operate without Federal assistance under this title.

Additional details concerning the implementation of this information requirement have been published in the Federal Register at 58 FR 43642, dated August 17, 1993, and will be provided in the application materials.

Paperwork Reduction Act

The information supporting the statutory general preference and the section 791 provision is included in the application materials approved by the Office of Management and Budget in accordance with the Paperwork Reduction Act (OMB #0915–0060, expiration date 7/31/95).

Additional Information

Interested persons are invited to comment on the proposed minimum percentages for "high rate" and "significant increase in the rate" for implementation of the general statutory funding preference. The comment period is 30-days. All comments received on or before November 1, 1993 will be considered before the final minimum percentages for "high rate" and "significant increase in the rate" for implementation of the general statutory funding preference are established.

Written comments should be addressed to: Marc L. Rivo, M.D., M.P.H., Director, Division of Medicine, Bureau of Health Professions, Health Resources and Services Administration, Parklawn Building, room 4C–25, 5600 Fishers Lane, Rockville, Maryland 20857.

All comments received will be available for public inspection and copying at the Division of Medicine, Bureau of Health Professions, at the above address, weekdays (Federal holidays excepted) between the hours of 8:30 a.m. and 5 p.m.

Application Requests

Requests for application materials and questions regarding grants policy and business management issues should be directed to: Ms. Mary Allen, Grants Management Specialist (D28), Residency and Advanced Grants Section, Bureau of Health Professions, Health Resources and Services Administration, 5600 Fishers Lane, room 8C–26, Rockville, Maryland 20857, Telephone: (301) 443–6002, FAX: (301) 443–6343.

Completed applications should be returned to the Grants Management Branch at the above address.

Questions regarding programmatic information should be directed to: Ms. Dianne G. Harbison, Program Specialist, Resources Development Section, Primary Care Medical Education Branch, Division of Medicine, Bureau of Health Professions, Health Resources and Services Administration, 5600 Fishers Lane, room 4C–04, Rockville, Maryland 20857, Telephone: (301) 443–3614, FAX: (301) 443–8890.

The application deadline date is November 10, 1993. Applications shall be considered to be "on time" if they are either:

1. *Received on or before* the established deadline date, or
2. *Sent on or before* the established deadline date and received in time for orderly processing. (Applicants should request a legibly dated U.S. Postal Service postmark or obtain a legibly dated receipt from a commercial carrier or the U.S. Postal Service. Private metered postmarks shall not be acceptable as proof of timely mailing.

Late applications not accepted for processing will be returned to the applicant.

This program is listed at 93.900 in the *Catalog of Federal Domestic Assistance*. Applications submitted in response to this announcement are not subject to the provisions of Executive Order 12372, Intergovernmental Review of Federal Programs, (as implemented through 45 CFR part 100).

This program is not subject to the Public Health System Reporting Requirements.

Dated: August 2, 1993.

William A. Robinson,

Acting Administrator.

[FR Doc. 93–23907 Filed 9–29–93; 8:45 am]

BILLING CODE 4160–15–P

[PN 2112]

Program Announcement and Proposed Minimum Percentages for "High Rate" and "Significant Increase in the Rate" for Implementation of the General Statutory Funding Preference for Grants for Nurse Practitioner and Nurse-Midwifery Programs for Fiscal Year 1994

The Health Resources and Services Administration (HRSA) announces that applications will be accepted for fiscal year (FY) 1994, Grants for Nurse Practitioner and Nurse-Midwifery Programs, under the authority of section 822, title VIII of the Public Health Service (PHS) Act, as amended by the Nurse Education and Practice Improvement Amendments of 1992, title II of Public Law 102–408, Health Professions Education Extension Amendments of 1992, dated October 13, 1992. Comments are invited on the proposed minimum percentages for "high rate" and "significant increase in the rate" for implementation of the general statutory funding preference.

The administration's budget request for FY 1994 includes $19.6 million for this program. Total continuation support recommended is $10.4 million. It is anticipated that $9.2 million will be available to support 42 competing awards averaging $220,000.

Previous Funding Experience

Previous funding experience is provided to assist potential applicants to make better informed decisions regarding submission of an application for this program. In FY 1993, HRSA reviewed 91 applications for Nurse Practitioner and Nurse-Midwifery Grants. Of those applications, 79 percent were approved and 21 percent were disapproved. Sixteen projects, or 22 percent of the applications approved, were funded.

Purpose

Section 822 of the Public Health Service Act, as amended, authorizes grants to meet the costs of projects to:

(1) Plan, develop and operate new programs; or

(2) Maintain or significantly expand existing programs for the training of nurse practitioners and/or nurse-midwives who will, upon completion of their studies, be qualified to effectively provide primary health care, including primary health care in homes and in ambulatory care facilities, long-term care facilities and other health care institutions.

The period of Federal support should not exceed 3 years.

Eligibility

Eligible applicants are public and nonprofit private schools of nursing or other public and nonprofit private entities. Eligible applicants must be located in a State.

National Health Objectives for the Year 2000

The Public Health Service (PHS) urges applicants to submit work plans that address specific objectives of Healthy People 2000. Potential applicants may obtain a copy of Healthy People 2000 (Full Report; Stock No. 017–001–00474–0) or Healthy People 2000 (Summary Report; Stock No. 017–001–00473–1) through the Superintendent of Documents, Government Printing Office, Washington, DC 20402–9325 (Telephone (202) 783–3238).

Education and Service Linkage

As part of its long range planning, HRSA will be targeting its efforts to strengthening linkages between U.S. Public Health Service supported education programs and programs which provide comprehensive primary care services to the underserved.

Review Criteria

The review of applications will take into consideration the following criteria:

1. The degree to which the project plan adequately provides for meeting the requirements set forth in Section 57.2405 of the program regulations and the Appendix;
2. The potential effectiveness of the proposed project in carrying out the education purposes of section 822 of the Act and 42 CFR part 57, subpart Y;
3. The capability of the applicant to carry out the proposed project;
4. The soundness of the fiscal plan for assuring effective utilization of grant funds; and
5. The potential of the project to continue on a self-sustaining basis after the project period.

Other Considerations

In addition, the following funding factors may be applied in determining funding of approved applications.

A funding preference is defined as the funding of a specific category or group of approved applications ahead of other categories or groups of approved applications.

A funding priority is defined as the favorable adjustment of aggregate review scores of individual approved applications when applications meet specified criteria.

Special consideration is defined as the enhancement of priority scores by merit reviewers based on the extent to which applications address special areas of concern.

It is not required that applicants request consideration for a funding factor. Applications which do not request consideration for funding factors will be reviewed and given full consideration for funding.

Statutory Program Specific Preferences

Preference will be given to any qualified applicant that agrees to expend the award to plan, develop, and operate new programs or to significantly expand existing programs.

Statutory General Preference

As provided in section 860(e)(1) of the PHS Act, preference will be given to any qualified applicant that—

(A) has a high rate for placing graduates in practice settings having the principal focus of serving residents of medically underserved communities; or

(B) during the 2-year period preceding the fiscal year for which such an award is sought, has achieved a significant increase in the rate of placing graduates in such settings.

This preference will only be applied to applications that rank above the 20th percentile of proposals recommended for approval by the peer review group.

Proposed Minimum Percentages for "High Rate" and "Significant Increase in the Rate"

"High rate" is defined as a minimum of 30 percent of graduates in academic year 1991–92 or academic year 1992–93, whichever is greater, who spend at least 50 percent of their worktime in clinical practice in the specified settings. Public health nurse graduates can be counted if they identify a primary work affiliation at one of the qualified work sites. Graduates who are providing care in a medically underserved community as a part of a fellowship or other educational experience can be counted.

"Significant increase in the rate" means that, between academic years 1991–92 and 1992–93, the rate of placing graduates in the specified settings has increased by a minimum of 50 percent and that not less than 15 percent of graduates from the most recent year are working in these settings.

Additional information concerning the implementation of this preference has been published in the **Federal Register** at 58 FR 40659, dated 7/29/93.

Statutory Special Considerations

Special consideration will be given to qualified applicants that agree to expend the award to train individuals as nurse practitioners and nurse-midwives who will practice in health professional shortage areas designated under section 332.

Established Funding Priority

The following funding priority was established in FY 1993 after public comment (58 FR 5009, dated 1/19/93) and the Administration is extending this funding priority in FY 1994.

Funding priority will be given to applicant institutions which demonstrate either substantial progress over the last three years or a significant experience of ten or more years in enrolling and graduating trainees from those minority or low-income populations identified as at risk of poor health outcomes.

Information Requirements Provision

Under section 860(e)(2) of the Act, the Secretary may make an award under the Advanced Nurse Education Grants only if the applicant for the award submits to the Secretary the following information:

1. A description of rotations of preceptorships for students, or clinical training programs for residents, that have the principal focus of providing health care to medically underserved communities.
2. The number of faculty on admissions committees who have a clinical practice in community-based ambulatory settings in medically underserved communities.
3. With respect to individuals who are from disadvantaged backgrounds or from medically underserved communities, the number of such individuals who are recruited for academic programs of the applicant, the number of such individuals who are admitted to such programs, and the number of such individuals who graduate from such programs.
4. If applicable, the number of recent graduates who have chosen careers in primary health care.
5. The number of recent graduates whose practices are serving medically underserved communities.
6. A description of whether and to what extent the applicant is able to operate without Federal assistance under this title.

Additional details concerning the implementation of this information requirement have been published in the **Federal Register** at 58 FR 43642, dated August 17, 1993, and will be provided in the application materials.

Paperwork Reduction Act

The standard application form PHS 6025–1, HRSA Competing Training Grant Application, General Instructions and supplement for this program have

been approved by the Office of Management and Budget under the Paperwork Reduction Act. This approval includes the burden for collection of information for the statutory general preference and for the information requirement provision. (OMB #0915–0060, expiration date 7/31/95)

Additional Information

Interested persons are invited to comment on the proposed minimum percentages for "high rate" and "significant increase in the rate" for implementation of the general statutory funding preference. The comment period is 30 days. All comments received on or before (November 1, 1993, will be considered before the final minimum percentages for "high rate" and "significant increase in the rate" for implementation of the general statutory funding preference are established. Written comments should be addressed to: Marla Salmon, ScD, RN, FAAN, Director, Division of Nursing, Bureau of Health Professions, Health Resources and Services Administration, Parklawn Building, room 9–35, 5600 Fishers Lane, Rockville, Maryland 20857.

All comments received will be available for public inspection and copying at the Division of Nursing, Bureau of Health Professions, at the above address, weekdays (Federal holidays excepted) between the hours of 8:30 a.m. and 5 p.m.

Application Requests

Requests for application materials, and questions regarding grants policy and business management issues should be directed to: Ms. Donna Nash, Grants Management Specialist (D–24), Bureau of Health Professions, Health Resources and Services Administration, Parklawn Building, room 8C–26, 5600 Fishers Lane, Rockville, Maryland 20857, Telephone: (301) 443–6960.

Completed applications should be returned to the Grants Management Branch at the above address.

If additional programmatic information is needed, please contact: Dr. Thomas P. Phillips, Chief, Advanced Nursing Education Branch, Division of Nursing, Bureau of Health Professions, Health Resources and Services Administration, Parklawn Building, room 9–36, 5600 Fishers Lane, Rockville, Maryland 20857, Telephone: (301) 443–6333.

The deadline date for receipt of applications is November 1, 1993. Applications shall be considered as meeting the deadline if they are either;

1. Received on or before the established deadline date, or

2. Sent on or before the established deadline date and received in time for orderly processing. (Applicants should request a legibly dated U.S. Postal Service postmark or obtain a legibly dated receipt from a commercial carrier or U.S. Postal Service. Private metered postmarks shall not be acceptable as proof of timely mailing.)

Late applications not accepted for processing will be returned to the applicant.

This program, Nurse Practitioner and Nurse-Midwifery Programs, is listed at 93.298 in the Catalog of Federal Domestic Assistance. It is not subject to the provisions of Executive Order 12372, Intergovernmental Review of Federal Programs, (as implemented through 45 CFR part 100). This program is not subject to the Public Health Service Reporting Requirements.

Dated: August 2, 1993.

William A. Robinson,

Acting Administrator.

[FR Doc. 93–23996 Filed 9–29–93; 8:45 am]

BILLING CODE 4160–15–P

Advisory Council; Notice of Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), announcement is made of the following National Advisory body scheduled to meet during the month of November 1993:

Name: National Advisory Council on Migrant Health

Date and Time: November 4–6, 1993—8:30 a.m.

Place: Palm Beach Gardens Marriott, 4000 RCA Boulevard, Palm Beach Gardens, Florida 33420

The meeting is open to the public.

Purpose: The Council is charged with advising, consulting with, and making recommendations to the Secretary and the Administrator, Health Resources and Services Administration, concerning the organization, operation, selection, and funding of Migrant Health Centers and other entities under grants and contracts under section 329 of the Public Health Service Act.

Agenda: The agenda includes a overview of Council general business activities and priorities; the development of 1994 National Advisory Council on Migrant Health Recommendations. A workshop for Section 329 grantees is scheduled for Friday, November 5, 3 p.m.–5 p.m., and a Farmworker Public Hearing is scheduled for Saturday, November 6, 8:30 a.m.–12 p.m. at the above hotel. The Council is soliciting oral and written comments for testimony; specific to migrant/seasonal farmworker health and migrant health program issues for the above scheduled Public Hearing and workshop.

The Council meeting is being held in conjunction with the Sixth Annual Eastern Stream Migrant Forum, November 5–7.

Anyone requiring information regarding the subject Council should contact Helen Kavanagh, Migrant Health Program, Staff Support to: National Advisory Council on Migrant Health, Bureau of Primary Health Care, Health Resources and Services Administration, 4350 East West Highway, room 7A6–1, Rockville, Maryland 20857, Telephone (301) 594–4303.

Agenda items are subject to change as priorities dictate.

Dated: September 24, 1993.

Jackie E. Baum,

Advisory Committee Management Officer, HRSA.

[FR Doc. 93–23909 Filed 9–29–93; 8:45 am]

BILLING CODE 4160–15–P

National Institutes of Health

National Heart, Lung, and Blood Institute; Meeting

Pursuant to Public Law 92–463, notice is hereby given of the meetings of the following Heart, Lung, and Blood Special Emphasis Panels.

These meetings will be closed in accordance with the provisions set forth in sec. 552b(c)(4) and 552b(c)(6), title 5, U.S.C. and section 10(d) of Public Law 92–463, for the review, discussion and evaluation of individual grant applications, contract proposals, and/or cooperative agreements. These applications and/or proposals and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications and/or proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Panel: NHLBI SEP on Behavioral Medicine Research in Cardiovascular Disease (T32) Training Grant.

Dates of Meeting: October 3, 1993.

Time of Meeting: 6:30 p.m.

Place of Meeting: Holiday Inn Crown Plaza, Rockville, Maryland.

Agenda: To evaluate and review training grant(s).

Contact Person: Dr. Anthony M. Coelho, 5333 Westbard Avenue, room 648, Bethesda, Maryland 20892, (301) 594–7485.

Name of Panel: NHLBI SEP on Continuation of Pediatric Cohort of the Cooperative Study of Sickle Cell Disease, Clinical Centers and Statistical Coordinating Center.

Dates of Meeting: October 12–13, 1993.

Time of Meeting: 8 p.m.

Place of Meeting: Hyatt Regency Hotel, Bethesda, Maryland.

Agenda: To evaluate and review contract proposals.

Contact Person: Dr. Lynn Amende, 5333 Westbard Avenue, room 648, Bethesda, Maryland 20892, (301) 594–7485.

Name of Panel: NHLBI SEP on Demonstration and Education Research Applications and National Growth and Health Study (NGHS) Applications.

Dates of Meeting: October 19–20, 1993.

Time of Meeting: 1 p.m.

Place of Meeting: Stouffer Concourse Hotel, Arlington, Virginia.

Agenda: To evaluate and review grant applications.

Contact Person: Dr. Louise Corman, 5333 Westbard Avenue, room 548, Bethesda, Maryland 20892, (301) 594–7452.

This notice is being published later than the fifteen days prior to the meeting due to difficulty of coordinating schedules.

(Catalog of Federal Domestic Assistance Programs Nos. 93.837, Heart and Vascular Diseases Research; 93.838, Lung Diseases Research; and 93.839, Blood Diseases and Resources Research, National Institutes of Health.)

Dated: September 23, 1993.

Susan K. Feldman,

Committee Management Officer, NIH.

[FR Doc. 93–23902 Filed 9–29–93; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NM–940–4120–03; OKNM 91589]

Invitation To Participate; Exploration of Coal in Oklahoma

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: Members of the public are hereby invited to participate with Coilwells, Inc., on a pro rata cost sharing basis, in a program for the exploration of coal deposits owned by the United States of America. The lands are located in LeFlore County, Oklahoma, and are described as follows:

Indian Meridian

T. 9 N., R. 26 E., I.M., LeFlore County,
Sec. 28, S½ (M&B).
Containing 145.00 acres, more or less.

Interested parties may obtain a complete description of the lands covered in the license application by contacting Coilwells, Inc., P.O. Box 728, Pocola, Oklahoma 74902–0728, or the Bureau of Land Management, New Mexico State Office, Mining Unit, P.O. Box 27115, Santa Fe, New Mexico 87502–0115.

Any parties electing to participate in this exploration program shall notify in writing, both the State Director, Bureau of Land Management, New Mexico State Office, P.O. Box 27115, Santa Fe, New Mexico 87502–0115, and Coilwells, Inc., P.O. Box 728, Pocola, Oklahoma 74902–0728. Such written notice must include a justification for wanting to participate and any recommended changes in the exploration plan with specific reasons for such changes. The notice must be received no later than 30 calendar days after the publication of this notice in the **Federal Register.**

This proposed exploration program is for the purpose of determining the quality and quantity of the coal in the area and will be conducted pursuant to an exploration plan to be approved by the Bureau of Land Management.

A copy of the exploration plan as submitted by Coilwells, Inc., may be examined at the Bureau of Land Management, New Mexico State Office, 1474 Rodeo Road, Santa Fe, New Mexico 87502, the Bureau of Land Management, Tulsa District Office, 9522–H E. 47th Place, Tulsa, Oklahoma 74145, or the Bureau of Land Management, 221 N. Service Road, Moore, Oklahoma 73160.

Dated: September 21, 1993.

Frank Splendoria,

Acting State Director.

[FR Doc. 93–23918 Filed 9–29–93; 8:45 am]

BILLING CODE 4310–FB–M

[WY–920–41–5700; WYW119002]

Notice of Proposed Reinstatement of Terminated Oil and Gas Lease

September 21, 1993.

Pursuant to the provisions of 30 U.S.C. 188(d), and 43 CFR 3108.2–3(a) and (b)(1), a petition for reinstatement of oil and gas lease WYW119002 for lands in Weston 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 $500.00 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 WYW119002 effective March 1, 1993, subject to the original terms and conditions of the lease and the increased rental and royalty rates cited above.

Pamela J. Lewis,

Supervisory Land Law Examiner.

[FR Doc. 93–23919 Filed 9–29–93; 8:45 am]

BILLING CODE 4310–22–M

[WY–030–1560–02–T288]

Emergency Off-Road Vehicle Closure Order, Rawlins District Wyoming

AGENCY: Bureau of Land Management (BLM), Interior.

ACTION: Emergency off-road vehicle closure order; Rawlins District, Wyoming.

SUMMARY: The Rawlins District, Bureau of Land Management, hereby gives notice that all motorized traffic is limited to existing roads and two tracks in the Dunes Burn yearlong. The limited use action would apply to all motorized vehicles with the following exceptions: (1) Any military, fire, emergency or law enforcement vehicles while being used for emergency purposes; (2) any vehicle whose use is expressly authorized by the authorized officer; and (3) vehicles in official use. A map is available from the Great Divide Resource Area delineating the limited use.

DATES: This order is effective on October 1, 1993.

FOR FURTHER INFORMATION CONTACT: Great Divide Resource Area, Area Manager, P.O. Box 670, Rawlins, Wyoming 82301 (307) 324–4841.

SUPPLEMENTARY INFORMATION: The purpose of this motorized limited use action is to protect an area burned by a wildfire which occurs on highly erodible soils and is managed as crucial winter habitat for mule deer and elk. The area is characterized by vegetatively stabilized sand dunes which, due to the wildfire, have become unstable through the loss of vegetation.

The following described public lands are affected by this order:

The Dunes Burn

T. 17 N., R. 90 W., 6th P.M., Carbon County, Wyoming
Sec. 19 SE¼NE¼, S½SW¼, SE¼
Sec. 20 S½N½, S½
Sec. 21 S½NW¼, SW¼, NW¼SE¼, S½SE¼
Sec. 28 N½NE¼, SW¼NE¼, W½
Sec. 29 All
Sec. 30 All
Sec. 31 N½, N½SW¼, NW¼SE¼
Sec. 32 N½NE¼, NW¼
T. 17 N., R. 91 W., 6th P.M., Carbon County, Wyoming
Sec. 25 E½E½
Sec. 36 NE¼NE¼, S½NE¼, N½SE¼.

The authority for this limitation is 43 CFR 8364.1. The limitation will remain in effect until monitoring of the vegetation in the burn shows that revegetation efforts have succeeded and that erosion levels are equal to or less than those levels before the fire. This limitation is expected to last a minimum of three years.

Dated: September 20, 1993.

Bud Holbrook,

Area Manager.

[FR Doc. 93–23543 Filed 9–29–93; 8:45 am]

BILLING CODE 4310–22–M

[AZ–040–5700–10; AZA 27593]

Notice of Realty Action; Direct Sale of Public Lands

AGENCY: Bureau of Land Management, Safford District, Arizona.

ACTION: Notice.

SUMMARY: The following public lands have been found suitable for disposal by direct sale pursuant to Section 203 of the Federal Land Policy and Management Act of 1976 (90 Stat. 2750, 43 U.S.C. 1713). The land will be sold at not less than fair market value as determined by an appraisal. The mineral interests in the lands will be conveyed pursuant to Section 209(b) of the Federal Land Policy and Management Act of 1976 (90 Stat. 2757, 43 U.S.C. 1719). The land will not be offered for sale until at least 60 days after the date of this notice.

Gila and Salt River Meridian, Arizona

T. 23 S., R. 24 E.,
Sec. 9, lots 3, 4 and 5;
Sec. 10, lot 5, unsurveyed parcel lying in the SE¼SE¼;
Sec. 11, unsurveyed parcel lying in the SW¼SW¼;
Sec. 15, lot 2, unsurveyed parcel lying in the NE¼NE¼.

Containing 11.52 acres, more or less.

The land described is hereby segregated from appropriation under the public land laws, including the mining laws, pending disposition of this action or 270 days from the date of publication of this notice, whichever occurs first.

The land is being offered by direct sale to Phelps Dodge Corporation, who owns the land surrounding all of the parcels. It will consolidate their holdings and eliminate the problems associated with managing small, isolated parcels of public land.

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 District Manager, Safford District Office, 711 14th Avenue, Safford, Arizona 85546. In the absence of timely objections, this proposal shall become the final determination of the Department for the Interior.

Dated: September 23, 1993.

Frank L. Rowley,

Acting District Manager.

[FR Doc. 93–23998 Filed 9–29–93; 8:45 am]

BILLING CODE 4310–32–M

[NM–060–03–4340–02; NMNM 90300]

Exchange of Public Lands (Rio Bonito/Delaware Exchange); New Mexico

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of realty action.

SUMMARY: The following described public lands administered by the Bureau of Land Management (BLM) have been found suitable for disposal by exchange under Section 206 of the Federal Land Policy and Management Act of October 21, 1976 (43 U.S.C. 1716). The exchange proponent, Lincoln Valley Land Company, will select lands (surface only) from the following list of public lands based on an appraisal to ensure that exchanged lands are equal in value.

New Mexico Principal Meridian

Eddy County

T. 17 S., R. 21 E.,
Sec. 25, NW¼, NW¼SE¼;
Sec. 26, lots 1 to 6 inclusive.
T. 17 S., R. 23 E.,
Sec. 1, lots 3 and 4, S½NW¼, SW¼;
Sec. 2, lots 1 and 2, S½NE¼;
Sec. 3, lots 1 and 2, S½NE¼, SE¼;
Sec. 10, NE¼, S½SE¼;
Sec. 11, N½, NE¼SW¼, N½SE¼, SE¼SE¼;
Sec. 12, W½;
Sec. 22, S½SE¼;
Sec. 23, NW¼NW¼, N½SW¼;
Sec. 24, E½, NE¼SW¼;
Sec. 25, E½, S½SW¼;
Sec. 31, NE¼NW¼, E½NE¼, NW¼NE¼, lots 2, 3 and 4.
T. 17 S., R. 24 E.,
Sec. 18, lots 1, 2, 3, and 4, E½SW¼;
Sec. 19, lots 3 and 4, E½, E½SW¼;
Sec. 20, all.
T. 17 S., R. 25 E.,
Sec. 34, E½, E½W½;
T. 18 S., R. 21 E.,
Sec. 1, SW¼NE¼, NW¼SE¼, SW¼, S½NW¼, lots 1 to 4 inclusive;
Sec. 2, S½S½;
Sec. 3, S½SE¼;
Sec. 11, SE¼;
Sec. 12, NE¼NW¼, NW¼NE¼;
Sec. 13, SE¼;
Sec. 14, NE¼;
Sec. 21, E½, E½W½;
Sec. 22, N½, N½S½;
Sec. 24, NE¼;
Sec. 26, S½N½;
Sec. 34, W½, W½E½, E½SE¼, SE¼NE¼;
Sec. 35, W½, W½E½, E½SE¼, SE¼NE¼.
T. 18 S., R. 23 E.,
Sec. 6, SE¼SW¼, S½NE¼, lot 2 and lot 7;
Sec. 7, NE¼, E½NW¼, NE¼SW¼, lot 3;
Sec. 8, NW¼, N½SW¼,
Sec. 13, E½, SE¼NW¼, SW¼.
T. 18 S., R. 24 E.,
Sec. 2, S½SW¼.
T. 18 S., R. 25 E.,
Sec. 1, lot 1, SE¼NE¼;
Sec. 2, lot 4, SW¼NW¼, NW¼SW¼;
Sec. 3, S½NW¼, NW¼SW¼, S½S½;
Sec. 4, lot 4, SW¼NW¼, NE¼SE¼;
Sec. 9, S½.
T. 18 S., R. 26 E.,
Sec. 6, lot 6, NE¼SW¼, N½SE¼.
T. 19 S., R. 25 E.,
Sec. 10, NE¼, S½;
Sec. 11, SW¼NE¼, S½NW¼, S½;
Sec. 14, N½NW¼;
Sec. 15, N½N½;
Sec. 21, NW¼NE¼;
Sec. 25, E½NE¼, SW¼NE¼, SE¼NW¼, SW¼;
Sec. 27, SE¼;
Sec. 34, W½NE¼, NW¼.

Lea County

T. 20 S., R. 36 E.,
Sec. 14, S½SE¼;
Sec. 15, S½SE¼;
Sec. 21, S½NE¼; SE¼NW¼;
Sec. 22, NE¼, E½NW¼, SW¼NW¼;
Sec. 24, SW¼.
T. 20 S., R. 37 E.,
Sec. 3, NE¼SW¼;
Sec. 5, SE¼SW¼;
Sec. 6, SW¼;
Sec. 8, NE¼NW¼, SW¼SW¼;
Sec. 18, lots 1, 2, 3, and 4, N½NE¼, E½NW¼.
T. 23 S., R. 37 E.,
Sec. 34, E½NE¼, W½NW¼;
Sec. 35, SW¼SW¼, SE¼.
T. 23 S., R. 38 E.,
Sec. 30, SE¼SW¼, SE¼.

Chaves County

T. 19 S., R. 16 E.,
Sec. 35, N½NW¼, SW¼NW¼.
T. 19 S., R. 17 E.,
Sec. 25, S½;
Sec. 31, E½, E½W½;
Sec. 33, E½;
Sec. 34, S½;
Sec. 35, S½.
T. 19½ S., R. 16 E.,

Sec. 36, lots 1, 2, and 3.
T. 20 S., R. 16 E.,
Sec. 12, NE¼, NE¼NW¼, NE¼SE¼.
T. 20 S., R. 17 E.,
Sec. 3, lots 1, 2, 3, and 4, S½N½, SW¼, N½SE¼;
Sec. 4, lots 1, 2, 3, and 4, S½N½, S½;
Sec. 6, lots 1, 2, 3, and 4;
Sec. 7, lots 1, 3 and 4, E½, E½W½;
Sec. 8, E½, NW¼, N½SW¼;
Sec. 9, all.
Sec. 10, N½NW¼, S½SE¼;
Sec. 15, E½, S½NW¼, SW¼;
Sec. 17, E½;
Sec. 20, NE¼, NE¼SW¼, E½SE¼, NW¼SE¼;
Sec. 21, all.

Santa Fe County

T. 17 N., R. 9 E.,
Sec. 24, NW¼NE¼, E½NW¼, N½SW¼.

Containing 23,133.54 acres.

In exchange for the above selected lands, the United States will acquire the following private lands (surface only) from Lincoln Valley Land Company.

New Mexico Principal Meridian

Rio Bonito-Parcel 5 (Lincoln County)

T. 10 S., R. 16 E.,
Sec. 13, E½E½ (within).
T. 10 S., R. 17 E.,
Sec. 18, W½ (within);
Sec. 19, NW¼ (within).

Delaware (Eddy County)

T. 26 S., R. 28 E.,
Sec. 21, S½SE¼;
Sec. 22, W½SW¼, NE¼SW¼, N½SE¼;
Sec. 23, E½, S½NW¼, NW¼SE¼, E½SW¼;
Sec. 24, E½SE¼, NW¼SE¼, W½NE¼, N½NW¼;
Sec. 28, E½NW¼, SW¼NW¼, NW¼SE¼;
Sec. 29, E½SE¼, SE¼NE¼, E½NW¼SE¼;
Sec. 32, NE½NE¼;
Sec. 33, lot 1, NW¼NW¼.
T. 26 S., R. 29 E.,
Sec. 19, lots 2, 3, and 4, E½NW¼.

Containing 1,857.68 acres, plus 113.10 acres of water rights.

DATES: Comments must be received by November 15, 1993.

ADDRESSES: Comments should be sent to the District Manager, BLM, 1717 West Second Street, Rosewell, New Mexico, 88201–2019

FOR FURTHER INFORMATION CONTACT: Hans Sallani, BLM, Roswell Resource Area, 505–624–1790.

SUPPLEMENTARY INFORMATION: The BLM is in the process of acquiring five tracts of private land along the Rio Bonito in Lincoln County, New Mexico. A Notice of Realty Action was published in the **Federal Register** on Thursday, April 9, 1992, Volume 57, Number 60, Pages 1232 and 1233 for Tracts 1, 2, 3 and 4.

The decision to acquire those lands was signed December 2, 1992. Tract 4 was acquired in December 1992, while final action to acquire Tracts 1, 2, and 3 has been delayed. If the acquisition of these tracts cannot be completed in the near future, BLM will instead proceed with the the exchange of private lands in Tract 5 along the Rio Bonito in Lincoln County for the federal lands described in this Notice and the **Federal Register** Notice dated April 9, 1992.

If Tracts 1, 2 and 3 are acquired as initially proposed, the private lands in Tract 5 would be held for exchange for public lands in Lincoln County, New Mexico, following completion of the Roswell Resource Management Plan (RMP). If the BLM acquires Tract 5 first, then the private lands in Tracts 1, 2 and 3 would be exchanged for public lands in Lincoln County upon completion of the RMP. This situation would be defendant on there being sufficient public lands available for disposal in Lincoln County, in order to effectively consummate an exchange in a timely manner; and there being sufficient private parties interested in participating in such an exchange. The private lands offered to BLM along the Delaware River in Eddy County, New Mexico, would be acquired in exchange for public lands also described in this Notice.

Tract 5 along the Rio Bonito has a high potential for riparian resources, wildlife habitat, fisheries, watershed and historical/cultural values. The lands along the Delaware River have similar management potential, including habitat for threatened and endangered species.

The BLM is in the process of preparing an Environmental Assessment to address the impacts of the proposed land exchange. This document will be available for review by October 31, 1993. The proposed exchange is in conformance with BLM, State, and local plans, but not with Lincoln County's Interim Land Use Plan of January 14, 1992.

Lands transferred from the United States will contain the following patent reservations:

1. A reservation to the United States of a right-of-way for ditches or canals constructed by the authority of the United States in accordance with 43 U.S.C. 945, for the lands being transferred out of Federal ownership.

2. The reservation to the United States of all minerals in the lands being transferred out of Federal ownership. For lands determined to be non-mineral in character, the subsurface will transfer with the surface estate.

3. All valid existing rights (e.g. rights-or-way, easements and leases of record).

Publication of this notice in the **Federal Register** will segregate the subject lands from all appropriations under the public lands laws, including the mining and mineral leasing laws. This segregation will terminate upon issuance of patent, two years from the date of this notice or upon publication of a termination of segregation.

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 Roswell District Manager at the above address. Any 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.

Dated: September 21, 1993.

Leslie M. Cone,

District Manager.

[FR Doc. 93–23920 Filed 9–29–93; 8:45 am]

BILLING CODE 4310–FB–M

[OR–942–00–4730–02; GP3–417]

Filing of Plats of Survey; Oregon/Washington

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: The plat of survey of the following described lands is scheduled to be officially filed in the Oregon State Office, Portland, Oregon, thirty (30) calendar days from the date of this publication.

Willamette Meridian

Washington

T.23N., R.5W., accepted September 7, 1993.

If protests against a survey, as shown on the above plat, are received prior to the date of official filing, the filing will be stayed pending consideration of the protest(s). A plat will not be officially filed until the day after all protests have been dismissed and become final or appeals from the dismissal affirmed.

The plat will be placed in the open files of the Oregon State Office, Bureau of Land Management, 1300 NE 44th Avenue, Portland, Oregon 97213, and will be available to the public as a matter of information only. Copies of the plat may be obtained from the above office upon required payment. A person or party who wishes to protest against a survey must file with the State Director, Bureau of Land Management, Portland, Oregon, a notice that they wish to protest prior to the proposed official filing date given above. A statement of reasons for a protest may be filed with the notice of protest to the State Director, or the statement of

reasons must be filed with the State Director within thirty (30) days after the proposed official filing date.

The above described plat represents a dependent resurvey of a portion of the subdivisional lines, the subdivision of sections 9, 10, 11, 14, and 15, and the original survey of Tract 37, containing 32.55 acres. Upon official filing the plat will become the basic record for describing the lands for all authorized purposes.

FOR FURTHER INFORMATION CONTACT: Bureau of Land Management, 1300 NE 44th Avenue, P.O. Box 2965, Portland, Oregon 97208.

Dated: September 22, 1993.

Robert D. DeViney, Jr.,

Acting Chief, Branch of Lands and Minerals Operations.

[FR Doc. 93–23997 Filed 9–29–93; 8:45 am]

BILLING CODE 4310–33–M

Fish and Wildlife Service

Notice of Receipt of Application for Permit

The public is invited to comment on the following application for a permit to conduct certain activities with marine mammals. The application was submitted to satisfy requirements of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*) and the regulations governing marine mammals (50 CFR part 18).

File No. PRT–778099

Applicant: New York Aquarium, Brooklyn, NY.

Type of Permit: Take for Public Display.

Name and Number of Animals: Up to 6—Walrus (*Odobenus rosmarus*).

Summary of Activity to be Authorized: The applicant requests a permit to take (permanently remove) from the wild up to 6 young walrus (2 males and 4 females less than 2 years of age) that are orphaned during Native Alaskan subsistence hunting in Alaska.

Source of Marine Mammals for Research: Wild walruses located in Alaskan waters near Gambell and Little Diomede Island.

Period of Activity: From 1993 through 1998.

Concurrent with the publication of this notice in the **Federal Register**, the Office of Management Authority is forwarding copies of this application to the Marine Mammal Commission and the Committee of Scientific Advisors for their review.

Written data or comments, requests for copies of the complete application, or requests for a public hearing on this application should be submitted to the Director, Office of Management Authority (OMA), 4401 N. Fairfax Dr., room 420(c), Arlington, VA 22203 and must be received by the Director within 30 days of the date of publication of this notice. Anyone requesting a hearing should give specific reasons why a hearing would be appropriate. The holding of such hearing is at the discretion of the Director.

Documents and other information submitted with these applications are available for review by any party who submits a written request for a copy of such documents to the following office within 30 days of the date of publication of this notice: U.S. Fish and Wildlife Service, Office of Management Authority, 4401 North Fairfax Drive, Room 432, Arlington, Virginia 22203. Phone: (703/358–2104); FAX: (703/358–2281)

Dated: September 24, 1993.

Susan Jacobsen,

Acting Chief, Branch of Permits, Office of Management Authority.

[FR Doc. 93–23969 Filed 9–29–93; 8:45 am]

BILLING CODE 4310–55–M

Receipt of Applications for Permit

The following applicants have applied for a permit 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–781084.

Applicant: Anita Hayworth, San Diego, CA.

The applicant requests a permit to determine the presence or absence of the Least bell's vireo (*Vireoo bellii pusillus*) using recorded bird calls in southern California.

Written data or comments should be submitted to the Director, U.S. Fish and Wildlife Service, Office of Management Authority, 4401 North Fairfax Drive, room 432, Arlington, Virginia 22203 and must be received by the Director within 30 days of the date of this publication.

Documents and other information submitted with these applications are available for review by any party who submits a written request for a copy of such documents to the following office within 30 days of the date of publication of this notice: U.S. Fish and Wildlife Service, Office of Management Authority, 4401 North Fairfax Drive, room 432, Arlington, Virginia 22203. Phone: (703/358–2104); FAX: (703/358–2281).

Dated: September 24, 1993.

Susan Jacobsen,

Acting Chief, Branch of Permits, Office of Management Authority.

[FR Doc. 93–23968 Filed 9–29–93; 8:45 am]

BILLING CODE 4310–55–M

Notice of Availability of the Technical/Agency Draft Recovery Plan for the Duskytail Darter for Review and Comment

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of document availability and public comment period.

SUMMARY: The U.S. Fish and Wildlife Service (Service) announces the availability for public review of a draft recovery plan for the duskytail darter. The duskytail presently has a very fragmented, relict distribution, but the species was probably formerly much more widespread within the upper Tennessee River and the middle Cumberland River. This darter is presently known to inhabit only five short stream reaches—Little River, Blount County, Tennessee; Citico Creek, Monroe County, Tennessee; Big South Fork Cumberland River, Scott County, Tennessee; and Copper Creek and Clinch River, Scott County, Virginia. Two other historic duskytail darter populations are extirpated. The Service solicits review and comments from the public on this draft plan.

DATES: Comments on the technical/agency draft recovery plan must be received on or before November 29, 1993, to receive consideration by the Service.

ADDRESSES: Persons wishing to review the draft recovery plan may obtain a copy by contacting the Asheville Field Office, U.S. Fish and Wildlife Service, 330 Ridgefield Court, Asheville, North Carolina 28806. Written comments and materials regarding the plan should be addressed to the Field Supervisor at the above address. Comments and materials received are available on request for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Mr. Richard Biggins at the address and telephone number shown above (Ext. 228).

SUPPLEMENTARY INFORMATION:

Background

Restoring endangered or threatened animals and plants to the point where they are again secure, self-sustaining members of their ecosystems is a

primary goal of the Service's endangered species program. To help guide the recovery effort, the Service is working to prepare recovery plans for most of the listed species native to the United States. Recovery plans describe actions considered necessary for conservation of the species, establish criteria for recognizing the recovery levels for downlisting or delisting them, and estimate time and cost to implement the recovery measures needed.

The Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) (Act), requires the development of recovery plans for listed species unless such a plan would not promote the conservation of a particular species. Section 4(f) of the Act, as amended in 1988, requires that a public notice and an opportunity for public review and comment be provided during recovery plan development. The Service will consider all information presented during a public comment period prior to approval of each new or revised recovery plan. The Service and other Federal agencies will also take these comments into account in the course of implementing approved recovery plans.

The primary species considered in this draft recovery plan is the duskytail darter (*Etheostoma* sp.). The area of emphasis for recovery actions is the upper Tennessee River basin in eastern Tennessee and southwestern Virginia and the Big South Fork of the Cumberland River in northcentral Tennessee. Habitat protection, reintroduction, and preservation of genetic material are major objectives of this recovery plan.

Public Comments Solicited

The Service solicits written comments on the recovery plan described. All comments received by the date specified above will be considered prior to approval of the plan.

Authority

The authority for this action is Section 4(f) of the Endangered Species Act, 16 U.S.C. 1533(f).

Dated: September 21, 1993.

Brian P. Cole,

Field Supervisor.

[FR Doc. 93–23922 Filed 9–29–93; 8:45 am]

BILLING CODE 4310–55–M

Geological Survey

Federal Geographic Data Committee (FGDC); Meeting on Means To Coordinate Activities To Develop the National Spatial Data Infrastructure (NSDI)

AGENCY: U.S. Geological Survey, Interior.

ACTION: Notice of meeting.

SUMMARY: The FGDC is a co-convener of a meeting to discuss means by which Federal, State and local governments, and the private sector can coordinate their activities to speed the development of the National Spatial Data Infrastructure (NSDI). The purpose of the meeting is to discuss options for developing these means. The discussion will focus on the roles of various sectors and organizations in developing the NSDI.

DATES: November 1, 1993, from 9 a.m. to 5 p.m.

ADDRESSES: The meeting will be held in room 209 A–B of the Convention Center, 1301 South Second Avenue, Minneapolis, Minnesota.

FOR FURTHER INFORMATION CONTACT: Persons planning to attend the meeting or requesting background materials should provide their name and address to Marge Dunlap, FGDC Secretariat, U.S. Geological Survey, 590 National Center, 12201 Sunrise Valley Drive, Reston, Virginia 22092; telephone (703) 648–4150; facsimile (703) 648–5755; Internet "gdc@usgs.gov". The materials will be available on October 1, 1993.

SUPPLEMENTARY INFORMATION: Admittance will be limited to the seating available. Persons planning to attend the meeting should contact Ms. Dunlap at the above address.

This meeting is part of a series on developing the National Spatial Data Infrastructure. Previous meetings in the series have included the National Geo-Data Policy Forum held in Tyson's Corner, Virginia in May 1993, and a Geo-Data Meeting held in Atlanta, Georgia in July 1993. Issues such as public access, data fees, copyright, liability, privacy, and roles of government and the private sector were discussed at previous meetings.

Among the agencies and organizations endorsing and participating in these continuing discussions are the Association of American Geographers, the Atlanta Regional Commission, the Environmental Systems Research Institute, the Intergraph Corporation, the National Center for Geographic Information and Analysis, the National States Geographic Information Council, and the Urban and Regional Information Systems Association. The GIS/LIS'93 conference will immediately follow the meeting.

Dated: September 20, 1993.

Allen H. Watkins,

Chief, National Mapping Division.

[FR Doc. 93–23917 Filed 9–29–93; 8:45 am]

BILLING CODE 4310–31–M

INTERSTATE COMMERCE COMMISSION

Availability of Environmental Assessments

Pursuant to 42 U.S.C. 4332, the Commission has prepared and made available environmental assessments for the proceedings listed below. Dates environmental assessments are available are listed below for each individual proceeding.

To obtain copies of these environmental assessments contact Ms. Johnnie Davis or Ms. Tawanna Glover-Sanders, Interstate Commerce Commission, Section of Energy and Environment, room 3219, Washington, DC 20423, (202) 927–5750 or (202) 927–6212.

Comments on the following assessment are due 15 days after the date of availability:

AB–290 (Sub–No. 131X), Norfolk and Western Railway Company—Abandonment—Between Oak Hill and Lochgelly, West Virginia. EA available 9/21/93.

No. AB–8 (Sub–No. 27X), The Denver and Rio Grande Western Railroad Company—Abandonment Exemption—in El Paso County, Colorado. EA available 9/21/93.

No. AB–397 (Sub–No. 2X), Tulare Valley Railroad Company—Abandonment Exemption—in Kings and Tulare Counties, CA. EA available 9/24/93.

No. AB–145X, The Carrollton Railroad Company abandonment in Carroll County, KY. EA available 9/24/93.

No. AB 55 (Sub–No. 475X), CSX Transportation, Inc.—Discontinuance of service in Carroll County, KY. EA available 9/24/93.

Comments on the following assessment are due 30 days after the date of availability:

None.

Sidney L. Strickland, Jr.,

Secretary.

[FR Doc. 93–24009 Filed 9–29–93; 8:45 am]

BILLING CODE 7035–01–M

[Finance Docket No. 32329]

Walkersville Southern Railroad, Inc.; Operation Exemption; Line Owned by the State of Maryland

Walkersville Southern Railroad, Inc. (WSR), a noncarrier, has filed a notice of exemption to operate approximately 4.8 miles of rail line owned by the State of Maryland, extending between valuation station 3316 + 02 at Walkersville and valuation station 3560 + 00 north of Frederick, MD.[1] The notice became effective on September 14, 1993.[2]

Any comments must be filed with the Commission and served on Vaughn D. Rockney, Walkersville Southern Railroad, Inc., P.O. Box 651, Walkersville, MD 21793.

This notice is filed under 49 CFR 1150.31. If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10505(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

Decided: September 23, 1993.

By the Commission, David M. Konschnik, Director, Office of Proceedings.

Sidney L. Strickland, Jr.,

Secretary.

[FR Doc. 93–24010 Filed 9–29–93; 8:45 am]

BILLING CODE 7035–01–M

[1] WSR originally sought a modified rail certificate under 49 CFR 1150 Subpart C because the line was not included in the Final System Plan when Consolidated Railroad Corporation was formed. As a consequence, its abandonment was authorized and effected without further Commission approval under *The Railroad Revitalization and Regulatory Reform Act of 1976*, Public Law 94–210. On January 8, 1982, Maryland acquired the abandoned line from the Penn Central Corporation and the Baltimore & Eastern Railroad Company.

State supported operators ordinarily may obtain a modified certificate to operate recently abandoned lines if their purpose is to continue an established service, one that would otherwise cease but for the role of the State entity. *See Delaware and Hudson Ry. Co.—Modified Cert. of PC&N*, 363 I.C.C. 808 (1981); and Finance Docket No. 28990F, *Common Carrier Status of States, State Agencies and Instrumentalities, and Political Subdivisions, 49 CFR 1120A* (not printed), served July 16, 1981. A modified certificate is not appropriate here because no operations have been conducted since 1982 when the line was acquired by Maryland. In the alternative, WSR has requested issuance of a notice of exemption to operate under 49 CFR 1150.31.

[2] Under 49 CFR 1150.32(b), a notice of exemption becomes effective 7 days after its filing. Here, the effective date is calculated from September 7, 1993, the date WSR met the filing requirements.

DEPARTMENT OF JUSTICE

Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as Amended; Hercules Inc.

In accordance with Departmental policy, 28 CFR 50.7 and 42 U.S.C. 9622(d)(2), notice is hereby given that a proposed Consent Decree in *United States* v. *Hercules, Incorporated*, Civil Action Number 293–132, was lodged on September 20, 1993 with the United States District Court for the Southern District of Georgia, Brunswick Division.

This case concerns an inactive industrial landfill located in the eastern portion of Glynn County, Georgia, approximately three miles north of the City of Brunswick and one mile west of U.S. Highway 17, known as the Hercules 009 Landfill Site (the "Site"). Pursuant to Sections 106 and 107 of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. § 9606 and 9607(a), the Complaint in this action seeks recovery of all past and future costs incurred and to be incurred by the United States at the Site, and injunctive relief by the United States at the Site, and injunctive relief for the Site, namely, implementation of the remedy selected by EPA in a Record of Decision ("ROD") dated March 25, 1993. The ROD provides for treatment of subsurface and consolidated surface soils by *in-situ* stabilization, followed by the installation of a multimedia cap for Operable Unit 1 ("OU1") at the Site.

Defendant Hercules Incorporated has agreed in the proposed Consent Decree to pay the United States $544,199.22 for past response costs incurred at the Site, as well as all future costs of overseeing the implementation of the Remedial Action of OU1. Hercules has also agreed to implement the remedy selected by EPA for the Site. The cost of the selected remedy is approximately $9,900,000.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States* v. *Hercules, Incorporated*, DOJ Ref. #90–11–3–811A.

The proposed Consent Decree may be examined at the office of the United States Attorney, Southern District of Georgia, 100 Bull Street, Savannah, Georgia; the Office of the United States Environmental Protection Agency, Region IV, 345 Courtland Street, N.E., Atlanta, Georgia; and at the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005, (202) 624–0892. A copy of the proposed Consent Decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005. In requesting a copy, please refer to the referenced case and enclose a check in the amount of $53.25 (25 cents per page reproduction costs), payable to the Consent Decree Library for a copy of the Consent Decree with attachments (ROD, Statement of Work and Site map) or a check in the amount of $19.00, a copy of the proposed Consent Decree without those attachments.

Myles E. Flint,

Acting Assistant Attorney General, Environment and Natural Resources Division.

[FR Doc. 93–23906 Filed 9–29–93; 8:45 am]

BILLING CODE 4410–01–M

Lodging of Consent Decree Pursuant to the Clean Air Act

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that on September 15, 1993, a proposed Consent Decree in *United States* v. *Nicholas P. Klamut*, Civil Action No. 92–0058–W(S), DOJ Case No. 90–5–2–1–1632, was lodged with the United States District Court for the Northern District of West Virginia.

The United States' Complaint in Civil Action No. 92–0058–W(S) was filed in March, 1992 under section 113 of the Clean Air Act, 42 U.S.C. 7401 *et seq.*, to enjoin alleged violations of the Clean Air Act's National Emission Standard for Hazardous Air Pollutants for Asbestos ("Asbestos NESHAP"), 40 CFR part 61, subpart M, by the defendants, and to require the defendants to pay civil penalties for these alleged violations. The Complaint addressed alleged violations of the Asbestos NESHAP during defendants' demolition of the Pythian Castle Building in Wheeling, West Virginia during 1991 and 1992.

Pursuant to the agreement set forth in the proposed Consent Decree, defendant Nicholas P. Klamut has agreed to pay a civil penalty of $60,000 for past violations of the Clean Air Act and the Asbestos NESHAP, and defendant Quincy Edge, Jr. has agreed to pay a civil penalty of $30,000 for past violations of the Clean Air Act and the Asbestos NESHAP and has agreed to an injunction requiring him to perform actions at the landfill site at which asbestos was disposed to prevent future releases of asbestos. All three

defendants, including the estate of Quincy Edge, Sr., have agreed to comply with the Asbestos NESHAP in the future.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed consent decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States* v. *Nicholas P. Klamut, et al.*, DOJ Ref. #90–5–2–1–1632.

The proposed consent decree may be examined at the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005, 202–624–0892. A copy of the proposed Consent Decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005. In requesting a copy, please refer to the referenced case and enclose a check in the amount of $4.75 (25 cents per page reproduction costs), payable to the Consent Decree Library.

John C. Cruden,

Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 93–23923 Filed 9–29–93; 8:45 am]

BILLING CODE 4410–01–M

Consent Decree in Action Brought Under the Clean Air Act

In accordance with Departmental Policy, 28 CFR 50.7, notice is hereby given that a partial consent decree in *United States* v. *Hagadone Hospitality Co.*, Civil Action No. 93–0265–N HLR, was lodged with the United States District Court for the District of Idaho on July 13, 1993. This Consent Decree settles an action filed by the United States pursuant to Section 113 of the Clear Air Act, 42 U.S.C. 7413.

The United States Department of Justice brought this action on behalf of the U.S. Environmental Protection Agency, to recover civil penalties from and obtain injunctive relief against defendant Hagadone Hospitality Co. for alleged violations of the Clean Air Act and the National Emission Standards for Hazardous Air Pollutants for asbestos ("the asbestos NESHAP") promulgated thereunder during the 1990 renovation and demolition of the old J.C. Penny building in downtown Coeur d'Alene, Idaho. In this settlement, the defendant will pay the United States a civil penalty of $48,000. Also, any future demolition and renovation operations conducted at its facilities will be subject to an asbestos program set out in the consent decree, as well as to the inspection, notification, and work practice requirements of the asbestos NESHAP.

The Department of Justice will accept written comments relating to this proposed Consent Decree for thirty (30) days from the date of publication of this notice. Please address comments to the Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, DC 20044 and refer to *United States* v. *Hagadone Hospitality Co.*, DOJ number 90–5–2–1–1666.

Copies of the proposed Consent Decree may be examined at the Office of the United States Attorney, District of Idaho, Federal Building, 550 West Fort Street, Boise, Idaho, 83724, and at the U.S. Environmental Protection Agency, Office of the Regional Counsel, Region 10, 1200 Sixth Avenue, Seattle, Washington 98101. Copies of the proposed Consent Decree may also be obtained from the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005, (202) 624–0892. A copy of the proposed Consent Decree may be obtained by mail or in person from the Consent Decree Library. When requesting a copy of the Consent Decree, please enclose a check in the amount of $3.75 (25 cents per page reproduction costs) payable to the Consent Decree Library.

John C. Cruden,

Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 93–23925 Filed 9–29–93; 8:45 am]

BILLING CODE 4410–01–M

Consent Decree in Action Brought Under the Clean Air Act; United States v. Washington Department of Transportation et al.

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a partial consent decree in *United States* v. *Washington Department of Transportation, et al.*, Civil Action No. C92–1351R, was lodged with the United States District Court for the Western District of Washington on August 25, 1993. As to one defendant, James M. Pirie Construction, Inc., this Consent Decree settles an action filed by the United States pursuant to section 113 of the Clean Air Act, 42 U.S.C. 7413, and section 309(b) of the Clean Water Act, 33 U.S.C. 1319(b).

The United States Department of Justice brought this action on behalf of the U.S. Environmental Protection Agency, to recover civil penalties from and obtain injunctive relief against defendants Washington Department of Transportation, McDonald's Corporation and James M. Pirie Construction Co., Inc., for alleged violations of the Clean Air Act, the National Emission Standards for Hazardous Air Pollutants for asbestos ("the asbestos NESHAP") promulgated thereunder, and the Clean Water Act during the 1987 renovation and demolition of the old Crabpot Restaurant on the Coleman Dock, Pier 52, in downtown Seattle, Washington. In this settlement, James M. Pirie Construction, Inc., will pay the United States a civil penalty of $50,000. Also, the consent decree provides that this defendant cannot participate in any demolition and renovation operations where it would disturb asbestos, and does not relieve it of the inspection, notification, and work practice requirements of the asbestos NESHAP.

The Department of Justice will accept written comments relating to this proposed Consent Decree for thirty (30) days from the date of publication of this notice. Please address comments to the Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, DC 20044 and refer to *United States* v. *Washington Department of Transportation, et al.*, DOJ number 90–5–2–1–1686.

Copies of the proposed Consent Decree may be examined at the Office of the United States Attorney, Western District of Washington, 800 Fifth Avenue Plaza, Seattle, Washington 98104, and at the U.S. Environmental Protection Agency, Office of the Regional Counsel, Region X, 1200 Sixth Avenue, Seattle, Washington 98101. Copies of the proposed Consent Decree may also be obtained from the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005, (202) 624–0892. A copy of the proposed Consent Decree may be obtained by mail or in person from the Consent Decree Library. When requesting a copy of the Consent Decree, please enclose a check in the amount of $3.75 (25 cents per page reproduction costs) payable to the Consent Decree Library.

John C. Cruden,

Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 93–23924 Filed 9–29–93; 8:45 am]

BILLING CODE 4410–01–M

Antitrust Division

Pursuant to the National Cooperative Research and Production Act of 1993; Development of Applications and Equipment for Industrial and Other Gases

Notice is hereby given that, on August 24, 1993, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), Air Products and Chemicals, Inc. has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties and (2) the nature and objectives of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to section 6(b) of the Act, the identities of the parties are Air Products and Chemicals, Inc., Allentown, PA and Praxair, Inc., Danbury, CT. The objective of the venture is to develop technology and equipment for the production, storage, distribution, and/or application of oxygen, nitrogen, argon, helium and other gases.

Joseph H. Widmar,

Director of Operations, Antitrust Division.

[FR Doc. 93–23930 Filed 9–29–93; 8:45 am]

BILLING CODE 4410–01–M

Notice Pursuant to the National Cooperative Research and Production Act of 1993; Bell Communications Research, Inc.

Notice is hereby given that, on July 28, 1993, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), Bell Communications Research, Inc. ("Bellcore") has filed written notifications on behalf of Bellcore and David Sarnoff Research Center Inc. ("Sarnoff") simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties and (2) the nature of objectives of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to section 6(b) of the Act, the identities of the parties are Bellcore, Livingston, NJ; and Sarnoff, Princeton, NJ. Bellcore and Sarnoff entered into an agreement effective as of June 21, 1993, to engage in cooperative research of Asymmetric Digital Subscriber Lines and Motion Pictures Experts Group related technologies to better understand the feasibility and application of these technologies for exchange and exchange access services, including experimental prototype fabrication for the demonstration of such technologies.

Joseph H. Widmar,

Director of Operations, Antitrust Division.

[FR Doc. 93–23934 Filed 9–29–93; 8:45 a.m.]

BILLING CODE 4410–01–M

Notice Pursuant to the National Cooperative Research and Production Act of 1993; Bell Communications Research, Inc.

Notice is hereby given that, on July 28, 1993, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), Bell Communications Research, Inc. ("Bellcore") has filed written notifications on behalf of Bellcore and Telia Research AB ("Telia") simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties and (2) the nature and objectives of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to section 6(b) of the Act, the identities of the parties are Bellcore, Livingston, NJ; and Telia, Haninge, Sweden. Bellcore and Telia entered into an agreement effective as of June 21, 1993, to engage in cooperative research on technologies for communications services to better understand the feasibility and application of these technologies for exchange and exchange access services, including experimental prototype fabrication for the demonstration of such technologies.

Joseph H. Widmar,

Director of Operations, Antitrust Division.

[FR Doc. 93–23935 Filed 9–29–93; 8:45 am]

BILLING CODE 4410–01–M

Notice Pursuant to the National Cooperative Research and Production Act of 1993; Bell Communications Research, Inc.

Notice is hereby given that, on August 20, 1993, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), Bell Communications Research, Inc. ("Bellcore") has filed written notifications on behalf of Bellcore and International Business Machines Corporation ("IBM") simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties and (2) the nature and objectives of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to section 6(b) of the Act, the identities of the parties are Bellcore, Livingston, NJ; and IBM, Milford, CT. Bellcore and IBM entered into an agreement effective as of June 1, 1993, to engage in cooperative research of broadband telecommunications transmission and switching principles, systems, and techniques to better understand the application of this technology for exchange, exchange access, and end-to-end broadband services, including prototype fabrication and field trials for the experimental demonstration of such technology.

Joseph H. Widmar,

Director of Operations, Antitrust Division.

[FR Doc. 93–23933 Filed 9–29–93; 8:45 am]

BILLING CODE 4410–01–M

Notice Pursuant to the National Cooperative Research and Production Act of 1993; Bell Communications Research, Inc.

Notice is hereby given that, on July 28, 1993, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), Bell Communications Research, Inc. ("Bellcore") has filed written notifications on behalf of Bellcore and Texas Instruments Incorporated ("TI") simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties and (2) the nature and objectives of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to section 6(b) of the Act, the identities of the parties are Bellcore, Livingston, NJ; and TI, Dallas, TX. Bellcore and TI entered into an agreement effective as of June 3, 1993, to engage in cooperative research of high-speed data transmission over copper twisted pairs through advanced digital subscriber lines to better understand the feasibility and application of these technologies for exchange and exchange access services, including experimental prototype

fabrication for the demonstration of such technologies.

Joseph H. Widmar,

Director of Operations, Antitrust Division.

[FR Doc. 93–23936 Filed 9–29–93; 8:45 am]

BILLING CODE 4410–01–M

Notice Pursuant to the National Cooperative Research and Production Act of 1993; Bell Communications Research, Inc.

Notice is hereby given that, on August 20, 1993, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), Bell Communications Research, Inc. ("Bellcore") has filed written notifications on behalf of Bellcore and Hewlett-Packard Company ("HP") simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties and (2) the nature and objectives of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to section 6(b) of the Act, the identities of the parties are Bellcore, Livingston, NJ; and HP, Cupertino, CA. Bellcore and HP entered into an agreement effective as of July 12, 1993, to engage in cooperative research activities directed to exploring the technology for Wireless Access Communications Systems (WACS), to better understand this technology for exchange and exchange access voice and data services, including prototype fabrication for the experimental demonstration of such technology.

Joseph H. Widmar,

Director of Operations, Antitrust Division.

[FR Doc. 93–23928 Filed 9–29–93; 8:45 am]

BILLING CODE 4410–01–M

Notice Pursuant to the National Cooperative Research and Production Act of 1993; Cable Television Laboratories, Inc.

Notice is hereby given that, on July 26, 1993, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), Cable Television Laboratories, Inc. ("CableLabs") and Motorola, Inc. ("Motorola") filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties and (2) the nature and objectives of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to section 6(b) of the Act, the identities of the parties are CableLabs, Boulder, CO; and Motorola, acting by and through its General Systems Sector, Arlington Heights, IL.

The area of planned activity is architecture and performance standards that will enable cable television systems to provide transport capabilities for both Personal Communications Services and for existing cellular carriers.

Joseph H. Widmar,

Director of Operations, Antitrust Division.

[FR Doc. 93–23932 Filed 9–29–93; 8:45 am]

BILLING CODE 4410–01–M

Notice Pursuant to the National Cooperative Research and Production Act of 1993; Pine Oil Joint Venture

Notice is hereby given that, on August 10, 1993, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), DowBrands, Inc. has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. The following additional members are: Sintesis quimica S.A. de C.V., Washington, DC; TECNAL Corporation, Anacortes, WA. In addition, the pine oil products of American Cyanamid Company were acquired by The Clorox Company, Pleasanton, CA, and the corporate name of Lehn & Fink Products Corporation was changed to L & F Products.

No other changes have been made in either the membership or planned activity of the joint venture. Membership in this joint venture remains open, and DowBrands, Inc. intends to file additional written notification disclosing all changes in membership.

On January 5, 1987, American Cyanamid Company filed its original notification pursuant to section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to section 6(b) of the Act on February 5, 1987, 52 FR 3719.

Joseph H. Widmar,

Director of Operations, Antitrust Division.

[FR Doc. 93–23926 Filed 9–29–93; 8:45 am]

BILLING CODE 4410–01–M

Notice Pursuant to the National Cooperative Research and Production Act of 1993 Investment Casting Cooperative Arrangement (ICCA)

Notice is hereby given that, on August 16, 1993, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), General Electric Company has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties and (2) the nature and objectives of a joint venture entitled "Investment Casting Cooperative Arrangement (ICCA)". The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to section 6(b) of the Act, the identities of the parties are General Electric Company, Fairfield, CT; Howmet Corporation, Greenwich, CT; United Technologies Corporation, Hartford, CT; Precision Castparts Corporation, Portland, OR; and UES, Inc., Dayton, OH. The objective of this joint venture is to conduct research, development and evaluation activities pursuant to a cooperative arrangement with the Advanced Research Projects Agency (ARPA) under 10 U.S.C. 2511. These activities relate to the investment casting process with the principal objectives of reducing the time and cost to design and produce precision cast parts primarily for aeropropulsion systems. These objectives will be achieved principally by developing, enhancing and validating investment casting simulation computer software through the joint collection and analysis of research information, the conduct or direction of research and the performance of further acts allowed by the Act that would advance the parties' objectives in this area.

Joseph H. Widmar,

Director of Operations, Antitrust Division.

[FR Doc. 93–23929 Filed 9–29–93; 8:45 am]

BILLING CODE 4410–01–M

Notice Pursuant to the National Cooperative Research and Production Act of 1993; Collaboration Agreement Between Human Genome Sciences, Inc. and SmithKline Beecham Corp.

Notice is hereby given that, on August 17, 1993, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), Human Genome Sciences, Inc. ("Human Genome Sciences") has filed written

notifications of the formation of a collaboration on behalf of Human Genome Sciences and SmithKline Beecham Corporation ("SmithKline Beecham") simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties and (2) the nature and objectives of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to section 6(b) of the Act, the identities of the parties are Human Genome Sciences, Inc., Rockville, MD; and SmithKline Beecham Corporation, Philadelphia, PA. The general area of planned activity is the sharing of information developed by Human Genome Sciences and SmithKline Beecham in the field of human genes and the sharing of the costs of certain studies in the field.

Joseph H. Widmar,

Director of Operations, Antitrust Division.

[FR Doc. 93–23937 Filed 9–29–93; 8:45 am]

BILLING CODE 4410–01–M

Notice Pursuant to the National Cooperative Research and Production Act of 1993; Petroleum Environmental Research Forum

Notice is hereby given that, on August 13, 1993, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301, *et seq.* ("the Act"), the participants in the Petroleum Environmental Research Forum ("PERF") Project No. 92–16 filed written notifications simultaneously with the Attorney General and with the Federal Trade Commission disclosing (1) the identities of the parties to Project No. 92–16 and (2) the nature and objectives of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to section 6(b) of the Act, the identities of the parties and the general area of planned activity are: Amoco Oil Company, Naperville, IL; Aramco Services Company, Houston, TX; Exxon Research and Engineering Company, Florham Park, NJ; Marathon Oil Company, Littleton, CO; Mobil Oil Corporation, Princeton, NJ; Phillips Petroleum Company, Bartlesville, OK; and, Texaco, Inc., Port Arthur, TX.

The nature of the research program performed in accordance with PERF Project 92–16 is to test solidifiers for oil spill response. The objective of this project is to provide recommendations on solidifiers and solidifier application rates and techniques to prevent oil spilled on water from reaching or affecting the shoreline and sensitive natural or commercial resources.

Information about participating in Project 92–16 may be obtained by contacting William A. Dahl, Exxon Research and Engineering Company, Florham Park, NJ.

Joseph H. Widmar,

Director of Operations, Antitrust Division.

[FR Doc. 93–23927 Filed 9–29–93; 8:45 am]

BILLING CODE 4410–01–M

Notice Pursuant to the National Cooperative Research and Production Act of 1993; Portable Power Equipment Manufacturers Association

Notice is hereby given that, on August 16, 1993, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), the Portable Power Equipment Manufacturers Association ("PPEMA Joint Venture") has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing certain changes. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, the following companies are no longer members of PPEMA: Carlton Company; Intertia Dynamics Corporation; Komatsu Zenoah America, Inc.; and Shakespeare Monofilament Company. Additionally, the corporate names of two members of PPEMA were spelled incorrectly in the original notification. "Kawasaki Motor Corporation, U.S.A." should be changed to "Kawasaki Motors Corporation, U.S.A.," and "U.S. Zama, Inc." should be changed to "U.S.A. Zama, Inc."

No other changes have been made in either the membership or planned activity of the group research project. Membership in PPEMA remains open, and the parties intend to file additional written notification disclosing all changes in membership.

On July 12, 1991, PPEMA filed its original notification pursuant to section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to section 6(b) of the Act on August 29, 1991, 56 FR 42758.

Joseph H. Widmar,

Director of Operations, Antitrust Division.

[FR Doc. 93–23931 Filed 9–29–93; 8:45 am]

BILLING CODE 4410–01–M

Drug Enforcement Administration

[Docket No. 93–37]

Dominick A. Ricci, M.D.; Revocation of Registration

On April 5, 1993, the Director, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Dominick A. Ricci, M.D. (Respondent), 9834 Genesee Avenue, La Jolla, California, proposing to revoke his DEA Certificate of Registration, AR9739383, and to deny any pending applications for renewal of his registration as a practitioner under 21 U.S.C. 823(f). The statutory predicate for the proposed action was Respondent's lack of authorization to handle controlled substances in the State of California.

Respondent, through counsel, requested a hearing on the issue raised in the Order to Show Cause and the matter was placed on the docket of Administrative Law Judge Paul A. Tenney. On May 13, 1993, the Government filed a motion for summary disposition. With the motion, Government counsel attached a copy of the state administrative law judge's decision suspending Respondent's license to practice medicine and surgery.

On May 14, 1993, the administrative law judge issued an order which allowed the Respondent 14 days to file a response to the Government's motion. Respondent failed to file a timely response. On June 7, 1993, the administrative law judge issued his opinion and recommended decision, granting the Government's motion for summary disposition and recommending revocation of Respondent's DEA Certificate of Registration. No exceptions were filed and, on July 19, 1993, the administrative law judge transmitted the record of these proceedings to the Administrator. The Administrator, having considered the record in its entirety, hereby enters his final order in this matter pursuant to 21 CFR 1316.67.

The administrative law judge found that on March 25, 1992, the Executive Director of the California Medical Board filed a Petition for Interim Order. On March 27, 1992, the California Medical Board held a preliminary hearing on the petition. As a result of the hearing, the Medical Board issued an interim order which immediately suspended Respondent from the practice of medicine and surgery. In April, May and June, 1992, over the course of 25 days, a state administrative law judge from the Office of Administrative Hearings, held a hearing. By Decision

dated July 6, 1992, the administrative law judge granted the Medical Board's Petition for Interim Order of Suspension. Consequently, the Respondent is not currently authorized to handle controlled substances in the State of California.

The Administrator concludes that the DEA does not have the statutory authority under the Controlled Substances Act to issue or maintain a registration if the applicant or registrant is without state authority to handle controlled substances. *See*, 21 U.S.C. 802(21), 823(f) and 824(a)(3). This prerequisite has been consistently upheld. *See, James H. Nickens, M.D.*, 57 FR 59847 (1992); *Elliott F. Monroe, M.D.*, 57 FR 23246 (1992); *Bobby Watts, M.D.*, 53 FR 11919 (1988); *Robert F. Witek, D.D.S.*, 52 FR 47770 (1987); and cases cited therein.

Since there is no dispute about Respondent's lack of authority to handle controlled substances in the State of California, the administrative law judge properly granted the Government's motion for summary disposition. When no question of fact is involved, a plenary, adversarial administrative proceeding with the full panoply of due process rights is not obligatory. *See, Philip E. Kirk, M.D.*, 48 FR 32887 (1983), *aff'd sub nom Kirk* v. *Mullen*, 749 F.2d 297 (6th Cir. 1984); *United States* v. *Consolidated Mines and Smelting Company, Ltd.*, 455 F.2d 432, 453 (9th Cir. 1971); *NLRB* v. *International Association of Bridge, Structural and Ornamental Ironworks, AFL–CIO*, 549 F.2d 634 (9th Cir. 1977).

Having considered the facts and circumstances in this matter, the Administrator concludes that Dr. Ricci's DEA Certificate of Registration should be revoked due to his lack of authorization to handle controlled substances in the State of California. Accordingly, the Administrator of the Drug Enforcement Administration, pursuant to the authority vested in him by 21 U.S.C. 823 and 824 and 28 CFR 0.100(b), hereby orders that DEA Certificate of Registration, AR9739383, previously issued to Dominick A. Ricci, M.D., be, and it hereby is, revoked. The Administrator further orders that any pending applications for the renewal of such registration, be, and they hereby are, denied. This order is effective November 1, 1993.

Dated: September 24, 1993.

Robert C. Bonner,

Administrator of Drug Enforcement.

[FR Doc. 93–24007 Filed 9–29–93; 8:45 am]

BILLING CODE 4410–09–M

DEPARTMENT OF LABOR

Pension and Welfare Benefits Administration

[Exemption Application No. D–9320]

Withdrawal of Notice of Proposed Exemption Involving the Atlanta Beverage Co. 401(k) Profit Sharing Plan (the Plan) Located in Atlanta, Georgia

In the **Federal Register** dated August 4, 1993 (58 FR 41495), the Department of Labor published a notice of proposed exemption from the prohibited transaction restrictions of the Employee Retirement Income Security Act of 1974 and from certain taxes imposed by the Internal Revenue Code of 1986. The notice of proposed exemption concerned the prospective sale for cash of certain mutual fund shares from the Plan to Atlanta Beverage Co., a party in interest with respect to the Plan.

By letter dated August 31, 1993, the applicant has requested that the exemption application be withdrawn.

Accordingly, the notice of proposed exemption is hereby withdrawn.

Signed at Washington, DC, this 27th day of September, 1993.

Ivan Strasfeld,

Director of Exemption Determinations, Pension and Welfare Benefits Administration, U.S. Department of Labor.

[FR Doc. 93–24056 Filed 9–29–93; 8:45 am]

BILLING CODE 4510–29–P

[Exemption Application No. D–9394, L–9393, Et al.]

Prohibited Transaction Exemption 93–69; Grant of Individual Exemptions; Navistar International Transportation Corporation, et al.

AGENCY: Pension and Welfare Benefits Administration, Labor.

ACTION: Grant of individual exemptions.

SUMMARY: This document contains exemptions issued by the Department of Labor (the Department) from certain of the prohibited transaction restrictions of the Employee Retirement Income Security Act of 1974 (the Act) and/or the Internal Revenue Code of 1986 (the Code).

Notices were published in the **Federal Register** of the pendency before the Department of proposals to grant such exemptions. The notices set forth a summary of facts and representations contained in each application for exemption and referred interested persons to the respective applications for a complete statement of the facts and representations. The applications have been available for public inspection at the Department in Washington, DC. The notices also invited interested persons to submit comments on the requested exemptions to the Department. In addition the notices stated that any interested person might submit a written request that a public hearing be held (where appropriate). The applicants have represented that they have complied with the requirements of the notification to interested persons. No public comments and no requests for a hearing, unless otherwise stated, were received by the Department.

The notices of proposed exemption were issued and the exemptions are being granted solely by the Department because, effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978 (43 FR 47713, October 17, 1978) transferred the authority of the Secretary of the Treasury to issue exemptions of the type proposed to the Secretary of Labor.

Statutory Findings

In accordance with section 408(a) of the Act and/or section 4975(c)(2) of the Code and the procedures set forth in 29 CFR part 2570, subpart B (55 FR 32836, 32847, August 10, 1990) and based upon the entire record, the Department makes the following findings:

(a) The exemptions are administratively feasible;

(b) They are in the interests of the plans and their participants and beneficiaries; and

(c) They are protective of the rights of the participants and beneficiaries of the plans.

Navistar International Transportation Corporation (Navistar)

Located in Chicago, IL and International Union, United Automobile, Aerospace, and Agricultural Implement Workers of America (UAW) Located in Detroit, MI

Application Nos. D–9394, L–9393 [Prohibited Transaction Exemption 93–69]

Exemption

Effective July 1, 1993, the restrictions of sections 406(a), 406(b)(1), 406(b)(2) and 407(a) of the Act shall not apply to (1) the acquisition and holding by the Navistar International Transportation Corporation Retiree Health Benefit and Life Insurance Plan (the New Plan) of shares of Class B Common Stock and Series A Preference Stock of Navistar International Corporation (NIC); (2) the holding by the New Plan of shares of NIC Common Stock resulting from the conversion of NIC Class B Common Stock into such shares; (3) the extension of credit between Navistar and the New Plan, which may occur in conjunction

with Navistar's annual obligation to advance funds to the Supplemental Benefit Program Trust; and (4) the sale of shares of NIC Class B Common Stock by the New Plan to Navistar, provided that:

(a) All decisions regarding the management of the Supplemental Benefit Program Trust, including determinations affecting NIC stock held by such trust are made by the Supplemental Program Committee;

(b) The Supplemental Program Committee will take whatever action is necessary to protect the New Plan's rights with respect to the transactions;

(c) With respect to the sale of NIC Class B Common Stock by the New Plan to Navistar, each Class B share will be valued at the average closing price per share of NIC Common Stock during the 30 day trading period immediately prior to the date Navistar acquires the Class B Shares, but in no case will the price be less than adequate consideration as defined in section 3(18) of the Act;

(d) The Supplemental Program Committee shall maintain, for a period of six years, the records necessary to enable the persons described in paragraph (e) below to determine whether the conditions of this exemption have been met, except that (a) a prohibited transaction will not be considered to have occurred if, due to circumstances beyond the control of the Supplemental Program Committee, the records are lost or destroyed prior to the end of the six year period, and (b) no party in interest other than the Supplemental Program Committee shall be subject to the civil penalty that may be assessed under section 502(i) of the Act if the records are not maintained, or are not available for examination as required by paragraph (e) below; and

(e)(1) Except as provided in section (2) of this paragraph and notwithstanding any provisions of subsections (a)(2) and (b) of section 504 of the Act, the records referred to in paragraph (d) above shall be unconditionally available at their customary location during normal business hours by:

(A) Any duly authorized employee or representative of the Department;

(B) The UAW or any duly authorized representative of the UAW;

(C) Any participant or beneficiary of the New Plan, or any duly authorized representative of such participant or beneficiary.

(2) None of the persons described above in subparagraphs (B) and (C) of this paragraph (e) shall be authorized to examine the trade secrets of NIC or Navistar or commercial or financial information which is privileged or confidential.

For purposes of this exemption:

(1) The majority of the members of the Supplemental Program Committee will be individuals who:

(a) Are not affiliates of Navistar, NIC or the UAW;

(b) Do not have any ownership interest in Navistar or NIC.

(c) Are not officers, directors, or 5 percent or more shareholders or partners of a person in which NIC has any ownership interest;

(d) Have acknowledged in writing acceptance of fiduciary responsibility;

(e) Do not receive more than 5 percent of their annual gross income (excluding retirement income and director's fees received during the Lock-up Period) for any taxable year in the aggregate from Navistar, the UAW, or any affiliates thereof;

(f) Will not acquire any property from, sell any property to or borrow any funds from NIC, UAW, or any affiliate thereof, during the period that such individual serves as a member of the Supplemental Program Committee and continuing for a period of 6 months after such individual ceases to be a member of the Supplemental Program Committee or negotiate any such transaction during the period that such transaction serves as a member of the Supplemental Program Committee.

Notwithstanding (a) and (c) above, one of the three non-UAW members of the Supplemental Program Committee would not be precluded from serving on Navistar's board of directors during the Lock-up Period.

(2) An affiliate of another person means:

(a) Any person directly or indirectly, through one or more intermediaries, controlling, controlled by, or under common control with such other person;

(b) Any officer, director, partner, employee, relative (as defined in section 3(15) of the Act), a brother, a sister, or a spouse of a brother or sister of such other person; and

(c) Any corporation or partnership of which such other person is an officer, director or partner.

(3) Control means the power to exercise a controlling influence over the management or policies of a person other than an individual.

For a more complete statement of the facts and representations supporting the Department's decision to grant this exemption refer to the notice of proposed exemption published on July 1, 1993, at 58 FR 35467.

Written Comments and Hearing Requests

The Department received 79 written comments from interested persons with respect to the proposed exemption. Twelve of the comment letters contained a request for a hearing. The Department forwarded copies of all the comment letters to Navistar and the UAW (the Applicants) and requested that they address the concerns raised by the commenters in writing.

The Applicants state that only two of the comment letters addressed either the terms of the proposed exemption, issues pertinent to the exemption or the statutory criteria in section 408(a) of the Act governing grants of exemption applications.

One commenter questioned the recordkeeping requirement in section (d) of the proposed exemption. The commenter asked why tolerance (from the prohibited transaction provisions) should be granted for lost or destroyed records. In response, the Applicants point out that a prohibited transaction will not be considered to have occurred if a loss or destruction of records is due to circumstances beyond the control of NIC and/or its affiliates. The Applicants further indicate that because recordkeeping is one of the conditions which must be met for the exemption to be available, a failure to satisfy the condition would jeopardize the relief provided therein. Accordingly, they state that it is not unreasonable to provide an exception if records are lost or destroyed due to conditions beyond the control of the recordkeeper.

Another commenter suggests that Navistar retirees should receive a quarterly report on the status of the "program". The Applicants state that the terms of the New Plan do not provide for extraordinary reporting or disclosure to participants. The Applicants are opposed to any such requirement and represent that Navistar, as plan administrator, will satisfy its statutory responsibilities under ERISA respecting the reporting and disclosure rules.

The Applicants represent that the specific concerns expressed by the other 77 commenters, including those that requested a hearing, relate to either the merits of the benefits provided under the New Plan, benefit levels and/or contributory requirements of the New Plan. Since the focus of the proposed exemption is on the mechanics of the employer provided funding for the New Plan, particularly the funding with employer stock of the Supplemental Benefit Program Trust, it is the position of the Applicants that these commenters

raised no substantive issues regarding the exemption.

The Department also received comments from Navistar and the UAW. The UAW requested that the final exemption permit the Supplemental Program Committee to name one of its non-UAW members to serve on the Navistar board of directors. The UAW represents that the failure to allow a non-UAW member of the Supplemental Program Committee to serve on Navistar's board of directors would impair the Committee's ability to pursue the most prudent course towards maximizing the value of the Supplemental Trust's primary asset, NIC Class B Common Stock. They further represent that the Supplemental Program Committee desires to make selections that will best facilitate the Committee's efforts to protect its stake in the company. In this regard, the Committee believes that at least one of its appointments should be drawn from among the Committee's membership, in order to ensure the optimal level of accountability, communication and overall effectiveness from its board appointments. By serving on both the Committee and the board, this individual would be certain to have both a clarity and depth of understanding about the interests of Navistar's largest stockholder and a personal concern for the success of Navistar. Without dual membership on the part of at least one of its appointments, the Committee feels that its ability to act as an effective "watchdog" over Navistar management will be materially diminished.

The UAW further notes that during the five year Lock-up Period, the Supplemental Trust's only asset will be non-voting, largely non-transferable NIC Common Class B Stock. Throughout the Lock-up Period, the Supplemental Program Committee will be focused on the goal of maximizing the long-term value of this stock. The UAW represents that the fiduciary responsibility to maximize shareholder value is congruent with the responsibility of Navistar directors, who serve at the pleasure of Navistar shareholders and who also must dedicate themselves to maximizing shareholder value.

The UAW further represents that the potential for conflict regarding dual membership, if any, is minimal. To the extent any conflicts were to arise, a Committee/board member's conduct would be reviewable under ERISA's fiduciary standards and, moreover, the Committee would, in such circumstance be empowered to remove such individual from the Navistar board, if appropriate.

Upon consideration of the UAW's comments, the Department has decided to modify the final exemption to permit a non-UAW member of the Committee to serve on such board during the duration of the Lock-up Period. Accordingly, the Department has modified the definition section of the final exemption in this regard.

The UAW also sought clarification that the exemption does not require that all future appointments of the non-UAW members to serve on the Supplemental Program Committee seek Court approval. The UAW represents that subsequent appointments of the non-UAW members to the Supplemental Program Committee will be handled through the Committee's selection process which was reviewed and approved by the Court.

The Department notes that the last sentence in footnote 13 on page 35471 of the Notice of Proposed Exemption incorrectly indicates that "The applicant represents that subsequent appointments will also be brought to the Court for its approval." To correct this misunderstanding, the Department has deleted the foregoing sentence for purposes of the final exemption.

Both Navistar and the UAW commented on the recordkeeping requirement in section (d) of the proposed exemption, which states that Navistar or NIC will maintain certain records for a period of six years. Both applicants state that Navistar is not the appropriate party upon which to impose this requirement because Navistar does not have control of or access to records regarding the Supplemental Benefit Program. The UAW requests that the Department modify the exemption to require that the Supplemental Program Committee maintain responsibility for keeping the records. Upon consideration of this comment, the Department has modified the final exemption as requested.

The Department has considered the concerns expressed by the twelve individuals who had requested a hearing and the applicants' written response addressing such concerns, and, on the basis of the materials provided, has determined not to hold a public hearing.

Accordingly, after careful consideration of the entire exemption record, including the written comments submitted by interested persons, the written responses to the comments and the safeguards provided to the Plan in connection with the transactions, the Department has determined to grant the exemption with the modifications discussed above.

FOR FURTHER INFORMATION CONTACT: Lyssa E. Hall of the Department of Labor, telephone (202) 219–8971. (This is not a toll-free number.)

The Amalgamated Insurance Fund—Insurance Fund; The Amalgamated Cotton Garment and Allied Industries Fund—Insurance Fund; The Amalgamated Neckwear Workers Insurance Fund—Social Insurance Fund; The Amalgamated Retail Insurance Fund, et al. Located in New York, New York

[Prohibited Transaction Exemption 93–70; Application Nos. D–9137 and D–9162 through D–9164]

Exemption

The restrictions of section 406(a)(1)(A) through (D) and section 406(b)(2) of the Act shall not apply to the purchase by certain Taft-Hartley multiemployer employee benefit trust funds (the Patron Funds or Patron Fund) of shares of common stock (the Stock) of ALICO Services Corporation (ASC), a service provider to such Patron Funds, from the Amalgamated Insurance Fund-Insurance Fund (the Clofund), a party in interest with respect to the Patron Funds, provided that prior to entry into the transaction by any of the Patron Funds: (a) An independent fiduciary (the I/F) determines, on behalf of each of the Patron Funds participating in the transaction, that it is feasible, in the interest of, and protective of such Patron Funds and the participants and beneficiaries of such Patron Funds; (b) an I/F negotiates, reviews, approves, and monitors the terms of the purchase for each of the Patron Funds who participate in the transaction; (c) an I/F determines that the value of the ASC Stock purchased by a particular Patron Fund who participates in the transaction, constitutes, immediately after such purchase, no more than 15% of the assets of such Patron Fund; (d) an I/F determines that the terms of the purchase are no less favorable to the Patron Funds who participate in the transaction than those negotiated at arm's length by unrelated third parties in similar circumstances; (e) an I/F determines that the purchase price for the Stock paid by the Patron Funds who participate in the transaction is no greater than the fair market value of such Stock on the date of the purchase; (f) an independent qualified appraiser determines the fair market value of the Stock, as of the date the transaction is entered; and (g) the Patron Funds who participate in the purchase of ASC Stock incur no fees, costs, commissions, or other charges or expenses as a result of their participation in the transaction, other than the fee payable to the I/F.

Written Comments

In the Notice of Proposed Exemption (the Notice), the Department invited all interested persons to submit written comments and requests for a hearing on the exemption. All comments and requests for hearing were due by July 9, 1993.

As of the close of the comment period, the Department had received approximately eighty (80) letters from interested persons commenting on the exemption. Of these comment letters, fourteen (14) contained requests for hearing.

With respect to the written comments submitted by interested persons, the Department forwarded copies of all the comment letters to the applicant and requested that the applicant address the concerns raised by the commentators in writing. A description of the comments and the applicant's responses are summarized below.

A group of fifteen (15) commentators wrote to express uncertainty regarding the meaning of the exemption and, in some cases, requested further information. These commentators were telephoned and assisted with their questions by members of the staff of the Office of Exemption Determinations of the Department.

Approximately thirty-three (33) commentators questioned whether additional benefits would be made available as a result of the exemption. Another nineteen (19) expressed concern that the exemption might adversely impact on their existing benefits, either by cutting back benefits or reducing monies available to fund existing benefits. A third group of thirteen (13) commentators wrote letters, some of which have similar or identical wording, in which the commentators suggest that investment in ASC Stock by the Patron Funds is unduly risky and could threaten the safety of their plan benefits.

The applicant and the I/F acting on behalf of the Patron Funds who participate in the transaction were asked to address the above concerns. With respect to the specific concerns that the exemption will threaten the availability of benefits, the applicant represents that the exemption has no impact whatsoever on the terms of the plan participants' benefits. With respect to the concerns about the safety of the investment, the applicant states that the transaction has been carefully crafted and that the structure of the exemption adequately safeguards participants from such risk. Further, the applicant points out that the investment by the Patron Funds in ASC Stock set forth in the exemption will be made within the bounds of the prudence and diversification requirements of the Act.

With respect to the same comments regarding the investment by the Patron Funds in ASC Stock, U.S. Trust Company of California, N.A., who will act on behalf of certain of the Patron Funds as I/F, represents that it will not approve any investment by any of the Patron Funds in ASC Stock, unless it has first determined that such investment is designed to reasonably protect against adverse effects on the provision of benefits to participants and beneficiaries.

As noted above, fourteen (14) interested persons wrote requesting a hearing with respect to the exemption.[1] A few commentators requested a hearing to determine whether they were entitled to additional benefits, while other commentators requested a hearing based on their assumptions that the exemption would result in a benefit cutback. Finally, one commentator requested a hearing and expressed concern that the exemption will result in union officers receiving increased compensation at the expense of participants' benefits.

As previously stated, the applicant represents that the granting of this exemption will have no impact on the terms of the plan participants' benefits. Further, the Department notes that the subject of the exemption does not in any way involve compensation for union officers. The Department has concluded that the issues identified by the commentators, who requested a hearing, have been fully explored in the case record including the material submitted by the applicant in response to the comments. Accordingly, the Department has determined not to hold a public meeting.

In addition to the above comments and requests for a hearing received from interested persons, the applicant informed the Department in a submission dated July 14, 1993, of certain factual changes to the information contained in the application and technical clarifications to the language in the Notice. The following items represents a summary of the comments submitted to the Department by the applicant subsequent to the publication of the Notice.

(1) On page 11253 of the **Federal Register** in the first paragraph of the middle column, in the second and third sentences, the name of one of the funds was omitted and some of the figures attributed to the funds were reversed. These two sentences should read, "The Patron Funds with the most participants are Clofund Retirement, Clofund, Cotfund Retirement, and Cotfund with 85,127; 34,551; 96,536; and 74,511 participants, respectively, as of July 7, 1992. As of the same date, Clofund Retirement, Clofund, Cotfund Retirement, and Cotfund also have the most assets with $175.5 million; $53.9 million; $425.1 million; and $75.4 million, respectively."

(2) On page 11254 of the **Federal Register**, the Patron Funds are incorrectly referred to as the Patron Plans in two places. In the last line of the last full paragraph of the first column and in the last line of the first full paragraph of the middle column, the references to "the Patron Plans" should be corrected to read "the Patron Funds."

(3) Alico Resources is incorrectly referred to as the Amalgamated Life Resources Corporation in the Notice. At the bottom of the first column on page 11254 of the **Federal Register**, the reference to "Amalgamated Life Resources Corporation" should read "ALICO Resources Corporation."

(4) In two places in the Notice, it is incorrectly set forth that ASC holds all of the shares of ARC Stock. In fact, ASC hold all of the shares of the common stock of ARC, and Amalgamated Life holds the preferred stock of ARC. On the sixth line of the middle column on page 11254 of the **Federal Register**, item (b) should read, "ASC held all of the shares of Amalgamated Life and all of the common stock of ARC." On page 11254 of the **Federal Register**, the eleventh line of the first full paragraph of the third column should read, "ASC then contributed this capital to ARC and received in return all of the common stock of ARC."

(5) The Notice incorrectly describes one element of the recapitalization of Amalgamated Life. In this regard, Clofund contributed $4.5 million in additional capital directly to Amalgamated Life prior to the creation of ASC. Subsequently, Clofund contributed an additional $400,000 to ASC. To correct this, changes should be made in two locations in the Notice. On page 11254 of the **Federal Register** in the second full paragraph of the middle column, the second sentence should read, "Accordingly, Clofund contributed $4.5 million to Amalgamated Life in order to increase Amalgamated Life's $1.5 million in capital and surplus to the $6 million minimum needed to satisfy the New York State Insurance Department." On page 11254 of the

[1] Because the relief provided by the exemption includes section 406(b) of the Act, 29 CFR 2570.46 of the Department's regulations provides that the Department in its discretion may convene a hearing if requested by interested persons.

Federal Register in the first full paragraph of the third column, the first sentence should read, "In addition to the $4.5 million in capital contributed to Amalgamated Life, Clofund also contributed to ASC 100% of the stock it owned in Amalgamated Life, effective January 1, 1992."

The Department wishes to correct these errors, and accordingly incorporates the information discussed in the paragraph above into the granted exemption as corrected.

The Department has, in transactions of this nature, placed emphasis on the need for arm's length terms and an objective evaluation of the transaction by an I/F. In this regard, the application file contains an appraisal of the fair market valuation of the ASC Stock which the applicant has represented will be updated before the consummation of the transaction. In addition, the I/F has represented that it will not approve investment by any of the Patron Funds in ASC Stock, unless it has first determined that the transaction is in the interest of and protective of such Patron Funds and their participants and beneficiaries. After giving full consideration to the entire record, including all of the comments by commentators and the responses of the applicant, the Department has determined to grant the exemption, as described herein.

All comments submitted to the Department are included as part of the public record of the exemption application. The complete application files, including all supplemental submissions received by the Department, are made available for public inspection in the Public Documents Room of the Pension Welfare Benefits Administration, room N–5507, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210.

For a more complete statement of the facts and representations supporting the Department's decision to grant this exemption refer to the Notice published on Wednesday, February 24, 1993, at 58 FR 11252.

FOR FURTHER INFORMATION CONTACT: Angelena C. Le Blanc of the Department, telephone (202) 219–8883. (This is not a toll-free number.)

Standard Bank Employees Profit Sharing Plan (the Plan) Located in Evergreen Park, Illinois

[Prohibited Transaction Application 93–71; Exemption Application No. D–8787]

Exemption

Part I. Purchases of Residential Mortgage Notes

The restrictions of sections 406(a), 406 (b)(1) and (b)(2) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1) (A) through (E) of the Code, shall not apply for a period of five years to the prospective purchases by the Plan of certain residential mortgage notes (the Notes) from Standard Bank and Trust Company (the Employer), a party in interest with respect to the Plan; provided that the following conditions are satisfied:

(1) The independent fiduciary will decide which Notes will be purchased for the Plan;

(2) Only first mortgage Notes will be purchased by the Plan;

(3) The Notes purchased by the Plan will have: (a) A borrower payment history with the Employer of at least three months; (b) a maximum 15 year maturity; and (c) the loan to value ratio of the collateral of at least 150% of the principal amount of the Note;

(4) If the mortgage loan is an original acquisition mortgage loan, the Note will not exceed two-thirds of the lower of the purchase price or of the appraised value of the collateral mortgaged by the borrower to the Employer to secure the Note;

(5) If the mortgage loan is a refinancing of the original acquisition mortgage loan, the Note will not exceed two-thirds of the appraised value of the collateral mortgaged by the borrower to the Employer to secure the Note;

(6) No more than twenty-five percent of the value of the Plan's total assets will be invested in the Notes;

(7) No more than ten percent of the value of the Plan's total assets will be invested in any one Note or Notes to any one borrower;

(8) The independent fiduciary states that the fees received by him for serving in the independent fiduciary capacity to the Plan with respect to the transactions described herein, combined with any other fees derived from the Employer or related parties will not exceed one percent (1%) of his gross annual income for each fiscal year that he continues to serve in the independent fiduciary capacity with respect to the transactions described herein;

(9) With respect to past prohibited purchases of Notes (the Prohibited Notes) by the Plan from the Employer, the Employer has filed form 5330 (return of Initial Excise Taxes for Pension Plans and Profit Sharing Plans) with the Internal Revenue Service (the IRS) and has paid the excise taxes for the period beginning in 1985 and including the year 1991; and

(10) The Employer will file form 5330 and pay excise taxes for the year 1992, with respect to the Prohibited Notes, thirty (30) days after publication of the final grant for this pending exemption in the Federal Register.

Part II. Repurchases of Residential Mortgage Notes

The restrictions of sections 406(a), 406 (b)(1) and (b)(2) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1) (A) through (E) of the Code, shall not apply to the possible repurchases of the Notes (the Repurchases) by the Employer: (a) in the event of default; (b) if the limitations set forth in Part I (6) and/or (7) are exceeded; and (c) at other times as determined by the independent fiduciary,[2] provided that the Repurchases will be at a price which is equal to the greater of the outstanding principal balance plus accrued interest through the date of repurchase or, the current fair market value as determined by the independent fiduciary.

Temporary Nature of the Exemption

The exemption is temporary and, if granted, will expire five years after the date of the grant. The Employer may repurchase the Notes from the Plan after the five-year period so long as the Notes were purchased by the Plan during the five-year period.

FOR FURTHER INFORMATION CONTACT: Ekaterina A. Uzlyan of the Department, telephone (202) 219–8883. (This is not a toll-free number.)

Western Asset Management Company Located in Pasadena, CA

[Prohibited Transaction Exemption No. 93–72; Application No. D–9033]

Exemption

The restrictions of sections 406(a)(1) (A) through (D) and section 406(b) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of sections 4975(c)(1) (A) through (F) of the Code, shall not apply

[2] The Department notes that if a violation of any of the terms and conditions of Part I occurs, the exemptive relief provided by Part I for purchases of the Notes by the Plan will no longer be available. However, the Department further notes that the loss of exemption under Part I will not affect the use of Part II to dispose of the Notes previously acquired by the Plan pursuant to the exemption.

to a proposed exchange (the Exchange) by employee benefit plans (the Plans) of certain debt securities (Debt Securities) for shares in two open-end mutual fund portfolios; the Western Assets Trust, Inc. Corporate Securities Portfolio (the Corporate Fund) and the Western Assets Trust, Inc. Mortgage Securities Portfolio (the Mortgage Fund) (collectively referred to as the Funds), to which the Western Asset Management Company (the Manager), a fiduciary with respect to the Plans, and its affiliates provide investment advisory and other services, provided that the following conditions are met:

(a) The terms of the transaction are at least as favorable to the Plan as those obtainable in an arm's length transaction between unrelated parties.

(b) The Exchange is a one time exchange between a Plan and the respective Fund.

(c) No sales commission or dealer mark-up is paid by the Plan in connection with the Exchange.

(d) The assets of any Plan invested in the Funds will be excluded from the assets on which the investment management fee paid by the Plan to the Manager are determined.

(e) With respect to the Corporate Fund, the Debt Securities to be exchanged consist solely of corporate bonds which are rated not less than Baa/BBB by an independent rating agency, or, if unrated, determined to be of comparable quality by the Manager.

(f) With respect to the Mortgage Fund, the Debt Securities to be exchanged consist of mortgage-related debt securities: (i) issued by or guaranteed as to the payment of principal and interest by the U.S. Government or its Agencies or Instrumentalities; or (ii) rated not less than A by an independent rating agency; or, if unrated, determined to be of comparable quality by the Manager.

(g) In each case in which the Manager makes a rating determination with respect to an unrated Debt Security, the Manager maintains contemporaneous written records of the analysis of that rating determination.

(h) Prior to the Exchange, a Plan fiduciary who is independent of and unrelated to the Manager or any affiliate thereof will receive in writing:

(1) A current prospectus issued by the investment company, and full and detailed disclosures of the investment advisory and other fees charged to or paid by the Plan and the investment company, including the nature and extent of any differential between the rates of such fees, the reasons why the Manager may consider such exchanges to be appropriate for the Plan, and whether there are any limitations on the Manager with respect to which plan assets may be invested in shares of the investment company and, if so, the nature of such limitations;

(2) A list of Debt Securities held by the Plan that would be accepted by the Manager with respect to the Exchange; and

(3) An explanation of the Manager's procedures that would be followed for valuing the Debt Securities for purposes of the Exchange.

(i) After the independent fiduciary receives and reviews the disclosures required under paragraph (h), such fiduciary independently determines whether to exchange each Debt Security for shares in the Funds, and provides written approval for the Exchange.

(j) For purposes of the Exchange, the price of the Debt Securities will be established by a recognized, independent pricing service at the closing price on the business day specified by the independent fiduciary in its written approval of the Exchange. If no price is available from a recognized, independent pricing service for such date, the Manager will determine the price by averaging the mean of the closing bid and asked quotations from each of two recognized, independent market makers for such Debt Securities on the day specified by the independent fiduciary in its written approval of the Exchange.

(k) For purposes of the Exchange, the Manager determines the value of the Debt Securities and the net asset value of the Funds as of the close of business on the same day.

(l) Within seven (7) days after the authorization of each exchange, the independent Plan fiduciary receives a written confirmation that reflects the price of each of the Debt Securities involved in the Exchange. The confirmation will include a written disclosure of the identity of the pricing service or the market makers consulted in determining the value of the Debt Securities.

(m) The independent fiduciary referred to in paragraph (h), or any successor thereto is notified of any change in the rates of the fees referred to in paragraph (h)(1) and approves in writing the continued holding of any Fund shares acquired by the Plan prior to such change and still held by the Plan.

(n) The Manager shall maintain, for a period of six years, the records necessary to enable the persons described in paragraph (o) below to determine whether the conditions of this exemption have been met, except that (1) a prohibited transaction will not be considered to have occurred, if due to circumstances beyond the control of the Manager and/or its affiliates, the records are lost or destroyed prior to the end of the six year period, and (2) no party in interest other than the Manager and/or its affiliates shall be subject to the civil penalty that may be assessed under section 502(i) of the Act, or the taxes imposed by section 4975(a) and (b) of the Code, if the records are not available for examination as required by section (o) below.

(o)(1) Except as provided in section (2) of this paragraph and notwithstanding any provisions of subsections (a)(2) and (b) of section 504 of the Act, the records referred to in paragraph (n) above shall be unconditionally available at their customary location during normal business hours by:

(A) Any duly authorized employee or representative of the Department or the Internal Revenue Service;

(B) Any fiduciary of a Plan who has the authority to acquire or dispose of the interests of the plan or any duly authorized representative of such fiduciary;

(C) Any contributing employer to any Plan that has an interest in the Funds or any duly authorized employee or representative of such employer; and

(D) Any participant or beneficiary of any Plan that has an interest in the Funds or any duly authorized representative of such participant or beneficiary.

(2) None of the persons described in paragraphs (o)(1) (B) through (D) shall be authorized to examine the trade secrets of the Manager or its affiliates or commercial or financial information which is privileged or confidential.

Definitions

For purposes of this proposed exemption:

(a) An "affiliate" of a person includes:

(1) Any persons directly or indirectly through one or more intermediaries, controlling, controlled by, or under common control with the person;

(2) Any officer, director, employee, relative of, or partner in any such person; and

(3) Any corporation or partnership of which such person is an officer, director, partner or employee.

(b) The term "control" means the power to exercise a controlling influence over the management or policies of a person other than an individual.

(c) The term "relative" means a "relative" as that term is defined in section 3(15) of the Act (or a "member of the family" as that term is defined in section 4975(e)(6) of the Code), or a

brother, a sister, or a spouse of a brother or sister.

(d) For purposes of the proposed exemption, a fiduciary will not be deemed to be an independent fiduciary with respect to the Manager and its affiliates if:

(1) The fiduciary directly or indirectly controls, is controlled by, or is under common control with the Manager or any affiliate:

(2) The fiduciary, or any officer, director, partner, employee or relative of such fiduciary, is an officer, director partner, or employee of the Manager or any affiliate (or is a relative of such persons); or

(3) The fiduciary directly or indirectly receives any compensation or other consideration for his or her own personal account in connection with any transaction described in this proposed exemption.

The availability of this exemption is subject to the express condition that the material facts and representations contained in the application are true and complete, and that the application accurately describes all material facts which are the subject of this exemption.

For a more complete statement of the facts and representations supporting the Department's decision to grant the exemption, refer to the notice of proposed exemption (Notice) published on August 13, 1993 at 58 FR 43130.

Temporary Nature of Exemption

This exemption is effective only for those Exchanges which occur within five years after the date on which the Final Grant of this exemption is published in the **Federal Register**.

WRITTEN COMMENTS: The applicant submitted the following clarification with respect to the Notice: (1) the name of the mutual fund company is Western Asset Trust, Inc.; (2) Plan Accounts, and any large institutional client that enters into a separate investment management agreement with the Manager, will be able to invest in the three new portfolios of Western Asset Trust, Inc.; and (3) the three new portfolios of Western Asset Trust, Inc. have now been registered with the SEC. The Department concurs in the aforementioned clarifications. Accordingly, after consideration of the entire record, the Department has determined to grant the exemption.

FOR FURTHER INFORMATION CONTACT: Mr. Eric Berger of the Department, telephone (202) 219–8971. (This is not a toll-free number.)

General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption under section 408(a) of the Act and/or section 4975(c)(2) of the Code does not relieve a fiduciary or other party in interest or disqualified person from certain other provisions to which the exemptions does not apply and the general fiduciary responsibility provisions of section 404 of the Act, which among other things require a fiduciary to discharge his duties respecting the plan solely in the interest of the participants and beneficiaries of the plan and in a prudent fashion in accordance with section 404(a)(1)(B) of the Act; nor does it affect the requirement of section 401(a) of the Code that the plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries;

(2) These exemptions are supplemental to and not in derogation of, any other provisions of the Act and/or the Code, including statutory or administrative exemptions and transactional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption is not dispositive of whether the transaction is in fact a prohibited transaction; and

(3) The availability of these exemptions is subject to the express condition that the material facts and representations contained in each application accurately describes all material terms of the transaction which is the subject of the exemption.

Signed at Washington, DC, this 27th day of September, 1993.

Ivan Strasfeld,

Director of Exemption Determinations, Pension and Welfare Benefits Administration, U.S. Department of Labor.

[FR Doc. 93–24055 Filed 9–29–93; 8:45 am]

BILLING CODE 4510–29–P

DEPARTMENT OF LABOR

Pension and Welfare Benefits Administration

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[Prohibited Transaction Exemption 93–68; Exemption Application No. D–9031]

Apollo Fund, L.P. (the Partnership) Located in Knoxville, TN

AGENCY: Pension and Welfare Benefits Administration, Internal Revenue Service.

ACTION: Grant of individual exemption.

SUMMARY: This document contains a final exemption from certain of the prohibited transaction restrictions of the Employee Retirement Income Security Act of 1974 (the Act) and the Internal Revenue Code of 1986 (the Code). The exemption permits the acquisition or redemption of units (the Units) in the Partnership by employee benefit plans (the Plans) that provide for participant-directed investments where FIS Associates, Inc. (FIS), an affiliate of Apollo Capital Management, Inc. (Apollo), the general partner of the Partnership, is a party in interest or disqualified person. The exemption will affect participants and beneficiaries of, and fiduciaries with respect to, Plans investing in the Partnership and other persons who engage in the described transactions.

FOR FURTHER INFORMATION CONTACT: Ms. Jan D. Broady, Office of Exemption Determinations, U.S. Department of Labor, telephone (202) 219–8881. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: On May 14, 1993, the Department of Labor (the Department) and the Internal Revenue Service (the Service) published in the **Federal Register** (58 FR 28614) a notice of proposed exemption from certain of the restrictions of section 406(a) of the Act, and from the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1)(A) through (D) of the Code. The proposed exemption was requested in an exemption application (D–9031) filed by Apollo on March 30, 1992. The application was filed pursuant to section 408(a) of the Act and section 4975(c)(2) of the Code and in accordance with the procedures set forth in 29 CFR part 2570, subpart B (55 FR 32836, August 10, 1990) and Revenue Procedure 75–26, 1975–1 C.B. 722 (the Procedures). Neither the Department nor the Service received written comments with respect to the proposed exemption during the comment period provided for in the notice of pendency. Accordingly, upon consideration of the entire record, the Department and the Service have determined to grant the proposed exemption as it was originally published in the **Federal Register**.

General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption under section 408(a) of the Act and/or section 4975(c)(2) of the Code does not relieve a fiduciary or other party in interest or disqualified person from certain other

provisions of the Act and the Code, including any prohibited transaction provisions of the Act and the Code to which the exemption does not apply, and to the extent jurisdiction exists under Title I of the Act, the general fiduciary responsibility provisions of section 404 of the Act, which require, among other things, a fiduciary to discharge his duties respecting the plan solely in the interest of the participants and beneficiaries of the plan and in a prudent fashion in accordance with section 404(a)(1)(B) of the Act; nor does it affect the requirements of section 401(a) of the Code, e.g., the plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries.

(2) This exemption will not extend to transactions prohibited under section 406(b) of the Act and section 4975(c)(1)(E) and (F) of the Code.

(3) In accordance with section 408(a) of the Act and section 4975(c)(2) of the Code, and based upon the entire record, the Department and the Service hereby make the following determinations:

(a) The exemption set forth herein is administratively feasible;

(b) It is in the interests of the Plans investing in the Partnership and their participants and beneficiaries; and

(c) It is protective of the rights of the participants and beneficiaries of the Plans.

(4) The availability of this exemption is subject to the express condition that the material facts and representations contained in the application accurately describes all material terms of the transactions which are the subject of this exemption.

(5) This exemption is supplemental to, and not in derogation of, any other provisions of the Act and/or Code, including statutory or administrative exemptions. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption is not dispositive of whether the transaction is in fact a prohibited transaction.

(6) This exemption is applicable to particular transactions only if the transactions satisfy the conditions specified in the exemption.

Exemption

Accordingly, the following exemption is hereby granted under the authority of section 408(a) of the Act and section 4975(c)(2) of the Code and in accordance with the Procedures promulgated thereunder.

Section I. Covered Transactions

The restrictions of section 406(a) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1)(A) through (D) of the Code, shall not apply to the acquisition or redemption of Units in the Partnership by Plans that provide for participant-directed investments where FIS, an affiliate of Apollo, the general partner of the Partnership, is a party in interest or disqualified person.

This exemption is subject to the following conditions that are set forth below in Section II.

Section II. General Conditions

(1) The decision to participate in the Partnership will be made by a Plan fiduciary who is independent of Apollo and its affiliates.

(2) An Independent Plan Fiduciary will retain complete discretion with respect to purchasing or redeeming Units in the Partnership.

(3) The total fees paid to FIS will constitute not more than reasonable compensation.

(4) No Plan will pay a fee or commission by reason of the acquisition or redemption of Units in the Partnership.

(5) The terms of each purchase or redemption of Partnership Units shall remain at least as favorable to an investing Plan as those obtainable in an arm's length transaction with an unrelated party.

(6) No Plan may acquire or hold Units in the Partnership that exceed 20 percent of the Plan's assets.

(7) No Plan may acquire or hold Units in the Partnership that represent more than 20 percent of the assets of the Partnership.

(8) Prior to participating in the Partnership, each Independent Plan Fiduciary shall receive the following written disclosures from Apollo:

(a) A statement describing the relationship existing between FIS and Apollo.

(b) A copy of the Private Placement Memorandum which discusses the material facts concerning the purpose, structure and operation of the Partnership as well as associated risk factors.

(c) A copy of the Escrow Agreement between the Partnership and the Escrow Agent whereby the Partnership agrees to deposit with the Escrow Agent, all subscription funds received from a subscribing, prospective investor immediately upon receipt and pending action by Apollo to accept or reject the proposed investment.

(d) A copy of the Limited Partnership Agreement between Apollo and the investors in the Partnership.

(e) A copy of the Subscription Agreement and Investor Suitability Representations previously furnished by Apollo to the Independent Plan Fiduciary for completion which contain information about the Independent Plan Fiduciary, specifies such fiduciary's proposed investment in the Partnership and documents the fact that the investment decision is being made by an Independent Plan Fiduciary who is capable of making an informed investment decision about investing in the Partnership.

(9) With respect to his or her ongoing participation in the Partnership, each Independent Plan Fiduciary will receive the following additional written disclosures from Apollo:

(a) Within 75 days after the end of each Partnership fiscal year, an audited financial statement of the Partnership, prepared annually by an independent, certified public accountant which will include (1) a balance sheet, (2) statement of income and loss for the fiscal year, (3) a list of the Partnership's investments and their valuations, and (4) a statement of changes in each investing Plan's account for such period.

(b) Within 45 days after the end of the first six month period of each of the Partnership's fiscal years, an interim report that is prepared by Apollo containing (1) a list of the Partnership's investments and their valuations, (2) an unaudited balance sheet of the Partnership as of the end of such period, (3) an unaudited statement of income and loss for such period and (4) a statement of changes in each Plan's capital account for such period. Such reports shall also disclose the total fees paid to Apollo and/or its designees for the relevant period.

(10) Apollo shall maintain, for a period of six years, the records necessary to enable the persons described in paragraph (11) of this section to determine whether the conditions of this exemption have been met, except that (a) a prohibited transaction will not be considered to have occurred if, due to circumstances beyond the control of Apollo and/or its affiliates, the records are lost or destroyed prior to the end of the six year period, and (b) no party in interest or disqualified person other than Apollo shall be subject to the civil penalty that may be assessed under section 502(i) of the Act, or to the taxes imposed by section 4975(a) and (b) of the Code, if the records are not maintained, or are not available for examination as required by paragraph (11) below.

(11)(a) Except as provided in section (b) of this paragraph and

notwithstanding any provisions of subsections (a)(2) and (b) of section 504 of the Act, the records referred to in paragraph (9) of this section shall be unconditionally available at their customary location during normal business hours by:

(1) Any duly authorized employee or representative of the Department or the Service;

(2) Any Independent Plan Fiduciary of any Plan investing as a Limited Partner in the Partnership or any duly authorized representative of such fiduciary;

(3) Any contributing employer to any Plan investing as a Limited Partner or any duly authorized employee representative of such employer; and

(4) Any participant or beneficiary of any participating Plan investing as a Limited Partner, or any duly authorized representative of such participant or beneficiary.

(b) None of the persons described above in subparagraphs (2)–(5) of this paragraph (11) shall be authorized to examine the trade secrets of Apollo or commercial or financial information which is privileged or confidential.

Section III. Definitions

For purposes of this exemption:

(1) An "affiliate" of Apollo includes—

(a) Any person directly or indirectly through one or more intermediaries, controlling, controlled by, or under common control with Apollo. (For purposes of this subsection, the term "control" means the power to exercise a controlling influence over the management or policies of a person other than an individual.)

(b) Any officer, director or partner in such person, and

(c) Any corporation or partnership of which such person is an officer, director or a 5 or more percent partner or owner.

(2)(a) A "Plan" includes an individual account plan described in section 3(34) of the Act where the participant has the right to direct the assets in his or her account, or

(b) An IRA or a Keogh Plan not covered under the provisions of Title I of the Act.

(3) An "Independent Plan Fiduciary" is a Plan fiduciary who is independent of Apollo and its affiliates who is either

(a) A participant in an individual account plan who has the authority to direct the assets in his or her account, or

(b) A participant of a self-directed IRA or Keogh Plan not covered by Title I of the Act.

Signed at Washington, DC, this 24th day of September, 1993.

Ivan L. Strasfeld,

Director of Exemption Determinations, Pension and Welfare Benefits Administration, U.S. Department of Labor.

John E. Burke,

Assistant Commissioner, Employee Plans and Exempt Organizations, Internal Revenue Service.

[FR Doc. 93–24057 Filed 9–29–93; 8:45 am]

BILLING CODE 4510–29–P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (9307)8]

NASA Advisory Council (NAC), Space Science Advisory Committee, Solar System Exploration Subcommittee; Meeting

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, Public Law 92–463, as amended, the National Aeronautics and Space Administration announces a forthcoming meeting of the NAC, Space Science Advisory Committee, Solar System Exploration Subcommittee.

DATES: October 13, 1993, 8 a.m. to 6:30 p.m.; and October 14, 1993, 8 a.m. to noon.

ADDRESSES: California Institute of Technology, Infrared Processing and Analysis Center, room 102, 770 S. Wilson Avenue, Pasadena, CA 91125.

FOR FURTHER INFORMATION CONTACT: Dr. John Appleby, Code SLB, National Aeronautics and Space Administration, Washington, DC 20546, 202/358–0788.

SUPPLEMENTARY INFORMATION: The meeting will be open to the public up to the seating capacity of the room. The agenda for the meeting is as follows:

—Update on Solar System Exploration Division (SSED) Status
—FY 1994 Budget Summary
—Mars Observer Recovery Progress Briefing
—Mars Environmental Survey Pathfinder Presentation
—Update of Office of Space Science Integrated Technology Strategy
—Outer Planets Science Working Group Progress Report
—Toward Other Planetary Systems Science Working Group Progress Report
—SSED Strategic Plan

It is imperative that the meeting be held on these dates to accommodate the scheduling priorities of the key participants. Visitors will be requested to sign a visitor's register.

Dated: September 24, 1993.

Timothy M. Sullivan,

Advisory Committee Management Officer.

[FR Doc. 93–23914 Filed 9–29–93; 8:45 am]

BILLING CODE 7510–01–M

NATIONAL SCIENCE FOUNDATION

Grant Policy; Change

AGENCY: National Science Foundation.

ACTION: Notice of change to National Science Foundation grant policy.

SUMMARY: On December 18, 1992, the National Science Foundation (NSF) published a notice in the **Federal Register** soliciting comments on a proposed change to Section 517d of the NSF Grant Policy Manual. The proposed change eliminated the prohibition on use of NSF grant funds for payment of page charges associated with publishing scientific research in journals operated for profits. NSF received numerous responses expressing divergent views on the proposed change.

After considering all the comments received, NSF has decided to adopt the proposed change and allow use of grant funds for publication of scientific research in journals operated for profit. Grant Policy Manual Transmittal Memorandum No. 8 implements this policy change.

ADDRESSES: Copies of Grant Policy Manual Transmittal Memorandum No. 8 are available from the Policy Office, Division of Contracts, Policy, and Oversight, National Science Foundation, Washington, DC 20550.

FOR FURTHER INFORMATION CONTACT: Jean Feldman, (202) 357–7880.

Dated: September 24, 1993.

Lawrence Rudolph,

Acting General Counsel.

[FR Doc. 93–23941 Filed 9–29–93; 8:45 am]

BILLING CODE 7555–01–M

Advisory Panel for Biochemistry and Molecular Structure and Function; Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting. Advisory Panel for Biochemistry and Molecular Structure and Function in the Division of Molecular and Cellular Biosciences. (Panel A)

Date and Time: Wednesday, Thursday and Friday October 20–22, 1993; 9 a.m. to 5 p.m.

Place: Holiday Inn Arlington at Ballston, Arlington, Virginia Wilson Room.

Type of Meeting: Closed.

Contact Person: Dr. Marcia Steinberg and Dr. Jack Horowitz, Program Directors, Molecular Biochemistry, room 655, Division of Molecular and Cellular Biosciences, National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22201.

Purpose of Meeting: To provide advice and recommendations concerning research proposals submitted to the Molecular Biochemistry Program of the Division of Molecular and Cellular Biosciences at NSF for financial support.

Agenda: To review and evaluate research proposals as part of the selection process for awards.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: September 27, 1993.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 93–23976 Filed 9–29–93; 8:45 am]

BILLING CODE 7555–01–M

Advisory Panel for Cognitive, Psychological and Language Sciences; Meetings

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation (NSF) announces the following 3 meetings of the Advisory Panel for Cognitive, Psychological and Language Sciences #1758.

1. *Date and Time:* October 21–22, 1993; 9:00 a.m. to 6:00 p.m. each day.

Place: Room 8, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA.

Contact Person: Dr. Paul G. Chapin, Program Director for Linguistics, National Science Foundation, 4301 Wilson Boulevard, Arlington, VA 22230. Telephone: (202) 357–7696.

Agenda: To review and evaluate linguistics proposals as part of the selection process for awards.

2. *Date and Time:* October 27–29, 1993: 9:00 a.m.–6:00 p.m. each day.

Place: Room 9, National Science Foundation, 4201 Wilson Boulevard, Arlington, Va.

Contact Person: Dr. Jean Intermaggio, Program Director for Social Psychology, National Science Foundation, 4201 Wilson Boulevard, Arlington, Va. 22230. Telephone: (202) 357–9485.

Agenda: To review and evaluate social psychology proposals as part of the selection process for awards.

3. *Date and Time:* November 1–3, 1993; 9:00 a.m.–6:00 p.m. each day.

Place: Room 7, National Science Foundation, 4201 Wilson Boulevard, Arlington, Va.

Contact Person: Dr. Joseph L. Young, Program Director for Human Cognition and Perception, National Science Foundation, 4201 Wilson Boulevard, Arlington, Va. 22230. Telephone: (202) 357–9898.

Agenda: To review and evaluate human cognition and perception proposals as part of the selection process for awards.

Type of Meetings: Closed.

Purpose of Meetings: To provide advice and recommendations concerning support for research proposals submitted to the NSF for financial support.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c) (4) and (6) of the Government in the Sunshine Act.

Dated: September 27, 1993.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 93–23977 Filed 9–29–93; 8:45 am]

BILLING CODE 7555–01–M

Special Emphasis Panel in Cross-Disciplinary Activities; Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting.

Name: Special Emphasis Panel in Cross-Disciplinary Activities (1193)

Date and Time: October 22, 1993; 8:30 a.m. to 5 p.m.

Place: Hyatt Arlington @ Key Bridge, 1325 Wilson Boulevard, Arlington, VA.

Type of Meeting: Closed

Contact Person: Drs. Tse-yun Feng and Forbes Lewis, Program Directors, CISE/CDA, room 436, National Science Foundation, 1800 G St. NW., Washington, DC 20550. Telephone: (202) 357–7349.

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

Agenda: To review and evaluate CISE Instrumentation proposals as part of the selection process for awards.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: September 27, 1993.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 93–23981 Filed 9–29–93; 8:45 am]

BILLING CODE 7555–01–M

Advisory Panel for Developmental Mechanisms; Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting.

Date and Time: October 20–22, 1993, 8:30 a.m. to 5 p.m.

Place: Room 320, National Science Foundation, 4201 Wilson Boulevard, Arlington, Virginia 22201.

Type of Meeting: Closed.

Contact Person: Dr. Judith Plesset, Program Director, Developmental Mechanisms, room 320, National Science Foundation, 4201 Wilson Boulevard, Arlington, Virginia 22201. Telephone: (202) 357–7989.

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

Agenda: To review and evaluate Developmental Mechanism proposals as part of the selection process for awards.

Reason for Closing: The proposals being reviewed include information for a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: September 27, 1993.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 93–23980 Filed 9–29–93; 8:45 am]

BILLING CODE 7555–01–M

DOE/NSF Nuclear Science Advisory Committee; Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting.

Date and Time: October 20, 1993 from 8 a.m. to 10:30 p.m.

Place: Asilomar Conference Center, 800 Asilomar Blvd., Pacific Grove, CA 93950.

Type of Meeting: Open.

Contact Person: John W. Lightbody, Program Director for Nuclear Physics, National Science Foundation, 1800 G St. NW., Washington, DC 20550. Telephone: (202) 357–7993.

Minutes: May be obtained from the contact person listed above.

Purpose of Meeting: To advise the National Science Foundation and the Department of Energy on scientific priorities within the field of basic nuclear science research.

Agenda: Status of DOE and NSF Nuclear Physics Programs—Discussion on Future Long Range Planning Activities—Public Comment (Persons wishing to speak should make arrangements through the Contact Person identified above.)

Dated: September 27, 1993.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 93–23982 Filed 9–29–93; 8:45 am]

BILLING CODE 7555–01–M

Conference

The National Science Foundation's (NSF) Directorate for Education and Human Resources (EHR) will host its Second Annual Conference, "Diversity in the Scientific and Technological Workforce" on October 28–30, 1993, at the Omni Shoreham Hotel, 2500 Calvert Street, NW., Washington, DC 20008. The hours of the Conference are: October 28, from 6 p.m. until 8:30 p.m.; October 29, from 8 a.m. until 9 p.m., and October 30, from 8:30 a.m. until 7 p.m.

This event represents a continuation of last year's conference which focused on the development of a new paradigm for productive investments in the Nation's future. This year's conference will continue the discussion of major issues related to minority education, along with an update on efforts implemented in the last year and results to date. Planned activities include student presentations of research findings in poster and panel settings, hearings on major issues identified in the 1992 Action Plan discussion sessions, analysis of programmatic efforts to date, and research symposia featuring EHR funded researchers.

The conference will not operate as an advisory committee. It will be open to the public. Participants will include persons representing the heads of national associations, education, science, mathematics and engineering practitioners, and Federal and state government officials.

For additional information, contact Dr. Elmima C. Johnson, Staff Associate, Division of Human Resource Development, 1800 G Street, NW., room 1225, Washington, DC 20550, (202) 357–7552.

Dated: September 27, 1993.

Dr. Roosevelt Calbert,

Division Director, Human Resource Development.

[FR Doc. 93–23975 Filed 9–29–93; 8:45 am]

BILLING CODE 7555–01–M

Federal Networking Council Advisory Committee

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting.

Name: Federal Networking Council Advisory Committee.

Date and Time: October 21, 1993; 9 a.m. to 4 p.m.

Place: Room 540, National Science Foundation, 1800 G Street, NW., Washington, DC 20550.

Type of Meeting: Open.

Contact Person: Ms. Lynn Behnke, Executive Assistant, Federal Networking Council, 4001 N. Fairfax Drive, Suite 200, Arlington, VA 22203-1614, Telephone: (703) 522–6410, FAX: (703) 522–7161. Internet: Behnke@arpa.mil. Those planning to attend should contact Ms. Lynn Behnke by October 6, 1993, by telephone, Facsimile, or electronic mail. Attendees should indicate whether they wish to purchase lunch at the meeting.

Minutes: May be obtained from the contact person listed above.

Purpose of Meeting: The purpose of this meeting is to provide the Federal Networking Council (FNC) with technical, tactical, and strategic advice, concerning policies and issues raised in the implementation and deployment of the National Research and Education Network (NREN) Program.

Agenda: Overview of FNC activities, educational networking, coordination of the National Information Infrastructure (NII) and the NREN Program, and internationalization.

Dated: September 27, 1993.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 93–23988 Filed 9–29–93; 8:45 am]

BILLING CODE 7555–01–M

Advisory Committee Meeting for Genetics Panel-C; Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting: Advisory Panel for Genetics (Panel C)

Date and Time: October 21–22, 1993 from 8:30 am to 5:00 pm

Place: National Science Foundation, room 310.02, 4201 Wilson Blvd, Arlington, Virginia

Type of Meeting: Closed

Contact Person: Dr. Jerry Johnson, Program Director for Genetics, Division of Molecular and Cellular Biosciences, room 325, National Science Foundation, 1800 G St. NW., Washington, DC 20550. Telephone: (202) 357–9687

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

Agenda: To review and evaluate proposals submitted to the Genetics Program in the Division of Molecular & Cellular Biosciences at NSF as part of the selection process for awards.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: September 27, 1993.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 93–23978 Filed 9–29–93; 8:45 am]

BILLING CODE 7555–01–M

Special Emphasis Panel in Industrial Innovation Interface; Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting:

Date and Time: October 27 & 28, 1993; 8:30 a.m. to 5 p.m.

Place: room 360.02, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230.

Type of Meeting: Closed.

Contact Person: Dr. Richard I. Schoen, Deputy Division Director for Industrial Innovation Interface, 1110 Vermont Avenue, NW., rm. V–502, Washington DC 20550. Telephone (202) 653–5202.

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

Agenda: To review and evaluate proposals for the Management of Technological Innovation Program.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552 b(c) (4) and (6) of the Government in the Sunshine Act.

Dated: September 27, 1993.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 93–23983 Filed 9–29–93; 8:45 am]

BILLING CODE 7555–01–M

Special Emphasis Panel in Mathematical Sciences; DMS: Meeting; Advisory Committee for the Mathematical Sciences: Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting.

Date and Time: October 21–22, 1993; 9 a.m. til 5 p.m.

Place: National Science Foundation, 1800 G St. NW., Washington, DC, room 1243.

Type of Meeting: Closed.

Contact Person: Dr. John Ryff, National Science Foundation, 1800 G St. NW., Washington, DC 20550. Telephone: (202) 357–3455.

Purpose of Meeting: To provide advice and recommendations concerning support for

research, education, and human resources in the mathematical sciences.

Agenda: To review and evaluate Research Experiences for Undergraduates (REU) proposals as part of the selection process awards.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c), (4)(6) of the Government in the Sunshine Act.

Dated: September 27, 1993.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 93–23986 Filed 9–29–93; 8:45 am]

BILLING CODE 7555–01–M

Advisory Panel for Physiology and Behavior; Meeting

In according with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting.

Date and Time: October 20, 21, 1993, 8:30 am to 5 pm, October 22, 1993, 8:30 am to 1 pm.

Place: Room 370, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA.

Type of Meeting: Part-Open.

Contact Person: Dr. Machi F. Dilworth, Program Director, Integrative Plant Biology, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. Telephone: (703) 306–1421.

Minutes: May be obtained from the contact person listed above.

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

Agenda: To review and evaluate Integrative Plant Biology Proposals as part of the selection process for awards. Open Session: October 21, 1993, noon to 1 pm—To discuss research trends and opportunities in Integrative Plant Biology.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: September 27, 1993.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 93–23979 Filed 9–29–93; 8:45 am]

BILLING CODE 7555–01–M

Special Emphasis Panel in Networking and Communications Research and Infrastructure (NCRI); Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting:

Name: Special Emphasis Panel in Networking and Communications Research.

Date and Time: October 26, 1993; 8:30 a.m. to 5 p.m.

Peace: Room 416, National Science Foundation, 1800 G Street, NW., Washington, Dc 20550.

Type of Meeting: Closed.

Contact Person: Daniel VanBelleghem, NCRI, National Science Foundation, room 416, Washington, DC 20550 (202 357–9717).

Purpose of Meeting: To provide adivce and recommendations concerning proposals submitted to NSF for financial support.

Agenda: To review and evaluate proposals submitted for the NSFNET Connections Program.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries, and personal information concerning individuals associated with the proposals.

These matters are exempt under 5 U.S.C. 552 b. (c) (4) and (6) of the Government in the Sunshine Act.

Dated: September 27, 1993.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 93–23984 Filed 9–29–93; 8:45 am]

BILLING CODE 7555–01–M

Special Emphasis Panel in Networking and Communications Research and Infrastructure (NCRI); Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting:

Name: Special Emphasis Panel in Networking and Communications Research.

Date and Time: November 9–10, 1993; 8:30 a.m. to 5 p.m.

Place: Room 416, National Science Foundation, 1800 G Street NW., Washington, DC 20550.

Type of Meeting: Closed

Contact Person: Mr. Donald Mitchell, NCRI, National Science Foundation,1800 G Street NW., room 416, Washington, DC 20550 (202 357–9717).

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

Agenda: To review & evaluate proposals submitted for the Network Access Point Manager, Routing Arbiter, Regional Network Providers, & Very High Speed Backbone Network Services Provider for NSFNET & the NREN (sm) Program Solicitation.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries, and personal information concerning individuals associated with the proposals.

These matters are exempt under 5 U.S.C. 552 b. (c) (4) and (6) of the Government in the Sunshine Act.

Dated: September 27, 1993.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 93–23987 Filed 9–27–93; 8:45 am]

BILLING CODE 7555–01–M

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–344]

Portland General Electric Co., et al., Trojan Nuclear Plant; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an exemption to Facility Operating License No. NPF–1, issued to Portland General Electric Company (PGE or the licensee), for the Trojan Nuclear Plant, a permanently shutdown plant, located in Columbia County, Oregon, on the west bank of the Columbia River.

Environmental Assessment

Identification of the Proposed Action

The proposed action would grant an exemption from certain safeguards requirements of title 10 of part 73.55 of the Code of Federal Regulations (10 CFR 73.55), "Requirements for physical protection of licensed activities in nuclear power reactors against radiological sabotage." The licensee requested the exemption in a letter dated June 17, 1993.

The Need for the Proposed Action

The requirements of 10 CFR 73.55 were promulgated to provide protection of a facility against a design basis sabotage threat in consideration of the conditions associated with an operational power reactor. However, the Trojan Nuclear Plant (TNP) has permanently ceased power operation and all nuclear fuel has been removed from the containment to the spent fuel pool. On March 24, 1993, the NRC staff issued a confirmatory order that prohibits the licensee from placing any nuclear fuel into the Trojan Nuclear Plant reactor building without prior approval in writing from the NRC. Furthermore, on May 5, 1993, the NRC staff issued an amendment to the license

for the Trojan Nuclear Plant that allows PGE to possess, but not operate, the nuclear plant. When compared to an operational power reactor facility, the status of TNP provides a significantly reduced risk from a radiological release as a consequence of sabotage. The range of credible accidents and accident consequences for TNP are reduced because of its shutdown and defueled condition. The facility has not operated for nearly a year and radioactive decay has significantly reduced the radionuclide inventory and decay heat level of the spent fuel. The Defueled Security Plan provides an adequate basis for an acceptable safeguards program.

Environmental Impacts of the Proposed Action

The proposed action does not involve any measurable environmental impacts, since the facility configuration or plant operations will not change. PGE conducted a safety analysis in support of the exemption request which documents that there is no credible act of radiological sabotage that would result in radiation doses greater than the Environmental Protection Agency Protective Action Guides.

The NRC staff, based on independent evaluation, agrees with the licensee analyses and concludes that sufficient bases have been presented that the consequences of radiological sabotage which may potentially result in a radiological release are greatly decreased for the Trojan Nuclear Plant given the permanently shutdown and defueled status of the facility.

Therefore, the proposed action does not increase the probability or consequences of any accidents, no changes are being made in the types of any effluents that may be released offsite, and there is no significant increase in the allowable individual or cumulative occupational radiation exposure onsite.

Accordingly, the Commission concludes that this proposed action would result in no significant radiological environmental impact.

With regard to potential non-radiological impacts, the proposed action does not affect non-radiological plant effluents and has no other environmental impact. Therefore, the Commission concludes that there are no significant non-radiological environmental impacts associated with the proposed action.

Alternative to the Proposed Action

Since the Commission concluded that there are no significant environmental effects that would result from the proposed action, any alternative with equal or greater environmental impacts need not be evaluated.

The principal alternative would be to deny the action. This would not reduce environmental impacts of plant operation and would not enhance the protection of the environment or public health and safety.

Alternative Use of Resources

This action does not involve the use of any resources not previously considered in the Final Environmental Statement for the Trojan Nuclear Plant, dated August 1973.

Agencies and Persons Consulted

The NRC staff consulted with representatives of the State of Oregon Department of Energy regarding the environmental impact of the proposed action. The State representatives had no comment.

Finding of No Significant Impact

The Commission has determined not to prepare an environmental impact statement for the proposed exemption.

Based upon the foregoing environmental assessment, the Commission concludes that the proposed action will not have a significant effect on the quality of the human environment.

For further details with respect to this action, see the licensee application for exemption dated June 17, 1993, which is available for public inspection at the Commission Public Document Room, Gelman Building, 2120 L Street, NW., Washington, DC 20555, and at the Local Public Document Room for the Trojan Nuclear Plant at the Branford Price Millar Library, Portland State University, Portland, Oregon 97207.

For the Nuclear Regulatory Commission.

Seymour H. Weiss,

Director, Non-Power Reactors and Decommissioning Project Directorate, Division of Operating Reactor Support, Office of Nuclear Reactor Regulation.

[FR Doc. 93–23992 Filed 9–29–93; 8:45 am]

BILLING CODE 7590–01–M

Portland General Electric Company, et al., Trojan Nuclear Plant; Environmental Assessment and Finding of No Significant Impact

[Docket No. 50–344]

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an exemption to Facility Operating License No. NPF–1, issued to Portland General Electric Company (PGE or the licensee), for the Trojan Nuclear Plant located in Columbia Country, Oregon, on the west bank of the Columbia River.

Environmental Assessment

Identification of the Proposed Action

The proposed action would grant an exemption from the portions of 10 CFR 50.54(q) that apply to operating plants and to certain emergency preparedness requirements of 10 CFR 50.47, "Emergency Plans," and 10 CFR part 50, Appendix E, Paragraph IV, "Content of Emergency Plans." The licensee requested the exemption in a letter dated March 9, 1993.

The Need for the Proposed Action

The licensee letter of March 9, 1993, stated that the Trojan Nuclear Plant has permanently ceased power operation and that all nuclear fuel has been removed from the containment to the spent fuel pool. Furthermore, the NRC staff issued on March 24, 1993, a confirmatory order that prohibits the licensee from placing any nuclear fuel into the Trojan Nuclear Plant reactor building without prior approval in writing from the NRC. On May 5, 1993, the NRC staff issued an amendment to the license for the Trojan Nuclear Plant that allows PGE to possess, but not operate, the nuclear plant. The plant has not operated for nearly a year and radioactive decay has significantly reduced the radionuclide inventory and decay heat level of the spent fuel. The March 9, 1993 letter from the licensee further states that the degree of emergency planning and preparedness necessary to provide adequate protection of the public health and safety with the Trojan Nuclear Plant in its permanently shutdown and defueled condition is significantly less than is required for an operating facility. The requested exemptions address two areas: (1) The discontinuance of the need for offsite emergency planning, and (2) the reduction of onsite planning needs. Approval of the request would allow PGE to allocate available resources more appropriately in implementing and maintaining the revised Trojan Permanently Defueled Emergency Plan and training the appropriate emergency response personnel on the defueled plan.

Environmental Impacts of the Proposed Action

The proposed action does not involve any measurable environmental impacts, since the facility configuration or plant operations will not change. PGE conducted a safety analysis in support of the exemption request and concluded that there are no design basis or other

credible events that would result in radioactive doses beyond the exclusion area boundary that would exceed the Environmental Protection Agency Protective Action Guides. Additionally, the staff, in a letter dated May 18, 1993, requested that the licensee consider the potential for beyond design basis accidents involving the Trojan spent fuel pool. The licensee responded on June 17, 1993, to the staff request for the additional assessment for the spent fuel pool. The staff review of the response concluded that, given the length of time since plant shutdown and the low probability of a beyond design basis accident severely damaging the spent fuel pool, offsite emergency preparedness planning is not warranted and the scope of onsite planning may be reduced.

The NRC will not approve the proposed exemption until staff review has concluded that there is reasonable assurance that the probability and consequences of accidents which may potentially result in a radiological release are sufficiently decreased for the Trojan Nuclear Plant given the permanently shutdown and defueled status of the facility.

Therefore, the proposed action would not increase the probability or consequences of any accidents, no changes would be made in the types of any effluents that may be released offsite, and there would be no significant increase in the allowable individual or cumulative occupational radiation exposure onsite.

Accordingly, the Commission concludes that this proposed action would result in no significant radiological environmental impact.

With regard to potential non-radiological impacts, the proposed action does not affect non-radiological plant effluents and has no other environmental impact. Therefore, the Commission concludes that there are no significant non-radiological environmental impacts associated with the proposed action.

Alternative to the Proposed Action

Since the Commission concluded that there are no significant environmental effects that would result from the proposed action, any alternative with equal or greater environmental impacts need not be evaluated.

The principal alternative would be to deny the action. This would not reduce environmental impacts of plant operation and would not enhance the protection of the environment nor public health and safety.

Alternative Use of Resources

This action does not involve the use of any resources not previously considered in the Final Environmental Statement for the Trojan Nuclear Plant, dated August 1973.

Agencies and Persons Consulted

The NRC staff consulted with representatives of the State of Oregon Department of Energy regarding the environmental impact of the proposed action. The State representatives had no comment.

Finding of No Significant Impact

The Commission has determined not to prepare an environmental impact statement for the proposed exemption.

Based upon the foregoing environmental assessment, the Commission concludes that the proposed action will not have a significant effect on the quality of the human environment.

For further details with respect to this action, see the licensee application for exemption dated March 9, 1993, which is available for public inspection at the Commission's Public Document Room, Gelman Building, 2120 L Street, NW., Washington, DC 20555, and at the Local Public Document Room for the Trojan Nuclear Plant at the Branford Price Millar Library, Portland State University, Portland, Oregon 97207.

Dated at Rockville, Maryland this 27th day of September 1993.

For the Nuclear Regulatory Commission.

Seymour H. Weiss,

Director, Non-Power Reactors and Decommissioning Project Directorate, Division of Operating Reactor Support, Office of Nuclear Reactor Regulation.

[FR Doc. 93–23993 Filed 9–29–93; 8:45 am]

BILLING CODE 7590–01–M

Advisory Committee on Reactor Safeguards; Procedures for Meetings

Background

Procedures to be followed with respect to meetings conducted pursuant to the Federal Advisory Committee Act by the Nuclear Regulatory Commission's (NRC's) advisory Committee on Reactor Safeguards (ACRS) are described in this notice. These procedures are set forth in order that they may be incorporated by reference in future individual meeting notices.

The ACRS is a statutory group established by Congress to review and report on applications for the licensing of nuclear power reactor facilities and on certain other nuclear safety matters. The Committee's reports become a part of the public record. The ACRS meetings are normally open to the public and provide for oral or written statements from members of the public to be considered as part of the Committee's information gathering procedure. The meetings are not adjudicatory hearings such as those conducted by the NRC's Atomic Safety and Licensing Board Panel as part of the Commission's licensing process. ACRS reviews do not normally encompass matters pertaining to environmental impacts other than those related to radiological safety. ACRS full Committee meetings are conducted in accordance with the Federal Advisory Committee Act.

General Rules Regarding ACRS Meetings

An agenda is published in the **Federal Register** for each full Committee meetings. Practical considerations may dictate some changes to the agenda. The Chairman of the Committee is empowered to conduct the meeting in a manner that, in his judgment, will facilitate the orderly conduct of business, including marking provisions to continue discussions of matters not completed on the scheduled day to the next day.

The following requirements shall apply to public participation in ACRS meetings:

(a) Persons wishing to submit written statements regarding the agenda items may do so by providing a readily reproducible copy at the beginning of the meeting. Comments should be limited to areas related to nuclear safety within the Committee's purview.

Persons desiring to mail written comments may do so by sending a readily reproducible copy addressed to the Designated Federal Official specified in the **Federal Register** notice for the individual meeting in care of the Advisory Committee on Reactor Safeguard, Nuclear Regulatory Commission, Washington, DC 20555. Comments should be postmarked no later than ten days prior to a meeting to allow time for reproduction, distribution, and consideration at the meeting.

(b) Persons desiring to make oral statements at the meeting should make a request to do so to the Designated Federal Official prior to the beginning of the meeting and summarize the content of the oral statements for the Designated Federal Official. If possible, the request should be made five days before the meeting, identifying the topics to be discussed and the amount of time needed for presentation, so that appropriate arrangements can be made.

The Committee will hear oral statements on topics being reviewed at an appropriate time during the meeting scheduled by the Chairman.

(c) Further information regarding topics to be discussed, whether a meeting has been canceled or rescheduled, and the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by contacting, on the working day prior to the meeting, the Office of the Executive Director of the Committee (telephone: 301/492–4516, ATTN: The Designated Federal Official specified in the **Federal Register** notice for the meeting) between 7:30 a.m. and 4:15 p.m., Eastern Standard Time.

(d) During the ACRS meeting presentations and discussions, questions may be asked by ACRS members, Committee consultants, and the NRC and ACRS staff.

(e) The use of still, motion picture, and television cameras will be permitted both before and after the meeting and during any recess, subject to the condition that the physical installation and presence of such equipment will not interfere with the conduct of the meeting. The Designated Federal Official will have to be informed prior to the installation or use of such equipment. The use of such equipment will be allowed while the meeting is in session at the discretion of the Chairman to a degree that it is not disruptive. When use of such equipment is permitted, appropriate measures will be taken to protect proprietary or privileged information that may be in documents, folders, etc., being used during the meeting. Electronic recordings will be permitted only during those portions of the meeting that are open to the public.

(f) A transcript is kept for certain open portions of the meeting and will be available in the NRC Public Document Room, 2120 L Street, NW., Washington, DC 20555, for use within one week following the meeting. A copy of the certified minutes of the meeting will be available at the same location on or before three months following the meeting. Copies may be obtained upon payment of appropriate charges.

ACRS Subcommittee meetings will also be conducted in accordance with these procedures, as appropriate. When Subcommittee meetings are held at locations other than at NRC facilities, reproduction facilities are usually not available. Accordingly, 25 additional copies of the materials to be used during the meeting should be provided for distribution at such meetings.

Special Provisions When Proprietary Sessions Are To Be Held

If it is necessary to hold closed sessions for the purpose of discussing matters involving proprietary information, persons with agreements permitting access to such information may attend those portions of the ACRS meetings where this material is being discussed upon confirmation that such agreements are effective and related to the material being discussed.

The Designated Federal Official should be informed of such an agreement at least five working days prior to the meeting so that it can be confirmed, and a determination can be made regarding the applicability of the agreement to the material that will be discussed during the meeting. The minimum information provided should include information regarding the date of the agreement, the scope of material included in the agreement, the project or projects involved, and the names and titles of the persons signing the agreement. Additional information may be requested to identify the specific agreement involved. A copy of the executed agreement should be provided to the Designated Federal Official prior to the beginning of the meeting for admittance to the closed session.

Dated: September 24, 1993.

John C. Hoyle,

Advisory Committee Management Officer.

[FR Doc. 93–23991 Filed 9–29–93; 8:45 am]

BILLING CODE 7590–01–M

Atomic Safety and Licensing Board

[Docket No. 50–312–DCOM–R (Decommissioning Plan) ASLBP No. 93–677–01–DCOM–R]

Sacramento Municipal Utility District (Rancho Seco Nuclear Generating Station, Facility Operating License No. DPR–54); Hearing

September 24, 1993.

Before Administrative Judges: Charles Bechhoefer, Chairman, Dr. Richard F. Cole, Thomas D. Murphy.

This proceeding involves the proposed decommissioning of the Rancho Seco Nuclear Generating Station, a nuclear facility located near Sacramento, California. In response to a Notice of Opportunity for Hearing, 57 FR 9577 (March 19, 1922), a petition for leave to intervene and request for a hearing was filed by the Environmental and Resources Conservation Organization (ECO). In a Memorandum and Order dated March 3, 1993, CLI–93–3, 37 NRC 135, reconsideration denied, CLI 93–12, 37 NRC 355 (May 26, 1993), see also CLI–93–19, 37 NRC ____ (September 10, 1993), the Commission determined, as a matter of discretion, that ECO possessed standing and that it had submitted at least one admissible contention.

An Atomic Safety and Licensing Board has been designated to conduct these proceedings. This Board is comprised of Dr. Richard F. Cole, Thomas D. Murphy, and Charles Bechhoefer, Chairman of the Board. Based on the referenced determinations of the Commission, and as announced by the Licensing Board at a prehearing conference on September 21, 1993 (Tr. 184), ECO is admitted as a party to this proceeding.

Please take notice that a hearing will be conducted in this proceeding. Matters currently at issue are the contention admitted by the Commission, together with such other contentions considered at the aforesaid prehearing conference as may hereafter be admitted by the Licensing Board.

During the course of the proceeding, the Board may hold further prehearing conferences, pursuant to 10 CFR 2.752, as well as evidentiary hearing sessions, at times and places to be hereafter announced, through notices to be published in the **Federal Register** and/or made available at the Public Document Rooms noted below.

In accordance with 10 CFR 2.715(a), any person, not a party to the proceeding, will be permitted to submit a written limited appearance statement setting forth his or her position on the issues. These statements, which may be submitted at any time during the proceeding, do not constitute testimony or evidence but may assist the Board and/or parties in the definition of issues to be considered. Persons desiring to submit a limited appearance statement should transmit such statement to the Office of the Secretary, Docketing and Service Branch, U.S. Nuclear Regulatory Commission, Washington, DC 20555. A copy of such statement should also be served on the Chairman of this Licensing Board. At a later date, the Board will consider whether or not to hold a session in which to hear oral limited appearance statements.

Documents related to this proceeding are available for public inspection at the NRC Public Document Room, 2120 L St., NW., Washington, DC 20555, and at the local public document room, the Martin Luther King Regional Library, 7340 24th Street Bypass, Sacramento, California 95825.

Bethesda, Maryland, September 24, 1993.

For The Atomic Safety and Licensing Board.

Charles Bechhoefer,

Chairman, Administrative Judge.

[FR Doc. 93–23990 Filed 9–29–93; 8:45 am]

BILLING CODE 7590–01–M

Tennessee Valley Authority

[Docket No. 50–260]

Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR–52, issued to the Tennessee Valley Authority (the licensee) for operation of the Browns Ferry Nuclear Plant, Unit 2, located in Limestone County, Alabama.

The proposed amendment would revise Technical Specification Table 3.2.B to allow specific reactor vessel level instrumentation to be taken out of service in order to perform the reactor vessel water level instrumentation modifications requested by NRC Bulletin 93–03.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

The Commission has made a proposed determination that the amendment request involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. The proposed amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated.

The temporary change to the number of reactor vessel water level instrumentation trip systems required to be operable does not increase the frequency of the precursors to design basis events or operational transients analyzed in the Browns Ferry Final Safety Analysis Report. Therefore, the probability of an accident previously evaluated is not significantly increased.

While in cold shutdown condition and the reactor vessel is at atmospheric pressure, the worst case accident is considered to be an inadvertent drain down of the reactor vessel due to a break in shutdown cooling piping, a leak in the reactor coolant pressure boundary due to maintenance or valve mispositioning, or a recirculation pump seal failure. The other reference leg and its associated reactor vessel water level instrumentation will remain in service and be capable of initiating the required safety functions. In addition, several other reactor vessel water level instruments will remain in service and will provide the operators with reactor vessel water level indication in case of a single failure in the remaining reference leg. Based on input from this instrumentation, the operators would manually initiate the required safety functions, as appropriate. Therefore, the proposed changes will not significantly increase the consequences of an accident previously evaluated.

2. The proposed amendment does not create the possibility of a new or different kind of accident from an accident previously evaluated.

The temporary change to the number of reactor vessel water level trip systems required to be operable does not create a new pathway for radioactive material to reach the environment. The out of service instruments are used to indicate plant parameters and to initiate systems required to mitigate accidents or plant transients. The remaining instrumentation will still be available to automatically initiate the required function. The operators will receive special briefings to ensure that they are fully cognizant of the instruments which will be out of service and the degraded automatic response capability of the plant. The operators will be (sic) have sufficient time to manually initiate the required functions if a single failure occurs in the remaining instrumentation. Therefore, the proposed amendment does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. The proposed amendment does not involve a significant reduction in the margin of safety.

The proposed temporary change to the number of reactor vessel water level trip systems required to be operable does not change the licensing or design basis limits for the initiation of protective actions. Compensatory measures will adequately compensate for the lack of single failure proof automatic initiation capability of the Core Spray and Low Pressure Coolant Injection systems during the period in which the effected systems will be out of service. Therefore, the proposed amendment does not involve a significant reduction in the margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of the 30-day notice period. However, should circumstances change during the notice period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 30-day notice period, provided that its final determination is that the amendment involves no significant hazards consideration. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish in the **Federal Register** a notice of issuance and provide for opportunity for a hearing after issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Rules Review and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should cite the publication date and page number of this **Federal Register** notice. Written comments may also be delivered to room P–223, Phillips Building, 7920 Norfolk Avenue, Bethesda, Maryland, from 7:30 a.m. to 4:15 p.m. Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building 2120 L Street, NW., Washington, DC 20555.

The filing of requests for hearing and petitions for leave to intervene is discussed below.

By November 1, 1993, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR part 2. Interested person should consult a current copy of 10 CFR 2.714

which is available at the Commission's Public Document Room, the Gelman Building 2120 L Street, NW., Washington, DC 20555 and at the local public document room located at the Athens Public Library, South Street, Athens, Alabama 35611. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to 15 days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than 15 days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of a law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement which satisfied these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held.

If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

If the final determination is that the amendment request involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building 2120 L Street, NW., Washington, DC 20555, by the above date. Where petitions are filed during the last 10 days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1–(800) 248–5100 (in Missouri 1–(800) 342–6700). The Western Union operator should be given Datagram Identification Number N1023 and the following message addressed to Frederick J. Hebdon, petitioner's name and telephone number, date petition was mailed, plant name, and publication date and page number of this **Federal Register** notice. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to General Counsel, Tennessee Valley Authority, 400 West Summit Hill Drive, ET 11H, Knoxville, Tennessee 37902, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)–(v) and 2.714(d).

For further details with respect to this action, see the application for amendment dated September 15, 1993, which is available for public inspection at the Commission's Public Document Room, the Gelman Building 2120 L Street, NW., Washington, DC 20555 and at the local public document room located at the Athens Public Library, South Street, Athens, Alabama 35611.

Dated at Rockville, Maryland, this 23rd day of September 1993.

For the Nuclear Regulatory Commission.

Frederick J. Hebdon,

Director, Project Directorate II–4, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.

[FR Doc. 93–23994 Filed 9–29–93; 8:45 am]

BILLING CODE 7590–01–M

NATIONAL TRANSPORTATION SAFETY BOARD

Public Hearing in New Orleans, Louisiana; Highway Accident

In connection with the investigation of the collision between the hopper barge (DM 3021) pushed by the towboat CHRIS and the Judge Seeber Bridge in the Inner Harbor Navigation Canal, in New Orleans, Louisiana, on May 28, 1993, the National Transportation Safety Board will convene a public hearing at 9 a.m. (local time), on Wednesday, October 6, 1993, at the Westin Canal Place, New Orleans Hotel, Crescent Room, 100 Rue Iberville, New Orleans, Louisiana. For more information, contact Brent Bahler, Office of Public Affairs, National Transportation Safety Board, 490 L'Enfant Plaza, SW., Washington, DC 20594, telephone (202) 382–0660.

Dated: September 27, 1993.

Bea Hardesty,

Federal Register Liaison Officer.

[FR Doc. 93–23989 Filed 9–29–93; 8:45 am]

BILLING CODE 7533–01–M

RAILROAD RETIREMENT BOARD

Agency Forms Submitted for OMB Review

SUMMARY: In accordance with the Paperwork Reduction Act of 1980 (44 U.S.C. chapter 35), the Railroad Retirement Board has submitted the following proposal(s) for the collection of information to the Office of Management and Budget for review and approval.

Summary of Proposal(s)

(1) *Collection title:* Evidence of Marital Relationship—Living With Requirements
(2) *Form(s) submitted:* G–124, G–124a, G–237, G–238, and G–238a
(3) *OMB Number: 3220–0021*
(4) *Expiration date of current OMB clearance:* Three years from date of OMB approval
(5) *Type of request:* Extension of the expiration date of a currently approved collection without any change in the substance or in the method of collection.
(6) *Frequency of response:* On occasion
(7) *Respondents:* Individuals or households, State or local governments
(8) *Estimated annual number of respondents:* 1,100
(9) *Total annual responses:* 1,100
(10) *Average time per response:* .17818 hours
(11) *Total annual reporting hours:* 196
(12) *Collection description:* Under the RRA, to obtain a benefit as the spouse of an employee annuitant or as the widow(er) of the deceased employee, applicants must submit information to be used in determining if they meet the marriage requirements for such benefits. The collection obtains information supporting claimed common-law marriage, termination of previous marriages and residency requirements.

ADDITIONAL INFORMATION OR COMMENTS: Copies of the form and supporting documents can be obtained from Dennis Eagan, the agency clearance officer (312–751–4693). Comments regarding the information collection should be addressed to Ronald J. Hodapp, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611–2092 and the OMB reviewer, Laura Oliven (202–395–7316), Office of Management and Budget, room 3002, New Executive Office Building, Washington, DC 20503.

Dennis Eagan,

Clearance Officer.

[FR Doc. 93–23916 Filed 9–29–93; 8:45 am]

BILLING CODE 7905–01–M

SECURITIES AND EXCHANGE COMMISSION

Self-Regulatory Organizations; Applications for Unlisted Trading Privileges; Notice and Opportunity for Hearing; Chicago Stock Exchange, Inc.

September 24, 1993.

The above named national securities exchange has filed applications with the Securities and Exchange Commission ("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 securities:

Templeton China World Fund, Inc.
Common Stock, $.01 Par Value (File No. 7–11274)
RJR Nabisco Holdings Corp.
Depository Shares (rep. 1/1000 sh. of Ser. B Cum. Pfd. Stock) (File No. 7–11275)
Sahara Resorts
Common Stock, $.20 Par Value (File No. 7–11276)
Pulitzer Publishing Company
Common Stock, $.10 Par Value (File No. 7–11277)
Coca-Cola FEMSA S.A. de C.V.
American Depository Shares each representing 10 shares of Ser. L Common Stock, One New Peso Par Value (File No. 7–11278)
Serenpet, Inc.
Common Stock, No Par Value (File No. 7–11279)
Cohen & Steers Total Return Realty Fund, Inc.
Common Stock, $.001 Par Value (File No. 7–11280)
Equitable of Iowa Co.'s
Common Stock, No Par Value (File No. 7–11281)
Nuveen Premium Income Municipal Fund 6
Shares of Beneficial Interest, $.01 Par Value (File No. 7–11282)
Chase Manhattan Corp.
Warrants (expiring 6/30/96) No Par Value (File No. 7–11283)
Saga Communications, Inc.
Warrants (expiring 6/18/95) No Par Value (File No. 7–11284)
Triple A and Governments Series—1997, Inc.
Common Stock, $.001 Par Value (File No. 7–11285)
Morgan's Foods
Common Stock, $.01 Par Value (File No. 7–11286)

These securities are listed and registered on one or more other national securities exchange and are reported in the consolidated transaction reporting system.

Interested persons are invited to submit on or before October 18, 1993, written data, views and arguments concerning the above-referenced application. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549. Following this opportunity for hearing, the Commission will approve the application if it finds, based upon all the information available to it, that the extensions of unlisted trading privileges pursuant to such application is 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. 93–24014 Filed 9–29–93; 8:45 am]

BILLING CODE 8010–01–M

Self-Regulatory Organizations; Applications for Unlisted Trading Privileges; Notice and Opportunity for Hearing; Cincinnati Stock Exchange, Inc.

September 24, 1993.

The above named national securities exchange has filed applications with the Securities and Exchange Commission ("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 securities:

Equitable of Iowa's Co.'s
Common Stock, No Par Value (File No. 7–11292)
Ford Holdings, Inc.
Depository Shares (rep. 1/4000 share of Ser. C Cum. Pfd. Stock $1.00 Par Value (File No. 7–11293)
Household International, Inc.
Depository Shares (rep. 1/40 share of 7.35% Cum. Pfd. Stock, Ser. 1993–A, without Par Value (File No. 7–11294)
PIMCO Commercial Mortgage Securities Trust, Inc.
Common Stock, $.001 Par Value (File No. 7–11295)
RJR Nabisco Holdings Corp.
Depository Shares (rep. 1/1000 share of Ser. B Cum. Pfd. Stock) (File No. 7–11296)
Templeton China World Fund, Inc.
Common Stock, $.01 Par Value (File No. 7–11297)

These securities are listed and registered on one or more other national securities exchange and are reported in the consolidated transaction reporting system.

Interested persons are invited to submit on or before October 18, 1993, 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, 450 Fifth Street, NW., 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. 93–24012 Filed 9–29–93; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 34–32955; File No. SR–NYSE–93–09]

Self-Regulatory Organizations; New York Stock Exchange, Inc.; Order Approving Proposed Rule Change Relating to Content Outline for the Compliance Official for Specialist Firm (Series 14A) Qualification Examination

September 24, 1993.

On February 11, 1993, the New York Stock Exchange, Inc. ("NYSE" or "Exchange") submitted to the Securities and Exchange Commission ("SEC or "Commission"), pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")[1] and Rule 19b-4 thereunder,[2] a proposed rule change seeking approval of the Content Outline for the NYSE's Compliance Official for Specialist Firm (Series 14A) Qualification Examination.[3]

The proposed rule change was published for comment in Securities Exchange Act Release No. 32093 (April 1, 1993), 58 FR 18295 (April 8, 1993). No comments were received on the proposal.

Since 1988, the NYSE has required each member, and those individuals at each member organization designated to direct day-to-day compliance activity or to supervise persons engaged in such activity, to pass a Compliance Official Qualification Examination (Series 14).[4] The Series 14 Examination was part of a regulatory initiative designed to strengthen the internal compliance procedures of NYSE members and member organizations, and was instituted specifically to ensure that compliance officials have the knowledge, skills and abilities necessary to carry out their responsibilities.

In 1989, the Commission approved an NYSE proposal to exempt compliance officials for specialist firms from the Series 14 Examination.[5] The NYSE argued, and the Commission agreed, that the business conducted by specialist firms is unique and entails compliance responsibilities which differ from those at other members and member organizations. The Commission granted this exemption on a temporary basis, during which time it expected the NYSE to develop a separate examination that would more appropriately measure the knowledge and competence of compliance officials for specialist firms.

Accordingly, the NYSE proposes to institute the Compliance Official for Specialist Firm (Series 14A) Qualification Examination and seeks Commission approval of the examination and the Content Outline thereto.[6] The Series 14A Examination would test whether compliance officials for specialist firms[7] have sufficient knowledge of the relevant securities laws and Exchange rules; the Content Outline would detail the subject coverage of the examination. Subjects that would be tested on the Series 14A Examination include the following: NYSE, SEC and credit rules and regulations; regulatory reports and forms; regulatory agencies and their jurisdictions; trading, surveillance and operations; and registration. The Content Outline also would contain sample questions showing the principal formats used in the examination.

The Exchange would make the Content Outline available shortly after approval of this proposed rule change, and would begin to administer the Series 14A Examination ninety days thereafter. In addition, an Information Memo would be distributed to notify specialist firms of these developments.[8] According to the NYSE, the ninety-day delay would enable individuals currently serving as compliance officials, as well as those who will serve in that capacity in the future,[9] adequate opportunity to prepare for the examination without unduly delaying its administration.

The NYSE states that the proposed rule change is consistent with section 6(c)(3)(B) of the Act. Under that section, it is the Exchange's responsibility to prescribe standards of training, experience and competence for persons associated with Exchange members. Pursuant to this statutory obligation, the Exchange states that it has developed examinations that are administered to establish that persons associated with Exchange members have attained specified levels of competence and knowledge.

After careful review, the Commission has determined that the proposed rule change relating to the Series 14A Examination and the Content Outline

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[1] 15 U.S.C. 78s(b)(1) (1988).

[2] 17 CFR 240.19b-4 (1991).

[3] As part of the proposed rule change, the NYSE also is seeking approval of the examination itself. See letter from Donald van Weezel, Managing Director, Regulatory Affairs, NYSE, to Diana Luka-Hopson, Branch Chief, Division of Market Regulation, SEC, dated February 26, 1993.

[4] See Securities Exchange Act Release No. 25763 (May 27, 1988), 53 FR 20925 (June 7, 1988) (File No. SR–NYSE–87–10). This regulatory initiative was codified in NYSE Rule 342.13(b), which requires that "compliance supervisors" pass a qualification examination or be granted a waiver thereto. The rule applies to "[e]ach member not associated with a member organization and in the case of a member organization, the person (or persons) designated to direct day-to-day compliance activity * * * and each other person at the member organization directly supervising ten or more persons engaged in compliance activity."

[5] See Securities Exchange Act Release No. 27355 (October 11, 1989), 54 FR 42611 (October 17, 1989) (File No. SR–NYSE–89–29) (approving exemption for two year period); letter from James E. Buck, Senior Vice President and Secretary, NYSE, to Mary Revell, Branch Chief, Division of Market Regulation, SEC, dated October 23, 1991 (extending exemption for indefinite period).

The NYSE has indicated that this exemption applies to compliance officials for specialist firms in their capacity as the official responsible for compliance matters arising out of the firm's specialist activities. To the extent that specialist firms are engaged in other activities (i.e., do business with the public), compliance officials must qualify to serve in that capacity by taking the Series 14 Examination. Telephone conversation between Mary Anne Furlong, Director, Rule & Interpretive Standards, NYSE, and Beth Stekler, Attorney, Division of Market Regulation, SEC, on September 14, 1993.

[6] The Series 14A Examination and Content Outline were developed by the Exchange, in conjunction with committees of compliance officials for member specialist firms.

[7] The NYSE defines those "compliance officials" required to take the Series 14A Examination as follows: individuals who are designated as having day-to-day compliance responsibilities for their respective specialist firms or who supervise ten or more people engaged in such compliance activities. Compliance officials for specialist firms that also are engaged in other activities (i.e., do business with the public) would be required to take both the Series 14 Examination, see supra note 5, and the Series 14A Examination. Telephone conversation between Mary Anne Furlong, Director, Rule & Interpretive Standards, NYSE, and Beth Stekler, Attorney, Division of Market Regulation, SEC, on September 14, 1993.

The above definition is consistent with NYSE Rule 342.13(b), see supra note 4; compliance officials for specialist firms who pass the Series 14A Examination would thereby satisfy that rule's examination requirement. Telephone conversation between Mary Anne Furlong, Director, Rule & Interpretive Standards, NYSE, and Beth Stekler, Attorney, Division of Market Regulation, SEC, on June 9, 1993.

[8] Telephone conversation between Mary Anne Furlong, Director, Rule & Interpretive Standards, NYSE, and Beth Stekler, Attorney, Division of Market Regulation, SEC, on June 9, 1993.

[9] The Series 14A Examination would be administered to prospective compliance officials for specialist firms *and* to all individuals currently serving in that capacity. Telephone conversation between Mary Anne Furlong, Director, Rule & Interpretive Standards, NYSE, and Beth Stekler, Attorney, Division of Market Regulation, SEC, on September 13, 1993.

thereto is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange. In particular, the Commission believes that the proposed rule change is consistent with sections 6(c)3)(A) and 6(c)(3)(B) which provide that a national securities exchange may prescribe standards of training, experience and competence for members or persons associated with its members.

The Commission also believes that the proposed rule change is consistent with the requirements of sections 6(b)(1) and 19(g)(1) of the Act. Section 6(b)(1) requires a national securities exchange to be so organized and have the capacity to enforce compliance by its members and persons associated with its members with the Act, the rules and regulations thereunder and the rules of the exchange. Section 19(g)(1) requires a national securities exchange to comply with the Act, the rules and regulations thereunder and, absent reasonable justification or excuse, enforce compliance by its members and persons associated with its members.

In its order approving NYSE Rule 342.13(b),[10] the Commission recognized the need to ensure that compliance officials have the requisite knowledge of their responsibilities under the federal securities laws, NYSE rules and other regulations. While the Commission considers the Series 14 Examination to be a useful tool for measuring the competence of compliance officials generally, the Commission nevertheless believes that the business conducted by specialist firms entails unique compliance responsibilities.[11] Accordingly, the Commission temporarily exempted compliance officials for specialist firms from the Series 14 Examination requirement while the NYSE developed its alternative qualification examination for such compliance officials.

The Commission has determined that the Series 14A Examination adequately tests the level of knowledge that compliance officials for specialist firms must have in order to carry out their responsibilities effectively. In its review, the Commission focused on the comprehensiveness of the examination and the difficulty of the specific questions. The Commission believes that the questions cover a sufficiently broad range of topic areas and require a suitably detailed understanding of the subject matter in order to be answered correctly. Thus the Commission has concluded that the Series 14A Examination should reflect the requisite minimum level of knowledge, in terms of both breadth and depth, that compliance officials for specialist firms must possess to do their job. As a result, the Series 14A Examination should ensure that compliance officials who pass the examination have demonstrated an acceptable degree of training, experience and competence to comply, and to ensure compliance, with the federal securities laws, NYSE rules and other regulations.

Similarly, the Commission has determined that the Content Outline accurately describes, in an organized and informative manner, the pertinent subject areas (and the corresponding SEC, NYSE or other regulations) covered by the Series 14A Examination. In the Commission's opinion, the Content Outline should give prospective compliance officials for specialist firms adequate notice of the range of questions asked on the Series 14A Examination, as well as some indication of the depth of knowledge required to answer them. Furthermore, the Commission believes that the sample questions included in the Content Outline should be sufficient to familiarize these prospective compliance officials with the principal formats used in the examination.

It is therefore ordered, pursuant to section 19(b)(2) of the Act,[12] that the proposed rule change (S–RNYSE–93–09) is approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[13]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 93–24008 Filed 9–29–93; 8:45 am]

BILLING CODE 8010-01-M

[10] *See,* supra, note 4.

[11] *See,* supra, note 5 and accompanying text.

[12] 15 U.S.C. 78s(b)(2) (1988).

[13] 17 CFR 200.30–3(a)(12) (1991).

Self-Regulatory Organizations; Applications for Unlisted Trading Privileges; Notice and Opportunity for Hearing; Pacific Stock Exchange, Inc.

September 24, 1993.

The above named national securities exchange has filed applications with the Securities and Exchange Commission ("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 securities:

Alliance World Dollar Government Fund II, Inc.
Common Stock, $.01 Par Value (File No 7–11287)

Columbia Healthcare Corporation
Common Stock, $.01 Par Value (File No 7–11288)

Elan Corporation, Plc
Units Consisting of one Common Share, $.01 Par Value, of Advanced Therapeutic Systems, Limited and one five year Warrant represented by one ADS (evidenced by an American Depositary Receipts) to purchase one Ordinary Share, 4 Ireish Pence Par Value, represented by one ADS (evidenced by an American Depositary Receipt) at $39.26 per share of Elan Corporation, Plc (File No. 7–11289)

National Golf Properties, Inc.
Common Stock, $.01 Par Value (File No 7–11290)

RJR Nabisco Holdings Corporation
Depositary Shares (each representing 1/1000 of a share of Series B Cumulative Preferred Stock, $.01 Par Value) (File No. 7–11291)

These securities are listed and registered on one or more other national securities exchange and are reported in the consolidated transaction reporting system.

Interested persons are invited to submit on or before October 18, 1993, written data, views and arguments concerning the above-referenced application. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, 450 5th Street, NW., Washington, DC 20549. Following this opportunity for hearing, the Commission will approve the application 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. 93–24011 Filed 9–29–93; 8:45 am]

BILLING CODE 8010-01-M

Self-Regulatory Organizations; Applications for Unlisted Trading Privileges; Notice and Opportunity for Hearing; Philadelphia Stock Exchange, Inc.

September 24, 1993.

The above named national securities exchange has filed applications with the Securities and Exchange Commission ("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 securities:

Templeton China World Fund, Inc.

Common Stock, $.01 Par Value (File No. 7–11298)
Mid Atlantic Realty Trust
Shares Beneficial Interest, Common Stock, $.01 Par Value (File No. 7–11299)
Coca Cola Femsa S.A. de C.V.
American Depositary Shares, Ten Shares of Series L Common Stock 1 New Peso (File No. 7–11300)
Equitable of Iowa Companies
Common Stock, $.01 Par Value (File No. 7–11301)
Sahara Resorts
Common Stock, $.01 Par Value (File No. 7–11302)
American Select Portfolio, Inc.
Common Stock, $.01 Par Value (File No. 7–11303)
Morgan Stanley Group, Inc.
Depositary Shares Each Representing 1/8th of a share of 7 7/8 Pc Cum. Pfd. Stock, No Par Value (File No. 7–11304)
Nuveen California Premium Income Municipal Fund 2
Shares of Beneficial Interest, $.01 Par Value (File No. 7–11305)
Nuveen Premium Income Municipal Fund 6
Shares of Beneficial Interest, $.01 Par Value (File No. 7–11306)
ViaCom, Inc.
Class B Common Stock, $.01 Par Value (File No. 7–11307)
Dakota Mining Corporation
Common Stock, $.01 Par Value (File No. 7–11308)
Dakota Mining Corporation
Warrants, Exp. 9/15/94) (File No. 7–11309)
TriniTech Systems, Inc.
Common Stock, $.001 Par Value (File No. 7–11310)
International Technology Corporation
Depositary Shares each representing 1.100th a share of Cum. Cv. Exch. Pfd. Stock, $100 Par Value (File No. 7–11311)

These securities are listed and registered on one or more other national securities exchange and are reported in the consolidated transaction reporting system.

Interested persons are invited to submit on or before October 18, 1993, written data, views and arguments concerning the above-referenced application. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, 450 5th Street, NW., Washington, DC 20549. Following this opportunity for hearing, the Commission will approve the application 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. 93–24013 Filed 9–29–93; 8:45 am]

BILLING CODE 8010–01–M

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Application of Valujet Airlines, Inc. for Issuance of New Certificate Authority

AGENCY: Department of Transportation.

ACTION: Notice of order to show cause (Order 93–9–27); Docket 48428.

SUMMARY: The Department of Transportation is directing all interested persons to show cause why it should not issue an order finding ValuJet Airlines, Inc., fit, willing, and able, and award it a certificate of public convenience and necessity to engage in interstate and overseas scheduled air transportation of persons, property, and mail.

DATES: Persons wishing to file objections should do so no later than October 11, 1993.

ADDRESSES: Objections and answers to objections should be filed in Docket 48428 and addressed to the Documentary Services Division (C–55, room 4107), U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590, and should be served upon the parties listed in Attachment A to the order.

FOR FURTHER INFORMATION CONTACT: Ms. Delores King, Air Carrier Fitness Division (P–56, room 6401), U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590, (202) 366–2343.

Dated: September 24, 1993.

Patrick V. Murphy,

Acting Assistant Secretary for Policy and International Affairs.

[FR Doc. 93–24025 Filed 9–29–93; 8:45 am]

BILLING CODE 4910–62–P

National Highway Traffic Safety Administration

[Docket No. 93–72; Notice 1]

Receipt of Petition for Determination That Nonconforming 1977 Bristol VRT Buses Are Eligible for Importation

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Request for comments on petition for determination that nonconforming 1977 Bristol VRT buses are eligible for importation.

SUMMARY: This notice requests comments on a petition submitted to the National Highway Traffic Safety Administration (NHTSA) for a determination that 1977 Bristol VRT buses that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards are eligible for importation into the United States because they have safety features that comply with, or are capable of being modified to comply with, all such standards.

DATES: The closing date for comments on the petition is November 1, 1993.

ADDRESSES: Comments should refer to the docket number and notice number, and be submitted to: Docket Section, room 5109, National Highway Traffic Safety Administration, 400 Seventh St. SW., Washington, DC 20590. [Docket hours are from 9:30 a.m. to 4 p.m.].

FOR FURTHER INFORMATION CONTACT: Ted Bayler, Office of Vehicle Safety Compliance, NHTSA (202–366–5306).

SUPPLEMENTARY INFORMATION:

Background

Under section 108(c)(3)(A)(i)(I) of the National Traffic and Motor Vehicle Safety Act (the Act), 15 U.S.C. 1397(c)(3)(A)(i)(I), a motor vehicle that was not originally manufactured to conform to all applicable Federal motor vehicle safety standards shall be refused admission into the United States on and after January 31, 1990, unless NHTSA has determined that the motor vehicle is substantially similar to a motor vehicle originally manufactured for importation into and sale in the United States, certified under section 114 of the Act, and of the same model year as the model of the motor vehicle to be compared, and is capable of being readily modified to conform to all applicable Federal motor vehicle safety standards. Where there is no substantially similar U.S.-certified motor vehicle, section 108(c)(3)(A)(i)(II) of the Act, 15 U.S.C. 1397(c)(3)(A)(i)(II), permits a nonconforming motor vehicle to be admitted into the United States if its safety features comply with, or are capable of being modified to comply with, all applicable Federal motor vehicle safety standards based on destructive test data or such other evidence as NHTSA determines to be adequate.

Petitions for eligibility determinations may be submitted by either manufacturers or importers who have registered with NHTSA pursuant to 49 CFR part 592. As specified in 49 CFR

593.7, NHTSA publishes notice in the Federal Register of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA determines, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this determination in the Federal Register.

Double Decker Bus Company of Denver, Colorado (Registered Importer No. R–93–015) has petitioned NHTSA to determine whether 1977 Bristol VRT buses are eligible for importation into the United States. The petitioner contends that this vehicle is eligible for importation under section 108(c)(3)(A)(i)(II) of the Act, 15 U.S.C. 1397(c)(3)(A)(i)(II), because it has safety features that comply with, or are capable of being modified to comply with, all applicable Federal motor vehicle safety standards.

Specifically, the petitioner claims that the 1977 Bristol VRT bus has safety features that comply with Standard Nos. 102 *Transmission Shift Lever Sequence* * * * (based on a schematic diagram indicating starter interlock protection and photograph showing shift lever positions), 103 *Defrosting and Defogging Systems* (based on statement and photograph indicating that system incorporates electrically heated elements and heated air blowers), 104 *Windshield Wiping and Washing Systems* (based on statement and photographs indicating that system is pneumatically driven and offers full coverage of windshield to two set speeds and intermittently), 107 *Reflecting Surfaces* (based on statement and photographs indicating that reflective glare is kept to a minimum in the driver's cab through the use of matte black paint on the windshield wipers, the rearview mirror frame, the dash, and the cab walls), 120 *Tire Selection and Rims for Motor Vehicles other than Passenger Cars* (based on statement and photographs showing certification markings on tires supplied by vehicle purchaser and rims selected by petitioner, and describing contents of tire information placard), 121 *Air Brake Systems* (based on statement, photographs, and specifications indicating that vehicle is equipped with an air compressor and associated equipment that provides greater cut-in pressure than 85 p.s.i.), 124 *Accelerator Control Systems* (based on statement and photographs indicating that throttle return is provided by pneumatic valve, supplemented by a spring loaded foot pedal), 205 *Glazing Materials* (based on statement and photographs showing that glazing materials bear DOT certification markings), 207 *Seating Systems*, (based on statement and photographs indicating that seats are securely mounted to the vehicle's floor), 217 *Bus Window Retention and Release* (based on statement describing window retention test results and calculations indicating size and distribution of emergency exits), and 302 *Flammability of Interior Materials* (based on statements and photographs indicating composition of upholstery, and test results).

The petitioner also contends that the 1977 Bristol VRT bus is capable of being modified to comply with the following standard, in the manner indicated:

Standard No. 101 *Controls and Displays:*

(a) Installation of a potentiometer wired in series to provide variation in panel lighting;

(b) Installation of dash-mounted high beam telltale;

(c) Installation of U.S.-model license plate lamp.

Standard No. 106 *Brake Hoses:* Replacement of flexible brake hoses on front wheels with U.S.-model parts.

Standard No. 108 *Lamp, Reflective Devices, and Associated Equipment:* installation of the following equipment bearing DOT certification markings:

(a) Two sealed beam headlamps, three amber identification lamp clusters, two amber clearance lamps, and two amber length and height markers at the front end of the vehicle;

(b) Three red identification lamp clusters, two red clearance lamps, two red length and height markers, two red side marker/reflectors, and one license plate illumination lamp at the rear end of the vehicle;

(c) Two amber reflectors at the midsection of the vehicle's right side;

(d) Two amber reflectors at the midsection of the vehicle's left side.

Standard No. 111 *Rearview Mirrors:* Replacement of the rearview mirrors with U.S. model parts.

Standard No. 125 *Warning Devices:* Procurement of three U.S.-model reflective warning triangles to be carried on vehicle.

Standard No. 208 *Occupant Crash Protection:* Installation of a Type 2 seat belt at the driver's position.

Standard No. 209 *Seat Belt Assemblies:* Installation of a U.S.-model Type 2 seat belt at the driver's position.

Standard No. 210 *Seat Belt Assembly Anchorages:* Use of 16-20UNF–2A hardened bolts, flat washers, lock washers, and nuts as anchorage hardware.

Interested persons are invited to submit comments on the petition described above. Comments should refer to the docket number and be submitted to: Docket Section National Highway Traffic Safety Administration, room 5109, 400 Seventh Street, SW., Washington, DC 20590. It is requested but not required that 10 copies be submitted.

All comments received before the close of business on the closing date indicated above will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. Notice of final action will be published in the Federal Register pursuant to the authority indicated below.

Authority: 15 U.S.C. 1397(c)(3)(A)(i)(II) and (C)(iii); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: September 23, 1993.

William A. Boehly,

Associate Administrator for Enforcement.

[FR Doc. 93–23944 Filed 9–29–93; 8:45 am]

BILLING CODE 4910–59–M

[Docket No. 93–67; Notice 01]

Sekurit Glas Union GmbH; Receipt of Petition for Determination of Inconsequential Noncompliance

Sekurit-Glas Union GmbH (hereinafter referred to as "Sekurit"), a division of VEGLA GmbH, of Aachen, Germany, has determined that it manufactured glazing which was installed in buses imported to the United States of America (USA) which does not comply with the marking requirements of Federal Motor Vehicle Safety Standard (FMVSS) No. 205, "Glazing Materials" (49 CFR 571.205), and has filed an appropriate report pursuant to 49 CFR part 573.

As a result of these findings, Sekurit has also petitioned to be exempted from the notification and remedy requirements of the National Traffic and Motor Vehicle Safety Act (15 U.S.C. 1381 *et seq.*) on the basis that the noncompliance is inconsequential as it relates to motor vehicle safety.

This notice of receipt of a petition is published under Section 157 of the National Traffic and Motor Vehicle Safety Act (15 U.S.C. 1417) and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

Standard No. 205, which incorporates, by reference, American National Standard Institute's "Safety Code for Safety Glazing Materials for Glazing Motor Vehicles Operating on Land Highways" Z–26.1–1977, January

26, 1977, as supplemented by Z26.1a, July 3, 1980 (ANS Z26.1), specifies that, with certain exceptions, glazing materials for use in motor vehicles shall conform with Paragraphs S5, "Requirements," S6, "Certification and Marking," and ANS Z26.1.6, "Marking of Safety Glazing Materials." Accordingly, all safety glazing materials shall be legibly and permanently marked in letters and numerals, at least 0.070 inch (1.78mm) in height, with the words "American National Standard" or the characters AS, and, adjacent to those characters, the numeral that identifies the type of construction of the glazing materials.

The subject glazings were mounted in front doors of buses manufactured by Karl Kässbohrer GmbH, a customer of Sekurit, and exported to the USA. These were erroneously marked AS3. This type of glazing has a regular light transmittance over 70 percent, so that its identification as an AS3 item was irrelevant.

The total number (worldwide) of vehicles equipped with mismarked glazings was 6000. The percentage of vehicles in North America, i.e., where mismarking by USA standards is relevant: 2.33 percent=140 vehicles=280 glazings (140 left and 140 right side).

On March, 1992, Sekurit was notified by their customer, Kässbohrer, that the mismarking had been noticed by a Department of Transportation inspector in New Jersey at a vehicle approval registration.

The noncompliance item in question is a 17.0 mm nominal thickness, class 1, multiple glazed unit consisting of one sheet of "AS2", M–320" clear tempered float safety glass and one sheet of "AS2, M–24100" green tinted tempered float safety glass with an AirGap of 6.0–12.0 mm, SEKURIT SAINT-GOBAIN, "DOT–27, AS3, M–4412." According to the petitioner, this glazing can be used anywhere in a motor vehicle except the windshield.

Sekurit supports its petition for inconsequential noncompliance by stating that the item in question should be marked—and has been so since March 1993—AS2 and not AS3, as it complies with requirements of Test 1, "Light Stability," and Test 2, "Luminous Transmittance" of ANS Z26.1–1983, as it shows values of light transmission over 70 percent. Double glazings of class 1 complying with these requirements may be mounted anywhere in a vehicle except windshields. Sekurit further stated that by mismarking AS2 glazings as AS3 they prejudiced the use of the mismarked glazings by indicating a restriction in permitted locations that was irrelevant. The DOT–27 M4412 complies in all ways except the mark "AS3," with safety requirements requisite at locations such as front door windows of buses.

Several measures have already been taken by Sekurit to remedy the error of mismarked glazings:

—Applied for revision of ETL Report #495331 of December 11, 1989 to have the correct test reference and marking included. Revised May 12, 1993;
—ETL was asked as an official laboratory to perform another series of tests on samples of a recent production campaign, in order to check the continuous conformity of the product to AS2 requirements. ETL test report #529002 of May 19, 1993 verifies this.
—Revisions from ETL Report #495331 were registered at American Association of Motor Vehicle Administrators (AAMVA), who consequently adjusted their Notice #900342/930515.
—Customer was supplied with two glazings (1 left side and 1 right side) with correct marking for immediate check, comparison and replacement.
—Prepared and introduced correct marking
—Checked light transmission in our [Sekurit] internal laboratory
—Informed the European authorities; received final statement of inconsequential mismarking on May 10, 1993

Sekurit believes that mismarking of AS2 glazings with AS3 designation is inconsequential as it relates to motor vehicle safety and therefore petitions for exemption from the Act.

Interested persons are invited to submit written data, views, and arguments on the petition of Sekurit, described above. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, room 5109, 400 Seventh Street, SW., Washington, DC 20590. It is requested but not required that six copies be submitted.

All comments received before the close of business on the closing date indicated below will be considered. The application and supporting materials, and all comments received after the closing date will also be filed and will be considered to the extent possible. When the petition is granted or denied, the notice will be published in the **Federal Register** pursuant to the authority indicated below.

Comment closing date: November 1, 1993.

(15 U.S.C. 1417; delegations of authority at 49 CFR 1.50 and 49 CFR 501.8)

Issued on: September 27, 1993.

Barry Felrice,

Associate Administrator for Rulemaking.

[FR Doc. 93–24033 Filed 9–29–93; 8:45 am]

BILLING CODE 4910–59–M

DEPARTMENT OF THE TREASURY

Public Information Collection Requirements Submitted to OMB for Review

September 24, 1993.

The Department of the Treasury has made revisions and resubmitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1980, Public Law 96–511. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, room 3171 Treasury Annex, 1500 Pennsylvania Avenue, NW., Washington, DC 20220.

Internal Revenue Service

OMB Number: 1545–0091
Form Number: IRS Form 1040X
Type of Review: Resubmission
Title: Amended U.S. Individual Income Tax Return
Description: Form 1040X is used by individuals to claim a refund of income taxes, pay additional income taxes, or designate a dollar to a presidential election campaign fund. The information is needed to help verify that the individual has correctly figured his or her income tax.
Respondents: Individuals, Farms, Businesses or other for-profit, Small businesses or organizations
Estimated Number of Respondents/ Recordkeepers: 2,395,000
Estimated Burden Hours Per Respondent/Recordkeeper:
Recordkeeping—1 hour, 12 minutes
Learning about the law or the form—20 minutes
Preparing the form—1 hour, 10 minutes
Copying, assembling, and sending the form to the IRS—35 minutes
Frequency of Response: On occasion
Estimated Total Reporting/ Recordkeeping Burden: 7,927,450 hours
Clearance Officer: Garrick Shear, (202) 535–4297, Internal Revenue Service, room 5571, 1111 Constitution Avenue, NW., Washington, DC 20224.
OMB Reviewer: Milo Sunderhauf, (202) 395–6880, Office of Management and

Budget, room 3001, New Executive Office Building, Washington, DC 20503.

Dale A. Morgan,

Departmental Reports, Management Officer.

[FR Doc. 93–24022 Filed 9–29–93; 8:45 am]

BILLING CODE 4830–01–P

UNITED STATES INFORMATION AGENCY

English Teaching Advisory Panel Meeting

ACTION: Notice of meeting.

SUMMARY: The United States Information Agency announces a meeting of the English Teaching Advisory Panel on Thursday, November 4, and Friday, November 5, 1993, in Room 840 at USIA Headquarters, 301 Fourth Street, SW., Washington, DC. The agenda will include discussion of USIA's worldwide English teaching programming, especially as executed by the English Language Programs Division. The Penal will review and discuss the activities of the Field Programs, Materials Development, and Forum branches of the Division. The Special Assistance Program for Central and Eastern European Countries (SEED III and IV) will also be discussed, as well as the Agency's expanded English Language Fellows programs and new support programs in Russia and the NIS. There will be a review of the Agency's English Language Teaching by Broadcast ("Family Album, USA" and "Tuning in the USA") project. Topics of professional concern, including the FY–94 budget, affecting the execution of Division responsibilities will be addressed. The Panel will also discuss the role played in English teaching overseas by other elements of USIA.

DATES: November 4 and 5, 1993.

ADDRESS: 301 Fourth Street, SW., Washington, DC 20547.

FOR FURTHER INFORMATION CONTACT: Betty Taska at (202) 619–5869.

SUPPLEMENTARY INFORMATION: The November 4 meeting will be open to the general public. The November 5 meeting will be partially closed. In its final session on November 5, in preparing its report to the Director of USIA, the Panel will review information of a proprietary nature, including technical information and financial data, such as salaries. These matters are within exemptions 4 and 6 of the Government in the Sunshine Act. Copies of the minutes can be obtained by calling (202) 619–5869.

Dated: September 23, 1993.

Betty K. Taska,

Chief, English Language Programs Division.

[FR Doc. 93–23710 Filed 9–29–93; 8:45 am]

BILLING CODE 8230–01–M

Sunshine Act Meetings

Federal Register
Vol. 58, No. 188
Thursday, September 30, 1993

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).

FEDERAL DEPOSIT INSURANCE CORPORATION

Notice of Agency Meeting

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that at 10:05 a.m. on Tuesday, September 28, 1993, the Board of Directors of the Federal Deposit Insurance Corporation met in closed session to consider reports of the Office of Inspector General and matters relating to the Corporation's corporate and resolution activities.

In calling the meeting, the Board determined, on motion of Director Eugene A. Ludwig (Comptroller of the Currency), seconded by Director Jonathan L. Fiechter (Acting Director, Office of Thrift Supervision), concurred in by Acting Chairman Andrew C. Hove, Jr., that Corporation business required its consideration of the matters on less than seven days' notice to the public; that no earlier notice of the meeting was practicable; that the public interest did not require consideration of the matters in a meeting open to public observation; and that the matters could be considered in a closed meeting by authority of subsections (c)(2), (c)(6), (c)(8), (c)(9)(A)(ii), and (c)(9)(B) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(2), (c)(6), (c)(8), (c)(9)(A)(ii), and (c)(9)(B)).

The meeting was held in the Board Room of the FDIC Building located at 550—17th Street, NW., Washington, DC

Dated: September 28, 1993.

Federal Deposit Insurance Corporation.

Robert E. Feldman,

Deputy Executive Secretary.

[FR Doc. 93–24214 Filed 9–28–93; 2:18 pm]

BILLING CODE 6714–01–M

FEDERAL ELECTION COMMISSION

DATE AND TIME: Tuesday, October 5, 1993 at 10 a.m.

PLACE: 999 E Street, NW., Washington, DC.

STATUS: This Meeting Will Be Closed to the Public.

ITEMS TO BE DISCUSSED:

Compliance matters pursuant to 2 U.S.C. 437g.
Audits conducted pursuant to 2 U.S.C. 437g, 438(b), and Title 26, U.S.C.
Matters concerning participation in civil actions or proceedings or arbitration.
Internal personnel rules and procedures or matters affecting a particular employee.

DATE AND TIME: Thursday, October 7, 1993 at 10 a.m.

PLACE: 999 E Street, NW., Washington, DC (Ninth Floor).

STATUS: This Meeting Will Be Open to the Public.

ITEMS TO BE DISCUSSED:

Correction and Approval of Minutes.
Advisory Opinion 1993–17: Ms. Maureen E. Garde on behalf of the Massachusetts Democratic Party.
Best Efforts Rulemaking (11 CFR 104.7(b))—Final Rules and Explanation and Justification.
Routine Administrative Matters.

PERSON TO CONTACT FOR INFORMATION: Mr. Fred Eiland, Press Officer, Telephone: (202) 219–4155.

Delores Hardy,

Administrative Assistant.

[FR Doc. 93–24239 Filed 9–28–93; 3:46 pm]

BILLING CODE 6715–01–M

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

TIME AND DATE: 10:00 a.m., Wednesday, October 6, 1993.

PLACE: Marriner S. Eccles Federal Reserve Board Building, C Street entrance between 20th and 21st Streets, N.W., Washington, D.C. 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Proposed acquisition of data storage equipment within the Federal Reserve System.
2. Proposed extension of a currency processing maintenance contract for the Federal Reserve System.
3. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.
4. Any items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board; (202) 452–3204. You may call (202) 452–3207, beginning at approximately 5 p.m. two business days before this meeting, for a recorded announcement of bank and bank holding company applications scheduled for the meeting.

Dated: September 28, 1993.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 93–24240 Filed 9–28–93; 3:56 pm]

BILLING CODE 6210–01–P

Corrections

Federal Register
Vol. 58, No. 188
Thursday, September 30, 1993

This section of the FEDERAL REGISTER contains editorial corrections of previously published Presidential, Rule, Proposed Rule, and Notice documents. 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 HEALTH AND HUMAN SERVICES

Health Care Financing Administration

42 CFR Part 433

[MB-062-F]
RIN 0938-AF99

Medicaid Program; Limitations on Provider-Related Donations and Health Care-Related Taxes; Limitations on Payments to Disproportionate Share Hospitals

Correction

In the issue of Monday, August 23, 1993, on page 44536, in the second column, in the correction of rule document 93-19246, in the second line"§ 433.68(e)(1)(i)(C)(iii)," should read "§ 433.68(e)(1)(iii)," and in the sixth line, "§ 433.68(e)(1)(iii)(B)(*8*)(iv)," should read "§ 433.68(e)(1)(iv),".

BILLING CODE 1505-01-D

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[ES-940-03-4210-1-241A;MNES 46016]

Minnesota Chippewa Tribe; Transfer of Submarginal Lands

Correction

In the issue of Tuesday, June 29, 1993, on page 34842, in the first column, in the correction of notice document 93-12949, in correction 1a., in the first line, "T. 14N." should read "T. 142N.".

BILLING CODE 1505-01-D

federal register

Thursday
September 30, 1993

Part II

Federal Election Commission

11 CFR Part 8

National Voter Registration Act; Proposed Rule

FEDERAL ELECTION COMMISSION

11 CFR Part 8

[Notice 1993–22]

National Voter Registration Act

AGENCY: Federal Election Commission.

ACTION: Advance Notice of Proposed Rulemaking.

SUMMARY: The Federal Election Commission is initiating a rulemaking consistent with its responsibilities under the National Voter Registration Act of 1993 [NVRA or the Act]. This Notice seeks comments on the national voter mail registration form to be developed by the Commission, and on information to be included in the Commission's biennial reports to Congress assessing the impact of the NVRA and recommending improvements in pertinent federal and state procedures.

DATES: Comments must be received on or before November 1, 1993.

ADDRESSES: Comments must be in writing and addressed to: Ms. Susan E. Propper, Assistant General Counsel, 999 E Street NW., Washington, DC 20463.

FOR FURTHER INFORMATION CONTACT: Ms. Susan E. Propper, Assistant General Counsel, 999 E Street NW., Washington, DC 20463, (202) 219–3690 or (800) 424–9530.

SUPPLEMENTARY INFORMATION: Under section 9 of the National Voter Registration Act of 1993, Public Law 93–31, 197 Stat. 77, 42 U.S.C. 1973gg–1 *et seq.*, the Federal Election Commission is required to develop a national mail voter registration form for elections to Federal office, and to submit to Congress no later than June 30 of each odd-numbered year (beginning June 30, 1995), a report that assesses the impact of the Act and recommends improvements in federal and state procedures, forms, and other matters affected by the Act. 42 U.S.C. 1973gg–7(a). The Commission has no interpretive authority beyond these areas, and no enforcement powers.

The Commission is publishing this Advance Notice of Proposed Rulemaking (ANPRM) to gain general guidance from the regulated community and other interested parties on how best to carry out these responsibilities. In addition, the Commission's Clearinghouse on Election Administration is conducting several surveys to obtain information on state laws and procedures that impact on Commission responsibilities under the NVRA. These surveys will also be used in drafting the final rules and will thus be considered part of the rulemaking record. After the comments received in response to this Notice and the other portions of the rulemaking record are reviewed, the Commission will publish a Notice of Proposed Rulemaking (NPRM) seeking comments on specific elements of the mail registration form and on the information to be reported by the states.

The National Mail Voter Registration Form

The Commission is charged with creating a national voter registration form that "may require only such identifying information (including the signature of the applicant) and other information (including data relating to previous registration by the applicant), as is necessary to assess the eligibility of the applicant and to administer voter registration and other parts of the election process." 42 U.S.C. 1973gg–7(b)(1). (The Act also requires specific information and attestation items to be included on the form. However, except with regard to format, discussed below, these items are not the focus of this rulemaking.) The Commission is seeking comments on both the content and the format of the national mail registration form.

As the form may require only information that is "necessary," the Commission first seeks input to aid in the determination of what information is necessary for States to assess applicant eligibility, and to administer voter registration and other parts of the election process. Since information not deemed "necessary" cannot be required on the form, there may be conflicts between what may be permissible under the NVRA and current state requirements.

Because of the Commission's concern that the national form not be overly lengthy or complex, decisions may have to be made that information considered necessary by certain states not be included on the national form. Comments are especially sought from states and other interested parties as to the necessity of particular state requirements.

All states impose qualifications for voting with respect to citizenship, age, and residence. Some disqualify from voting those who have been judged to be mentally incompetent, and/or those convicted of certain crimes.

Information "necessary to administer voter registration and other parts of the election process" would seem at a minimum to include the applicant's residential and mailing addresses (if different), and the date of the application. In addition, 20 states currently require applicants to state their political party preference on the voter registration form as a precondition for voting in primary elections.

Other requirements may be more problematic. The Commission is aware, for example, that 13 states require applicants to provide their social security numbers when registering to vote, but has not yet decided if this fact alone is sufficient to meet the "necessary" threshold. (The privacy concerns articulated by the United States Court of Appeals for the Fourth Circuit in *Greidinger* v. *Davis,* 988 F.2d 1344 (4th Cir. 1993), however, may limit the usefulness of this approach both in that jurisdiction and elsewhere, if other courts concur in this result.)

If the Commission decides this requirement meets the "necessary" threshold, one approach under consideration would be to require only the last four digits of an applicant's social security number for identification purposes. This approach would seem to meet privacy concerns while still allowing use of these numbers for administrative purposes.

Another unresolved question is the "necessity" of requesting an applicant's race. Seven states currently require the applicant to provide race. While the Commission has been advised by the Department of Justice that the Voting Rights Act (42 U.S.C. 1973 *et seq.*) does not require covered jurisdictions to do this, it may be that information on registrants broken down by race is necessary in certain instances to help the Department administer and enforce that Act.

Finally, there is information which, while undoubtedly helpful, might not be considered "necessary" as the term is used in the NVRA. For example, several States ask on their registration forms whether applicants would be willing to serve as volunteer poll workers on election day. The Commission's current inclination is not to include such information on the national form, especially if it could be obtained from other sources (e.g., made part of the form sent to acknowledge voter registration) without undue difficulty. Comments are welcome affirming or challenging the validity of this approach.

There are a number of issues that must be considered in developing the format of the national form. These include the requirement at 42 U.S.C. 1973gg–4(a)(2) that the form be usable as a change of address form as well as an original registration; the need to specify differing state eligibility requirements, to provide for an attestation that the applicant meets

these requirements, and to supply other information deemed necessary for purposes of the NVRA; the need to accommodate electronic imaging of either the whole document or at least of the signature portion; the need to provide clear instructions to the applicant for completing each item on the form; and the potential need for providing additional information, such as where to mail the form.

Practical considerations include such matters as the physical size, paper stock weight, and color of the form. The Commission intends to ensure that the national form will be of a size and weight convenient for filing; and that it will be of dimensions, weight and color contrast (between the ink and the paper stock) so as to fall within the Postal Service specifications for mailed items.

The Commission places a top priority on ensuring that the form and accompanying instructions are as "user friendly" as possible. In addition, the Commission is considering the extent to which the form can be designed to meet the needs of certain special populations. These include the need for those jurisdictions covered by the language minority requirements of the Voting Rights Act at 42 U.S.C. 1973aa–1a to provide mail registration forms in the appropriate languages; the need to meet the type size requirements for the visually impaired suggested by the Americans with Disabilities Act, 42 U.S.C. 12101 *et seq.*; and the desirability of meeting the needs of the marginally literate by simplifying both the form's language and its format.

While no final decisions as to format have been made, one practicable way of accommodating all aspects of the national mail registration form could be to develop a national voter registration booklet containing one or more tear-out forms that applicants could complete and forward to the appropriate voter registration official. The Commission welcomes comments on this approach, as well as on any others that might better meet the above objectives and any others commenters feel should be considered.

Recordkeeping and Reporting Requirements

Under 42 U.S.C. 1973gg–7(a)(3), the Commission is required to submit to Congress not later than June 30 of each odd-numbered year a report assessing the impact of the NVRA on the administration of elections for federal office during the preceding 2 year period. The report is also to include recommendations for improvements in federal and state procedures, forms, and other matters affected by the Act. The Commission welcomes suggestions as to both what information should be reported; and, where appropriate, on ways of obtaining that information without violating individual privacy rights or unduly burdening state election offices.

While the specific information to be requested from the states has not yet been determined, the Commission anticipates this will include: (1) the number of registered voters in the previous federal election; (2) the number who registered in the previous 2 years through motor vehicle offices, through public assistance agencies and other state offices where registration is authorized, by mail, and by other authorized means; (3) the number of mailings to confirm changes of address by registered voters sent out, and the number returned; (4) the number of persons deleted from the registration files; and (5) information of a general nature about state and local procedures.

The Commission believes it would be helpful to know the number of applicants who registered at public assistance or public service offices. Information as to the percentage of registrants who subsequently vote, broken down by type and/or location of registration, could also be helpful in carrying out this congressional mandate. However, the Commission recognizes that compiling this data could prove difficult without, for example, violating 42 U.S.C. 1973gg–6(1)(i)'s prohibition on the release of records relating to declinations to register and information that would identify the voter registration agency through which any particular voter was registered. On the other hand, there might be coding practices or other techniques which could provide this information without proving unduly burdensome to the states or interfering with the privacy rights of registrants or those who decline to register.

The Commission also welcomes comments on related matters that pertain to these responsibilities.

Dated: September 24, 1993.

Scott E. Thomas,

Chairman, Federal Election Commission.

[FR Doc. 93–23913 Filed 9–29–93; 8:45 am]

BILLING CODE 6715–01–M

federal register

Thursday
September 30, 1993

Part III

National Aeronautics and Space Administration

48 CFR Chapter 18
Acquisition Regulation; Miscellaneous Amendments to NASA FAR Supplement; Final Rule

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Chapter 18

[NASA FAR Supplement Directive 89–13]

RIN 2700–AB26

Acquisition Regulation; Miscellaneous Amendments to NASA FAR Supplement

AGENCY: Office of Procurement, Procurement Policy Division, NASA.

ACTION: Final rule.

SUMMARY: This document amends the NASA Federal Acquisition Regulation Supplement (NFS) to reflect a number of miscellaneous changes dealing with NASA internal or administrative matters. The major changes involve: Revision to Delegation of Authority Title; Revision of Office of Procurement Points of Contact; Ratification of Unauthorized Commitments; Removal of a NASA FAR Supplement Section; Changes to Contractor Performance Summary Guidance; Certification Regarding Debarment and Suspension; Notice of Award; Change to Cardholder Limitation on Designations; Changes in Training Requirements for Credit Card Holders; Disclosure and Use of Information Before Award; Field Pricing Support; Quarterly Submission of Subcontract Reports; Sanctions for Violations of Export Controls; Removal of Redundancy in Safety and Health Clause; and Removal of a Clause from the NASA FAR Supplement.

EFFECTIVE DATE: September 30, 1993.

FOR FURTHER INFORMATION CONTACT: David K. Beck, Chief, Branch A, Procurement Policy Division (Code HP), Office of Procurement, NASA Headquarters, Washington, DC 20546, Telephone: (202) 358–0476.

SUPPLEMENTARY INFORMATION:

Availability of NASA FAR Supplement

The NASA FAR Supplement, of which this rule is a part, is available in its entirety on a subscription basis from the Superintendent of Documents, Government Printing Office, Washington, DC 20402. Cite GPO Subscription Stock Number 933–003–00000–1. It is not distributed to the public, either in whole or in part, directly by NASA.

Made in America Labels

There were no comments on the interim rule on Prohibiting Contract Awards to Persons Misusing "Made in America" Labels, published in 57 FR 8279, March 3, 1992. Consequently, NASA is adopting as a final rule the test set out as the interim rule at 57 FR 8279 with no changes.

Impact

NASA certifies that this regulation will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.). The regulation imposes no new burdens on the public within the ambit of the Paperwork Reduction Act, as implemented at 5 CFR part 1320, nor does it significantly alter any reporting or recordkeeping requirements currently approved under OMB control number 2700–0042.

List of Subjects in 48 CFR Parts 1801, 1803, 1804, 1805, 1807, 1808, 1809, 1812, 1813, 1814, 1815, 1819, 1825, 1832, 1836, 1842, 1843, 1845, 1852, and 1853

Government procurement.

Thomas S. Luedtke,

Acting Deputy Associate Administrator for Procurement.

Accordingly, under the authority of 42 U.S.C. 2473(c)(1), 48 CFR Chapter 18 is amended as follows:

1. 48 CFR Chapter 18 is amended by revising the words "Assistant Administrator" to read "Associate Administrator" wherever they appear.

PART 1801—FEDERAL ACQUISITION REGULATIONS SYSTEM

2. The authority citation for 48 CFR part 1801 continues to read as follows:

Authority: 42 U.S.C. 2473(c)(1).

1801.104–370 [Amended]

3. In paragraph (f) of section 1801.104–370, the telephone number "(202–453–2924)" is revised to read "(202–358–2266)".

4. In section 1801.105, paragraph (a) is revised to read as follows:

1801.105 OMB approval under the Paperwork Reduction Act.

(a) NASA FAR Supplement requirements. The following OMB control numbers apply:

NASA FAR supplement segment	OMB control No.
18–12	2700–0056
18–19	2700–0073
18–23	2700–0051
18–27	2700–0052
18–32	2700–0055
18–43	2700–0054
NF 533	2700–0003
NF 667	2700–0004
NF 1018	2700–0017

* * * * *

5. In section 1801.370, paragraph (a)(1)(ii) is revised to read as follows:

1801.370 Points of contact.

(a) * * *

(1) * * *

(i) * * *

(ii) FAR and NFS Substantive areas—

Part 1	
1.602–3	Bennett
Balance of 1.6	Pesnell
1.7	Pesnell
All Other Subparts	King
Part 2	Brown
Part 3	Crider
Part 4	
4.4	Bennett
4.6	Douvarjo/Brown
All Other Subparts	Brown
Part 5	Muzio
Part 6	
6.5	LaBeau/Pesnell
All Other Subparts	Pesnell
Part 7	O'Neill
Part 8	Brown
Part 9	Brundage
Part 10	Sudduth
Part 11	Sudduth
Part 12	
12.1	Brown
12.2	Brundage
12.3	Brown
12.5	Brundage
Part 13	Brown
Part 14	Brown
Part 15	
15.1	O'Toole
15.4	O'Toole
15.5	Sudduth
15.6	O'Toole
15.7	Bennett
15.8	Walker/King
15.9	Walker/King
15.10	Brundage
Part 16	O'Toole
Part 17	Sudduth
Part 19	O'Neill
Part 20	Muzio
Part 22	Childs/Harding
Part 23	Sudduth
Part 24	Brundage
Part 25	Muzio
Part 27	Childs
Part 28	Childs
Part 29	Bennett
Part 30	Guenther/King
Part 31	LeCren/King
Part 32	Childs
Part 33	Brundage
Part 34	O'Toole
Part 35	O'Neill
Part 36	Pesnell/Stamper
Part 37	Pesnell/Harding
Part 39	O'Toole
Part 42	
42.7	Balinskas/King
42.8	Balinskas/King
42.10	Guenther/King
42.12	Douvarjo
All Other Subparts	Pendleton/Bennett
Part 43	Pendleton/Pesnell
Part 44	Jeshow/Bennett
Part 45	Bennett/Pendleton/ Wilchek
Part 46	Bennett/Jeshow
Part 47	Bennett/Brunner

Part 48	Wilson/Bennett
Part 49	Bennett
Part 50	Muzio
Part 51	Brown
Part 52	Brown/All analysts in assigned areas
Part 53	Brown
Part 70	
70.1	O'Neill
70.2	O'Neill
70.3	O'Toole
70.4	Sudduth

* * * * *

6. In section 1801.370, paragraph (a)(2)(i), the name "Sudduth" is revised to read "Beck".

7. In section 1801.370, paragraph (a)(5), the name "Sudduth" is revised to read "O'Neill".

8. In section 1801.370, paragraph (a)(6), the name "Every" is revised to read "O'Toole".

9. In section 1801.370, paragraph (b) is revised to read as follows:

1801.370 Points of contact.

* * * * *

(b) Consolidated Contact List.

Name (code)	(202)
Balinskas, James A. (HC)	358–0445
Beck, David K. (HP)	358–0476
Bennett, Carol E. (HP)	358–0479
Brown, Madeon C. (HP)	358–0480
Brundage, Paul D. (HP)	358–0481
Brunner, Peter E. (JIB)	358–2289
Childs, William T. (HP)	348–0454
Crider, Ronald E. (HP)	358–0478
Deback, Thomas L. (HP)	358–0431
Douvarjo, Dennis A. (HM)	358–2130
Guenther, Anne C. (HC)	358–0003
Harding, Allan D. (JL)	358–2274
Jeshow, J. Ronald (HK)	358–0486
King, Bruce C. (HP)	358–0483
LaBeau, Michael D. (HS)	358–0433
LeCren, Joseph F. (HC)	358–0444
Mannix, John G. (GP)	358–2424
Muzio, David L. (HP)	358–0432
O'Bryant, Cynthia B. (HP)	358–2105
O'Neill, Deborah A. (HP)	358–0428
O'Toole, Thomas J. (HP)	358–0482
Pendleton, Larry G. (HK)	358–0487
Pesnell, James A. (HP)	358–0484
Rosen, Eugene D. (K)	358–2088
Smith, Phillip T. (BFC)	358–1026
Stamper, William C. (JXF)	358–1133
Sudduth, David S. (HP)	358–0485
Walker, Reginald W. (HC)	358–0443
Whelan, Thomas J. (HP)	358–2105
Wilchek, Billie E. (JLE)	358–2301
Wilson, Roger P. (HK)	358–0498

10. In § 1801.602–3, paragraph (b) is revised to read as follows:

1801.602–3 Ratification of unauthorized commitments.

* * * * *

(b) *Limitations.*

(1) The authority in FAR 1.602–3 may be exercised only when—

(i) The Government employee who made the unauthorized commitment, or his/her supervisor, if appropriate, initiates a procurement request in accordance with 1804.7301(a).

(ii) The procurement request and/or accompanying documentation identifies the individual who made the unauthorized commitment, and includes a statement signed by the individual that explains why normal acquisition procedures were not followed, explains why the firm was selected, lists other sources considered, describes the work, and estimates or states the agreed price. If the Government representative who made the unauthorized commitment is no longer available, appropriate program personnel shall provide the information described in this paragraph (b).

(iii) The procurement request is submitted through the director of the cognizant program office at the contracting activity, or comparable official. In the procurement request, the director shall describe measures taken to prevent the recurrence of the unauthorized commitment.

(iv) the contracting officer obtains a certification that funds are available and were available at the time the unauthorized commitment was made, in accordance with FAR 1.602–3(c)(6).

(2) The ratifying official shall provide a copy of each ratification along with information specified in FAR 1.602–3 and this paragraph (b) to the Associate Administrator for Procurement (Attn: Code HP).

1801.603–2 [Amended]

11. In section 1801.603–2, paragraph (d)(2), FORMAT, paragraph 6., "Executive Orders" is revised to read "Executive orders."

PART 1803—IMPROPER BUSINESS PRACTICES AND PERSONAL CONFLICTS OF INTEREST

12. The authority citation for 48 CFR part 1803 continues to read as follows:

Authority: 42 U.S.C. 2473(c)(1).

1803.705 [Amended]

13. In section 1803.705, paragraph (b), the word "and" is added after "(d)," and before "(e)."

1803–7001 [Amended]

14. In paragraph (b) of section 1803–7001, the citation "1806.304–70" is revised to read "1806.304".

PART 1804—ADMINISTRATIVE MATTERS

15. The authority citation for 48 CFR part 1804 continues to read as follows:

Authority: 42 U.S.C. 2473(c)(1).

1804.603 [Removed]

16. Section 1804.603 is removed.

1804.671–4 [Amended]

17. In section 1804.671–4, the table in paragraph (n), "NASA resident procurement office—JPL" is revised to read "NASA Management Office—JPL".

1804.7005 [Amended]

18–23. In section 1804.7005, the words "Defense Contract Administration Services Regions" is revised to read "Defense Contract Management Command (DCMC)".

1804.7102–4 [Amended]

24. In section 1804.7102–4, in the table in paragraph (a), "NASA resident office—JPL" is revised to read "NASA Management Office—JPL".

1804.7103–2 [Amended]

25. In § 1804.7103–2, in the table, "NASA resident office—JPL" is revised to read "NASA Management Office—JPL".

1804.7202 [Amended]

26. In the heading of section 1804.7202, the word "Review" is revised to read "review."

1804.7203 [Amended]

27. In section 1804.7203, paragraph (b), the word "subpart" is revised to read "subparts."

PART 1805—PUBLICIZING CONTRACT ACTIONS

28. The authority citation for 48 CFR part 1805 continues to read as follows:

Authority: 42 U.S.C. 2473(c)(1).

1805.207 [Amended]

29. In section 1805.207, in the table in paragraph (a), "NASA Resident Office—JPL" is revised to read "NASA Management Office—JPL."

1805.303–71 [Amended]

30. In paragraph (b)(1) introductory text of section 1805.303–71, "NASA Resident Office—JPL" is revised to read "NASA Management Office—JPL."

PART 1807—ACQUISITION PLANNING

31. The authority citation for 48 CFR part 1807 continues to read as follows:

Authority: 42 U.S.C. 2473(c)(1).

32. In section 1807.103, paragraph (b)(1)(i)(A)(*2*) is removed, and paragraphs (b)(1)(i)(A)(*3*) and (*4*) are redesignated as (*2*) and (*3*), respectively; in paragraph (b)(1)(i)(B), paragraphs (*3*) through (*7*) are redesignated as (*4*) through (*8*), respectively, and a new paragraph (b)(1)(B)(*3*) is added to read as follows:

1807.103 Agency-head responsibilities.

* * * * *

(b) * * *

(1) * * *

(i) * * *

(B) * * *

(3) Headquarters Acquisition Division.

* * * * *

33. and 34. In newly designated paragraph (b)(1)(i)(A)(*3*) and (b)(1)(ii)(A)(*4*) of section 1807.103, "NASA Resident Office—JPL" is revised to read "NASA Management Office—JPL".

1807.7102 [Amended]

35. In paragraph (b)(1)(iv) of section 1807.7102, "NASA Resident Office—JPL" is revised to read "NASA Management Office—JPL".

1807.7104 [Amended]

36. In section 1807.7104, paragraph (b) heading, the word "Proposals" is revised to read "proposals".

1807.7105 [Amended]

37. In section 1807.7105, paragraph (b)(1), the semicolon is removed after the word "legal" and a period is added in its place.

1807.7106 [Amended]

38. In section 1807.7106, paragraphs (b) and (c), the words "Procurement Officer" are revised to read "procurement officer" in each occurrence.

PART 1808—REQUIRED SOURCES OF SUPPLIES AND SERVICES

39. The authority citation for 48 CFR part 1808 continues to read as follows:

Authority: 42 U.S.C. 2473(c)(1).

1808.002–71 [Amended]

40. In section 1808.002–71, paragraph (c), the comma is removed after the word "publication" and before the word "List".

1808.307–71 [Amended]

41. In section 1808.307–71, the citation "1804.7205" is revised to read "1804.7203".

PART 1809—CONTRACTOR QUALIFICATIONS

42. The authority citation for 48 CFR part 1809 continues to read as follows:

Authority: 42 U.S.C. 2473(c)(1).

43. Section 1809.408 is added to read as follows:

1809.408 Certification regarding debarment, suspension, proposed debarment, and other responsibility matters.

(a) When an offeror makes a positive disclosure under the clause at FAR 52.209–5, the contracting officer shall investigate as necessary and report directly to the installation procurement officer.

(b) If the offeror indicates that it is presently debarred, suspended, or proposed for debarment, the contracting officer may make a non-responsibility determination without notifying the Associate Administrator for Procurement. If the contracting officer determines that award must be made to such firm, follow the procedures set out in FAR 9.406–1(c) or 9.407–1(d).

(c) If the offeror indicates that within the preceding three years it has had one or more of its contracts terminated for default, the contracting officer shall investigate and make a responsibility determination without notifying the Associate Administrator for Procurement.

(d) If the offeror indicates that it has been indicted, charged, convicted, or had a civil judgment rendered against it, the contracting officer, in accordance with FAR 9.408(a)(2), shall immediately notify the Associate Administrator for Procurement (Attn: Code HP), providing details as known, and shall await a response from Code H before awarding the contract.

(e) If the offeror discloses information that indicates a need for a debarment or suspension determination by the agency debarring official, the contracting officer shall report the facts to the Associate Administrator for Procurement (Code HP) in accordance with 1809.470.

1809.508 [Amended]

44. Section number and heading "1809.508 Solicitation provision and contract clause" is revised to read "1809.507 Solicitation provisions and contract clause."

1809.508–2 [Amended]

45. Section number "1809.508–2" is revised to read "1809.507–2."

PART 1812—CONTRACT DELIVERY OR PERFORMANCE

46. The authority citation for 48 CFR part 1812 continues to read as follows:

Authority: 42 U.S.C. 2473(c)(1).

47. Section 1812.103 is added to read as follows:

1812.103 Supplies or services.

Contract delivery or performance schedules shall not be expressed in terms of a notice of award. See FAR 12.103(a)(3) and (d). A notice of award as a specific document, separate from the award document itself, is not a contractual document and shall not be used as a reference point for contract performance. See NFS sections 1814.407 and 1815.1002 for additional information on notices of award.

48. Section 1812.104 is amended by adding text to read as follows:

1812.104 Contract clauses.

FAR 52.212–1, Time of Delivery, Alternates II and III, and FAR 52.212–2, Desired and Required Time of Delivery, Alternates II and III, shall not be used in NASA contracts.

PART 1813—SMALL PURCHASE AND OTHER SIMPLIFIED PURCHASE PROCEDURES

49. The authority citation for 48 CFR part 1813 continues to read as follows:

Authority: 42 U.S.C. 2473(c)(1).

50. In section 1813.7104, paragraphs (c) and (d) are revised to read as follows:

1813.7104 Cardholders.

* * * * *

(c) *Limitation on designations.* Cardholders with authority for purchases above $2,500 shall be warranted contracting officers appointed under 1801.6.

(d) *Training.*

(1) Cardholders with purchase authority not exceeding $2,500 shall have completed 4 hours of training as determined by the cognizant procurement officer.

(2) Cardholders with purchase authority over $2,500, but not exceeding $25,000, shall have completed the formal training required by 1801.603–2(e)(1)(iii)(A).

* * * * *

PART 1814—SEALED BIDDING

51. The authority citation for 48 CFR part 1814 continues to read as follows:

Authority: 42 U.S.C. 2473(c)(1).

52. Sections 1814.407 and 1814.407–1 are added to read as follows:

1814.407 Award.

1814.407–1 General.

(a) In sealed bidding, a notice of award as a specific document is used when the contracting officer needs to inform a responsible bidder that its offer was determined to be the most advantageous to the Government (considering only price and price-related factors), but that the formal award will be made upon satisfaction of

specified pre-performance conditions. See FAR 14.407–1(c)(2).

(b) The notice of award in sealed bidding is not a contractual instrument. It does not authorize the successful bidder to perform and, in itself, does not obligate the Government to award a contractual document. Its limited purpose is to provide: evidence of the Government's selection of the successful bidder; instruction to the bidder to satisfy specified pre-performance conditions; and a statement that the Government intends to award the contract to the successful bidder upon satisfaction of these conditions if a contract is awarded as a result of the invitation for bids.

(c) Use of a notice of award in sealed bidding is optional. The contracting officer may issue the award document itself without first issuing a notice of award. However, there are instances when a notice of award should be considered for use in sealed bidding, for example, in construction contracts where performance or payment bonds are required. In such cases, the most cost effective technique is to require only the successful bidder to provide the necessary bonds. The notice of award advises the successful bidder to provide the bonds, and it also serves as formal evidence from the Government of the impending award if such evidence is required to secure the bonds.

(d) The notice of award in sealed bidding shall not be issued unless bids have been evaluated and a selection made, and a definitive contract document is ready for execution upon satisfaction of the conditions specified in the notice. Upon satisfaction of these conditions, the approved and executed contract instrument shall be provided to the successful bidder.

(e) Since the notice of award is not a contractual document authorizing performance, the period of performance of the resultant contract shall not be based on the date of issuance or receipt of the notice of award. The period of performance specified in the contract shall be based on some other reference point, such as the date the contract is provided to the successful bidder, a mutually agreeable effective date, a reasonable date certain, or a later authorization to proceed date.

(f) The notice of award in sealed bidding can be issued by any formal written means such as a letter, telegram or electronic means. The notice should be substantially the same as the following format and shall include language advising the successful bidder that the notice is not contract, does not obligate the Government to award a contract, and does not authorize the successful bidder to proceed or incur costs in contract performance.

Format

Subject: Notice of Award—Invitation for Bids (IFB) (a). This notice is to advise you that your bid (b) in response to the subject IFB has been determined to be the most advantageous to the Government (considering only price and price-related factors). It is the Government's intention to award you a contract in the amount of (c) for this effort pending satisfaction of the following pre-performance conditions:

(d)

Evidence (e) of satisfaction of these conditions must be provided to the contracting officer by (f). In the event these conditions are not satisfied by this date, the Government reserves the right to award the contract to the bidder who submitted the next most advantageous bid.

Please note that this notice of award is not a contractual document. It does not obligate the Government to award you, or any other bidder, a contract relative to the subject IFB, and it does not authorize you to proceed with contract performance or incur costs pursuant to such performance. Any costs incurred for contract performance prior to your receipt of a fully executed contract document are at your own risk and are not recoverable under any Government contract should the Government fail, for whatever reason, to award you a contract in response to the subject IFB.

If a contract is awarded after evidence of satisfaction of the pre-performance conditions listed above is provided to the contracting officer by the specified due date, the date of commencement of work will be provided with the formal award. This date will be based on (g).

Notes—The contracting officer shall insert, where shown, the following information:

(a) Identification of the IFB by number and title.

(b) Identification of the contractor's bid.

(c) The award price.

(d) The pre-performance conditions (e.g., any required payment and performance bonds).

(e) The evidence required to satisfy the pre-performance conditions (e.g., the actual payment and performance bonds).

(f) The date by which the evidence must be provided to the contracting officer.

(g) Identification of the date for commencement of performance. The period of performance of the contract shall not be based on the date of issuance or receipt of the notice of award. It shall be based on the date the contract is provided to the successful bidder, a mutually agreeable effective date, a reasonable date certain, or a later authorization to proceed date.

PART 1815—CONTRACTING BY NEGOTIATION

53. The authority citation for 48 CFR part 1815 continues to read as follows:

Authority: 42 U.S.C. 2473(c)(1).

1815.413–2 [Amended]

54. Section 1815.413–2 is revised to read as follows:

1815.413–2 Alternate II.

(a) *General.* This section prescribes the policy and procedures pertaining to the use of individuals from outside the Government as participants in the proposal evaluation process. This section does not cover the use of contractors to assist or support the evaluation process. The references in FAR 15.413–2 to the provision at FAR 52.215–12 shall be considered to be references to the provision at 18–52.215–72.

(b) *Policy.* It is NASA policy to have proposals evaluated by the most competent technical and management sources available. Appropriate proposal evaluation resources will normally be available from within the Government. However, from time-to-time it may be necessary to disclose proposal information to non-Government evaluators.

(c) *Approval to release proposal outside the Government.*

(1) Except as provided in paragraph (c)(2) of this section, only the Associate Administrator for Procurement or a designee, with the concurrence of the Office of General Counsel, is authorized, pursuant to FAR 15.413–2(f)(1), to disclose proposal information outside the Government.

(2) Proposal information contained in the following classes of proposals may be disclosed with the prior written approval of a NASA official one level above the NASA program official responsible for overall conduct of the evaluation:

(i) NASA Announcements of Opportunity proposals;

(ii) Unsolicited proposals;

(iii) NASA Research Announcement proposals;

(iv) SBIR and STTR proposals; and

(v) Any proposal information released to JPL personnel for evaluation.

(3) The written approvals required by paragraphs (c) (1) and (2) of this section

shall be provided to the contracting officer before the actual release of the proposal information. As a minimum, the approval shall:

(i) Identify the precise proposal information being released;

(ii) Identify the person receiving the proposal information and evidence of their appointment as a special Government employee, or a statement of the applicable exception under paragraph (d)(3) of this section;

(iii) Provide a justification of the need for disclosure of the proposal information to the non-Government evaluator(s); and

(iv) Provide a statement that a signed "Agreement and Conditions for Evaluation of Proposals (August 1993)," in accordance with paragraph (e) of this section, will be obtained prior to release of the proposal to the evaluator.

(4) If JPL personnel, in evaluating proposal information released to them by NASA, must obtain assistance from non-JPL, non-Government evaluators, JPL must obtain written approval from the Associate Administrator for Procurement, in compliance with paragraphs (c)(1) and (c)(3) of this section, before releasing the information; except that information from the following classes of proposals may be disclosed outside JPL with a prior written approval, in compliance with paragraphs (c)(2) and (c)(3) of this section:

(i) NASA Announcements of Opportunity proposals;

(ii) Unsolicited proposals:

(iii) NASA Research Announcement proposals; and

(iv) SBIR and STTR proposals.

(d) *Appointing non-Government evaluators as special Government employees.*

(1) Except as provided in paragraph (d)(3) of this section, non-Government participants in proposal evaluation proceedings, including employees of JPL, shall be appointed as special Government employees.

(2) Appointment as a special Government employee is a separate action from the approval required by paragraph (c) of this section and may be processed concurrently. Appointment as a special Government employee shall be made by:

(i) The NASA Headquarters personnel office when the release of proposal information is to be made by a NASA Headquarters office; or

(ii) The Field Installation personnel office when the release of proposal information is to be made by the Field Installation.

(3) Non-Government evaluators need not be appointed as special Government employees when they evaluate:

(i) NASA Announcements of Opportunity proposals;

(ii) Unsolicited proposals;

(iii) NASA Research Announcement proposals; and

(iv) SBIR and STTR proposals.

(e) *Agreements.* The NASA official approving the disclosure of any proposal information to a non-Government evaluator, including employees of JPL, shall, prior to such disclosure, require each non-Government evaluator to sign the following "Agreement and Conditions for Evaluation of Proposals (April 1993)," and to complete and sign a "Procurement Integrity Certification for Procurement Officials" (Optional Form 333), in accordance with FAR 3.104–12.

Agreeement and Conditions for Evaluation of Proposals (August 1993)

(1) The recipient agrees to use proposal information for NASA evaluation purposes only. This limitation does not apply to information that is otherwise available without restrictions to the Government, another competing contractor, or the public.

(2) The recipient agrees that the NASA proposal cover sheet notice (FAR 15.413–2(e) and NFS 1815.413(a)), and any notice that may have been placed on the proposal by its originator, shall be applied to any reproduction or abstract of any proposal information furnished.

(3) Upon completion of the evaluation, the recipient agrees to return all copies of proposal information or abstracts, if any, to the NASA office that initially furnished the proposal information for evaluation.

(4) Unless authorized in writing by the NASA official releasing the proposal information, the recipient agrees not to contact either the business entities originating the proposals or any of their employees, representatives, or agents concerning any aspect of the proposal information or extracts covered by this agreement.

(5) The recipient agrees to review his or her financial interests relative to the entities whose proposal information NASA furnishes for evaluation. At any time the recipient becomes aware that he or she or a person with a close personal relationship (household family members, business partners, or associates) has or acquires a financial interest in the entities whose proposal information is subject to this agreement, the recipient shall immediately advise the NASA official releasing the proposal information, protect the proposal information, and cease evaluation activities pending a NASA decision resolving the conflict of interest.

(6) I understand that the term "leave the Government" in the last sentence of the Procurement Integrity Certification for Procurement Officials, Optional Form 333, means "cease to function as a procurement official."

Signature: _____

Name typed or printed: _____

Date: _____

[end of agreement]

(f) *Affixing of a protection notice.* The official authorized to disclose proposal information shall review each proposal or the extracted item of proposal information that is to be released and ensure that the notice at FAR 15.413–2(e) (See 1815.413(a)) is affixed to each proposal or the extracted item of proposal information before it is disclosed.

55. Section 1815.805–5 is revised to read as follows:

1815.805–5 Field pricing support.

(a) A field pricing report shall be requested and obtained in accordance with FAR 15.805–5(a)(1), except that for cost-reimbursement contracts, the threshold for obtaining a field pricing report is $1,000,000. A field pricing report is a technical report (prepared by either the cognizant DCMC ACO or NASA requirements person, except see 1815.805–5(e)) and an audit report by the cognizant contract audit activity.

(b) Whenever a field pricing report is required and a technical report or audit report is not obtained because available data reconsidered adequate for a determination of price reasonableness, the contracting officer shall document the contract file with the basis of the decision.

(c) When the contracting officer requires an audit report by the auditor but has determined that a technical report by the cognizant ACO is not required, the contracting officer should address the request directly to the cognizant audit office. The ACO shall be provided an information copy of this request.

(d) When input from the ACO or auditor involves merely a verification of information, contracting officers are encouraged to obtain this verification by direct telephone contact with the cognizant office and shall record it in the contract file.

(e) When the thresholds at 1815.805–5(a) are met and the cost proposal is for a product of a follow-on nature, notwithstanding any other provision of section 1815.505–5, a complete field pricing report shall be requested from the cognizant contract administration office. The report will include, but not be limited to, actuals incurred under the previous contract, learning experience, technical and production analysis, and subcontract proposal analysis.

56. Section 1815.1002 is added to read as follows:

1815.1002 Notification to successful offeror.

The reference to notice of award in FAR 15.1002 on negotiated procurements is a generic one. It relates only to the formal establishment of a contractual document obligating both the Government and the offeror. The notice is effected by the transmittal of a fully approved and executed definitive contract document, such as the award portion of SF33, SF26, or SF1447, or a letter contract when a definitized contract instrument is not available but the urgency of the requirement necessitates immediate performance. In this latter instance, the procedures in NFS 1816.603 for approval and issuance of letter contracts shall be followed.

PART 1819—SMALL BUSINESS AND SMALL DISADVANTAGED BUSINESS CONCERNS

57. The authority citation for 48 CFR part 1819 continues to read as follows:

Authority: 42 U.S.C. 2473(c)(1).9.

58. In section 1819.708–70, the heading is revised; the existing text is designated as paragraph (a); and paragraph (b) is added to read as follows:

1819.708–70 NASA solicitation provision and contract clause.

* * * * *

(b) The contracting officer shall insert the clause at 1852.219–75, Small Business and Small Disadvantaged Business Subcontracting Reporting, in solicitations and contracts containing the clause at FAR 52.219–9. Those current contracts containing subcontracting plans and designated by NASA Headquarters (Code HM) shall be amended to require quarterly submission of the SF 295.

PART 1832—CONTRACT FINANCING

59, 60 and 61. The authority citation for 48 CFR part 1836 continues to read as follows:

Authority: 42 U.S.C. 2473(c)(1).

1832.402–1 [Amended]

62. In section 1832.402–1, the date "1993" is revised to read "2000".

PART 1836—CONSTRUCTION AND ARCHITECT–ENGINEER CONTRACTS

63. The authority citation for 48 CFR part 1836 continues to read as follows:

Authority: 42 U.S.C. 2473(c)(1).

64. Section 1836.304 is added to read as follows:

1836.304 Notice of award.

Contract delivery or performance schedules, commencement of work, or notices to proceed shall not be expressed in terms of a notice of award. See NFS 1812.103. Also, see NFS 1814.407–1(f) for notice of award content and format.

PART 1842—CONTRACT ADMINISTRATION

65. The authority citation for 48 CFR part 1842 continues to read as follows:

Authority: 42 U.S.C. 2473(c)(1).

66. Section 1842.172 is revised to read as follows:

1842.172 Contract administration by DOD personnel at a NASA installation.

If DOD personnel will perform contract administration functions at a NASA installation for more than 30 workdays (either continuous or intermittent), the NASA contracting officer shall obtain prior approval from the head of the installation where the DOD personnel will be located. The concurrence of the Director, Contract Management Division (Code HK) shall also be obtained.

1842.174 [Amended]

67. In paragraph (b) introductory text of section 1842.174, "DOD's" is revised to read "DOD", and the title "Assistant Administrator for Procurement" is revised to read "Director, Contract Management Division".

1842.202–70 [Amended]

68. In section 1842.202–70, paragraph (a)(3) introductory text, the parenthetical "(see FAR 45.503)" are added after the word "conference" and before the word "shall."

69. In section 1842.202–70, paragraph (d), "JIE" is revised to read "JLE".

1842.1203 [Amended]

70. In paragraph (a) of section 1842.1203, the title "Assistant Administrator for Procurement" is revised to read "Director, Procurement Systems Division".

PART 1843—CONTRACT MODIFICATIONS

71. The authority citation for 48 CFR part 1843 continues to read as follows:

Authority: 42 U.S.C. 2473(c)(1).

1843.205–70 [Amended]

72. In paragraph (a) of section 1843.205–70, "MIL–STD–4820B" is revised to read "MIL–STD–973".

PART 1845—GOVERNMENT PROPERTY

73. The authority citation for 48 CFR part 1845 continues to read as follows:

Authority: 42 U.S.C. 2473 (c)(1).

1845.106–70 [Amended]

74. In section 1845.106–70, paragraph (e) introductory text, "(Code JIE)" is revised to read "(Code JLE)".

1845.405 [Amended]

75. In paragraph (b) of section 1845.405, ("Code JIE)" is revised to read "(Code JLE)".

76. In paragraph (c) introductory text of section 1845.405, "(Code H)" is revised to read "(Code HK)".

1845.407 [Amended]

77. In paragraph (a) introductory text of section 1845.407, "(Code JIE)" is revised to read "(Code JLE)" and "(Code H)" is revised (twice) to read "(Code HK)".

1845.608–6 [Amended]

78. In section 1845.608–6, "(Code JIE)" is revised to read "(Code JLE)".

1845.7101–1 [Amended]

79. In section 1845.7101–1, paragraph (e) introductory text, the comma is removed and the word "or" is added after the word "supplies" and before the word "performing"; and the word "which" is revised to read "that."

1845.7203 [Amended]

80. In section 1845.7203, "Code JIE" and "Code NIE" are revised to read "(Code JLE)".

1845.7205 [Amended]

81. In section 1845.7205, paragraph (f)(1), "Code JIE" is revised to read "Code JLE".

82. In section 1845.7205, paragraph (i), "Code JIE" is revised to read "Code JLE."

1845.7213 [Amended]

83. In section 1845.7213, paragraph (c)(1) introductory text, "(Code JIE)" is revised to read "(Code JLE)."

PART 1851—USE OF GOVERNMENT SOURCES BY CONTRACTORS

84. The authority citation for 48 CFR Part 1851 continues to read as follows:

Authority: 42 U.S.C. 2473(c)(1).

1851.102 [Amended]

85. In section 1851.102, paragraph (b), "(Code JIE)" is revised to read "(Code JLE)".

PART 1852—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

86. The authority citation for 48 CFR Part 1852 continues to read as follows:

Authority: 42 U.S.C. 2473(c)(1).

1852.107–70 [Removed]

87. Section 1852.107–70 is removed.

1852.215–76 [Amended]

88. In the heading of section 1852.215–76, the word "statements" is revised to read "Statements".

1852.219–73 [Amended]

89. In section 1852.219–73, in the prescribing language and in the alternate, the citation "1819.708–70" is revised to read "1819.708–70(a)".

90. Section 1852.219–75 is added to read as follows:

1852.219–75 Small Business and Small Disadvantaged Business Subcontracting Reporting.

As prescribed in 1819.708–70(b), insert the following contract clause:

Small Business and Small Disadvantaged Business Subcontracting Reporting (September 1992)

(a) The Contractor shall submit the Summary Subcontract Report (Standard Form [SF] 295) quarterly for the reporting periods specified in block 1.A. of the form. Reports are due 30 days after the close of each reporting period.

(b) The Contractor shall also complete Item 15 (Subcontract awards to Historically Black Colleges and Universities/Minority Institutions) in accordance with the existing instructions applicable to DOD activities.

(c) All other provisions in the instructions paragraphs of the SF 295 remain in effect.

(d) The Contractor shall include this clause in all subcontracts that include the clause at FAR 52.219–9.

(End of clause)

91. In section 1852.223–70, in the heading, the word "health" is revised to read "Health," the date of the clause "(DEC 1988)" is revised to read "(SEPT 1993)", and paragraph (a) of the clause is revised to read as follows:

1852.223–70 Safety and Health.

* * * * *

(a) The Contractor shall take all reasonable safety and health measures in performing under this contract. The Contractor shall comply with all Federal, State, and local laws applicable to safety and health in effect on the date of this contract and with the safety and health standards, specifications, reporting requirements, and provisions set forth in the contract Schedule.

* * * * *

1852.243–70 [Amended]

92. In section 1852.243–70, the date of the clause "(September 1990)" is revised to read "(SEPTEMBER 1993)", and in paragraphs (a) and (b) of the clause, the term "MIL–STD–480B" is revised to read "MIL–STD–973."

1852.252–70 [Removed]

93. Section 1852.252–70 is removed.

PART 1853—FORMS

94. The authority citation for 48 CFR part 1853 continues to read as follows:

Authority: 42 U.S.C. 2473(c)(1).

1853.204–70 [Amended]

95. In paragraph (i) of section 1853.204–70, the dollar amount "$10,000" is revised to read "$25,000".

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Thursday
September 30, 1993

Part IV

Department of the Interior

Fish and Wildlife Service

50 CFR Part 17

Plant Taxa for Listing as Endangered or Threatened Species; Notice of Review

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Review of Plant Taxa for Listing as Endangered or Threatened Species

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of review.

SUMMARY: In this notice the Fish and Wildlife Service (Service) presents an updated compilation of plant taxa native to the United States that are being reviewed for possible addition to the List of Endangered and Threatened Plants under the Endangered Species Act of 1973, as amended (Act). Such taxa are generally referred to as listing candidates. The changes in this document from previous plant notices of review primarily involve the addition of taxa, changes in category for some candidates, the removal of taxa that have been listed under the Act, the deletion of taxa identified as non-candidates in previous notices, identification of a Fish and Wildlife Service Region with lead responsibility for each taxon, a report of known trends in status for each candidate taxon, and additions and deletions in State distributions. While it is prudent to take candidate taxa into account during environmental planning, none of the substantive or procedural provisions of the Act apply to a species that is designated as a candidate for listing.

Through the publication of this notice, the Service also requests any additional status information that may be available. This information will be considered in preparing listing documents and future revisions and/or supplements to the notice of review. It will also help the Service monitor changes in the status of listing candidates.

DATES: Comments are requested until the publication of an update of this notice, anticipated in 1995.

ADDRESSES: Interested persons or organizations should submit comments regarding particular taxa to the Regional Director of the Region specified with each taxon as having the lead responsibility for that taxon. Comments of a more general nature may be submitted to—Chief, Division of Endangered Species, U.S. Fish and Wildlife Service, Mail Stop 452 ARLSQ, Washington, D.C. 20240. Written comments and materials received in response to this notice will be available for public inspection by appointment in the Regional Offices listed below.

Information relating to particular taxa in this notice may be obtained from the Service's Endangered Species Coordinator in the lead Regional Office identified for each taxon and listed below:

Region 1.—California, Hawaii, Idaho, Nevada, Oregon, Washington, Commonwealth of the Northern Mariana Islands, and Pacific Territories of the United States.

Regional Director (TE), U.S. Fish and Wildlife Service, Eastside Federal Complex, 911 N.E. 11th Avenue, Portland, Oregon 97232–4181 (503–231–6131).

Region 2.—Arizona, New Mexico, Oklahoma, and Texas.

Regional Director (TE), U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103 (505–766–3972).

Region 3.—Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, and Wisconsin.

Regional Director (TE), U.S. Fish and Wildlife Service, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111 (612–725–3276).

Region 4.—Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Puerto Rico, and the U.S. Virgin Islands.

Regional Director (TE), U.S. Fish and Wildlife Service, The Richard B. Russell Federal Building, 75 Spring Street, S.W., Atlanta, Georgia 30303 (404–331–3580).

Region 5.—Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia.

Regional Director (TE), U.S. Fish and Wildlife Service, 300 Westgate Center Drive, Hadley, Massachusetts 01035–9589. (413–253–8200)

Region 6.—Colorado, Kansas, Montana, Nebraska, North Dakota, South Dakota, Utah, and Wyoming.

Regional Director (TE), U.S. Fish and Wildlife Service, P.O. Box 25486, Denver Federal Center, Denver, Colorado 80225 (303–236–7398).

Region 7.—Alaska.

Regional Director (TE), U.S. Fish and Wildlife Service, 1011 East Tudor Street, Anchorage, Alaska 99501 (907–786–3561).

FOR FURTHER INFORMATION CONTACT: Jamie Rappaport Clark, Chief, Division of Endangered Species, U.S. Fish and Wildlife Service, Washington, D.C. 20240, (703–358–2171) or Endangered Species Coordinator(s) in the appropriate Regional Office(s) listed above.

SUPPLEMENTARY INFORMATION:

Background

The Endangered Species Act of 1973, as amended (Act), requires the Service to identify species of wildlife and plants that are endangered or threatened, based on the best available scientific and commercial data. The Act directed the Secretary of the Smithsonian Institution to prepare a report on endangered and threatened plant species, which was published as House Document No. 94–51. The Service published a notice on July 1, 1975 (40 FR 27823), in which it announced that more than 3,000 native plant taxa named in the Smithsonian's report and other taxa added by the 1975 notice would be reviewed for possible inclusion in the List of Endangered and Threatened Plants. The 1975 notice was superseded on December 15, 1980 (45 FR 82479), by a new comprehensive notice of review for native plants that took into account the earlier Smithsonian report and other accumulated information. On November 28, 1983 (48 FR 53640), a supplemental plant notice of review noted changes in the status of various taxa. Complete updates of the plant notice were published on September 27, 1985 (50 FR 39526) and on February 21, 1990 (55 FR 6184). All previous plant notices of review are superseded by the current revised notice.

The Service has completed assignment of lead responsibility for all candidate plant taxa that occur in more than one Service Region. Comments received in response to the 1990 plant notice of review were provided for review to the Region having lead responsibility for each candidate taxon mentioned in the comment. The Service will likewise consider all information provided in response to this notice of review in deciding whether or not to propose species for listing and when to undertake necessary listing actions. Comments received will become part of the administrative record for the species mentioned.

Current Notice

This notice reflects the Service's current judgment of the possible vulnerability of native plant taxa. Taxa in the notice are assigned to several status categories, noted in the "Status" column at the left side of the table. All taxa are listed in one table, with coded entries to indicate current category. However, taxa that have been added to the List of Endangered and Threatened Plants (List) at 50 CFR 17.12 are not included. In addition, most candidates

that have been identified in previous notices as belonging to categories 3A, 3B or 3C also have been deleted. In revising this compilation the Service relies on information from status surveys funded under its various candidate assessment programs, and on other information from State Heritage Programs, from other State and Federal Agencies (such as the Forest Service and the Bureau of Land Management), from knowledgeable scientists, and from comments received in response to previous notices of review.

Codes for the nine major categories of taxa in the new notice are explained below:

PE—Taxa already proposed to be listed as endangered.

PT—Taxa already proposed to be listed as threatened.

S—Synonyms (indicated with "***see***" in "Family"column of Table).

1—Taxa for which the Service has on file sufficient information on biological vulnerability and threat(s) to support proposals to list them as endangered or threatened species. Proposed rules have not yet been issued because this action is precluded at present by other listing activity. Development and publication of proposed rules on Category 1 taxa are anticipated, however, and the Service encourages other Federal agencies to give consideration to such taxa in environmental planning.

2—Taxa for which information now in the possession of the Service indicates that proposing to list as endangered or threatened is possibly appropriate, but for which sufficient data on biological vulnerability and threat are not currently available to support proposed rules. The Service emphasizes that these taxa are not being proposed for listing by this notice, and that there are not current plans for such proposals unless additional supporting information becomes available. Further biological research and field study usually will be necessary to ascertain the status of taxa in this category. It is likely that many will be found not to warrant listing, either because they are not threatened or endangered or because they do not qualify as species under the definitions in the Act, while others will be found to be in greater danger of extinction than some taxa in Category 1. The Service hopes that this notice will encourage necessary research on vulnerability, taxonomy, and/or threats for these taxa.

In previous plant notices of review single asterisks were used to indicate taxa in categories 1 and 2 that were believed to be possibly extirpated from the wild, and double asterisks to indicate any such taxa that were also known to be extant in cultivation. The practice resulted in some confusion, and for the sake of greater simplicity the double asterisk has been discontinued and the single asterisk retained only for Category 2 species whose continued existence is in doubt.

Taxa that once were considered for listing as threatened or endangered but are no longer under such consideration are included in Category 3. Taxa in Category 3 are not current candidates for listing. Such taxa are further divided into three subcategories to indicate the reason(s) for their removal from consideration:

3A—Taxa for which the Service has persuasive evidence of extinction. If rediscovered, such taxa might acquire high priority for listing. At this time, however, the best available information indicates that the taxa in this subcategory, or the habitats from which they were known, have been lost.

3B—Names that, on the basis of current taxonomic understanding (usually as represented in published revisions and monographs), do not represent distinct taxa meeting the Act's definition of "species." Such supposed taxa could be reevaluated in the future on the basis of new information.

3C—Taxa that have proven to be more abundant or widespread than previously believed and/or those that are not subject to any identifiable threat. If further research or changes in habitat indicate a significant decline in any of these taxa, they may be reevaluated for possible inclusion in categories 1 or 2. Most taxa identified as Category 3C in previous notices whose status is unchanged (1,867 taxa and 196 associated synonyms) have been omitted from the current compilation. Any taxon omitted from a previous notice will still be treated by the Service as belonging to Category 3.

The Service is aware of some misinterpretations that have been made of Category 3 subcategories in the past. In particular, Category 3A has been interpreted as either a comprehensive compilation of extinct species or as a list of species that became extinct while undergoing status review. Neither interpretation is correct. In fact, status review of the overwhelming majority of species identified in Category 3A revealed extinction that had occurred well before passage of the Endangered Species Act of 1973. A common misinterpretation of Category 3C is that a status review indicates those species have special sensitivity or vulnerability to extinction. Although this might be true of some of them, it is not necessarily true of all or even a majority of them.

A second status column has been added in this plant notice for status trend, where known. Please note, however, that status trend is only a small part of the whole picture of a taxon's status and may undergo frequent and/or rapid reversals owing to natural and man-made causes. Each species' status is identified as I, S, D, or U, which stand, respectively, for Improving, Stable, Declining, or Unknown. "Improving" indicates species known to be increasing in numbers and/or for which threats to their continued existence are lessening in the wild. "Stable" indicates species known to have stable numbers over the recent past and/or for which threats have remained relatively constant. "Declining" indicates decreasing numbers and/or increasing threats. "Unknown" denotes species for which additional survey work is required to determine current trends.

The third column in this table indicates the Service Region with lead responsibility (see "ADDRESSES" section above). Following the scientific name of each taxon (fourth column) is the family designation (fifth column) and any common name (sixth column). The seventh column provides the known historical ranges for all included taxa, indicated by postal code abbreviations for States and U.S. possessions (many taxa may no longer occur in all of the areas shown).

The taxa in categories 1 and 2 of this notice are considered by the Service as candidates for possible addition to the List of Endangered and Threatened Plants. The Service encourages their consideration in environmental planning, such as in environmental impact analysis under the National Environmental Policy Act of 1969 (implemented at 40 CFR Parts 1500–1508). Information regarding the range, status, and habitat needs of such species is available from the Service's Regional Offices (see "ADDRESSES" above).

Summary of Status Categories

For ease of reference, numerical totals for candidates in the various status categories are provided below:

Proposed for Listing—148 (including PE—135 and PT—13)

Category 1—253

Category 2—1,700 (including 2*—70)

Category 3—153 (including 3A—7, 3B—35, and 3C—111)

This and previous notices have identified a total of 2,081 Category 3 taxa (including 3A—97, 3B—747, and 3C—1,268).

Relationship to Petition Requirements

Many Category 1 and 2 plants have been subjects of petitions for listing under the Act. The Service's first plant notice on July 1, 1975 (40 FR 27823), indicated that the original Smithsonian plant report had been accepted as a listing petition under the terms of the Act. A revision of the Smithsonian's report was published in 1978 as a book—E. S. Ayensu and R. A. DeFilipps, *Endangered and Threatened Plants of the United States*, Smithsonian Institution and World Wildlife Fund, Washington, D.C. Because this revision included some additional taxa, it was also accepted as a listing petition.

The 1982 amendments to the Act required specific and timely responses to listing petitions. In particular, Section 4(b)(3)(B) of the Act was amended to require a finding within one year of receiving a listing petition as to whether the listing is—1) warranted (If so, the finding is accompanied or promptly followed by publication of a proposed listing rule.), 2) warranted but precluded by other pending proposals of higher priority, or 3) not warranted. In the case of a "warranted but precluded" finding, another finding is required one year later, again falling into one of the three allowable classes. The cycle then repeats each year until petitioned taxa are either proposed for listing or a final "not warranted" finding is made.

After the 1982 amendments, for the purpose of making annually recycled findings, the Service made an administrative decision to treat all candidate species of plants as if their listings had been petitioned prior to 1982. This action was taken in order to avoid the necessity of keeping separate track of, and annually making individual findings on, the several thousand species of plants subject to listing petitions. Consequently, each previous year since 1983, annual petition findings required by Section 4(b)(3)(B) of the Act have been made by category—Categories 1 and 2 of each notice of review have corresponded to a finding of "warranted but precluded," and Category 3 has corresponded to a finding of "not warranted."

In a statement of policy published May 12, 1993 (58 FR 28034–28035) the Service announced termination of the previous discretionary practice of making "warranted but precluded" petition findings for species for which additional information would be required to support a proposed listing rule (*i. e.* Category 2 species). Thus inclusion of a petitioned taxon in Category 2 of the table below will correspond, for the first time, with a petition determination of "not warranted". It is emphasized that this finding under the new policy is intended to reflect the Service's current state of knowledge, and a species for which a "not warranted" petition finding is made may subsequently be referred to Category 1 or proposed for listing when more information becomes available and indicates listing is warranted. The Service will soon publish a notice that sets out the reasons for making "not warranted" petition findings for the Category 2 plants that have previously received "warranted but precluded" findings.

Relationship to 1988 Endangered Species Act Amendments

Unless it is the subject of a current published proposed rule determining endangered or threatened status, none of the candidate taxa receives substantive or procedural protection pursuant to the Act (species that are the subject of a final rule are removed from this table at each periodic updating). The 1988 Amendments to the Act require, however, monitoring the status of "warranted but precluded" candidate taxa to prevent their extinction while awaiting listing. The Service intends to monitor the status of all Category 1 and Category 2 listing candidates to the fullest extent possible, emphasizing monitoring of species for which available scientific and commercial information indicates imminent threat (see the listing priority guidelines published September 21, 1983, 48 FR 43098), as well as monitoring Category 2 species to better determine status. This notice will serve as a basis for that monitoring effort.

The actual distribution of Category 1 taxa and the nature of threats to them are better known, for the most part, than those of Category 2 taxa. Accordingly, the status of Category 1 taxa will, in general, be monitored more effectively than that of Category 2 taxa. However, a status categorization as—(1) improving, (2) stable, (3) declining, (4) extinct, or (5) unknown will be determined on a regular and continuing basis for each plant listing candidate as well as for taxa believed to be extinct.

Request for Information

The Service hereby requests that any further information on the vulnerable taxa named in this notice be submitted as soon as possible or whenever it becomes available. Especially sought are data:

(1) indicating that a taxon should be assigned to a category other than the one in which it appears;

(2) nominating a taxon not now included in the notice;

(3) recommending an area as critical habitat for a candidate taxon, or indicating that a proposal of critical habitat would not be prudent for a taxon;

(4) documenting threats to any of the included taxa;

(5) informing the Service of the immediacy or magnitude of threats;

(6) pointing out taxonomic or nomenclatural changes for any of the taxa;

(7) suggesting appropriate common names; or

(8) noting any mistakes, such as errors in the indicated historical distributions.

The Service will consider all information received in response to this notice. Substantive changes will be announced by periodic supplemental or revised notices in the **Federal Register**.

Organization of the Table

The following table is arranged alphabetically by names of genera and species. Synonyms have been provided when necessary to avoid confusion. In some cases, taxa that have not yet been formally described in the scientific literature have been included. Such taxa are identified by a generic name followed by "sp. (ssp., var.) nov./ined." Following the scientific name of each species, subspecies, or variety are a family designation and any common name. The families generally follow D. J. Mabberley, 1987, *The Plant Book*, Cambridge University Press. Only fern families are changed significantly from previous notices. Known historical ranges are given on the right for all included taxa, usually indicated by abbreviations for States. Some taxa may no longer occur in some of the areas shown. For each taxon, the assigned status category appears on the left.

Author

This notice was compiled from evaluations by the staff biologists in the Service's Regional Offices and Field Stations. It was compiled and edited by Dr. George Drewry of the Division of Endangered Species in the Service's Washington Office.

List of Subjects in 50 CFR Part 17

Endangered and threatened species, Exports, Imports, Reporting and recordkeeping requirements, and Transportation.

Authority

This notice is published under the authority of the Endangered Species Act (16 U.S.C. 1531 *et seq.*).

Dated: September 24, 1993.

Richard N. Smith,

Acting Director, Fish and Wildlife Service.

Appendix to Notice of Review–Table of Plant Taxa

Status		Lead Region	Scientific name	Family	Common name	Historic range
Category	Trend					
S	N	R5	*Abama americanum*	*** see ***	*Narthecium americanum*	
S	N	R5	*Abama montana*	*** see ***	*Narthecium americanum*	
2	D	R4	*Abies fraseri*	Pinaceae	Fir, Fraser	NC, TN, VA.
1	D	R1	*Abronia alpina*	Nyctaginaceae	Sand-verbena, Ramshaw	CA.
2	U	R6	*Abronia ammphila*	Nyctaginaceae		WY.
2*	E	R1	*Abronia umbellata* ssp. *acutalata*	Nyctaginaceae	Sand-verbena, rose-purple	WA.
2	U	R1	*Abronia umbellata* ssp. *breviflora*	Nyctaginaceae	Sand-verbena, pink	CA, OR.
2	U	R2	*Abutilon parishii*	Malvaceae		AZ.
2	U	R4	*Abutilon virginianum*	Malvaceae		PR (Culebra), British V. I. (Jost Van Dyke).
2	S	R1	*Acacia koaia*	Fabaceae	Koai'e	HI.
1	D	R1	*Acanthomintha ilicifolia*	Lamiaceae	Thommint, San Diego	CA, Mexico (Baja California).
2	D	R1	*Acanthomintha obovata* ssp. *obovata*	Lamiaceae	Thommint, San Benito	CA.
2	U	R2	*Acleisanthes crassifolia*	Nyctaginaceae	Trumpets, Texas	TX, Mexico.
S	N	R6	*Actinella depressa*	*** see ***	*Hymenoxys depressa*	
PE	I	R1	*Adenophorus periens*	Grammitidaceae	Fern, pendant kihi	HI.
S	N	R3	*Agalinis auriculata*	*** see ***	*Tomanthera auriculata*	
S	N	R4	*Agalinis caddoensis*	*** see ***	*Tomanthera caddoensis*	
S	N	R4	*Agalinis pseudaphylla*	*** see ***	*Tomanthera pseudaphylla*	
S	N	R3	*Agalinis skinneriana*	*** see ***	*Tomanthera skinneriana*	
S	N	R2	*Agave chisosensis*	*** see ***	*Agave glomeruliflora*	
2	U	R4	*Agave eggersiana*	Agavaceae		VI.
2	U	R2	*Agave glomeruliflora*	Agavaceae	Agave, Chisos	TX, Mexico.
2	D	R2	*Agave murpheyi*	Agavaceae		AZ, Mexico.
2	U	R2	*Agave parviflora* ssp. *parviflora*	Agavaceae	Agave, Santa Cruz striped	AZ, Mexico (Sonora).
2	S	R2	*Agave schottii* var. *treleasei*	Agavaceae		AZ.
2	U	R1	*Agave shawii*	Agavaceae	Agave, Shaw's	CA.
2	D	R2	*Agave* sp. nov. /ined.	Agavaceae	Agave, Tonto Basin	AZ.
2	U	R4	*Agrimonia incisa*	Rosaceae	Groovebur, incised	AL, FL, GA, MS, SC, TX.
3B	N	R1	*Agrostis aristiglumis*	Poaceae	Bentgrass, awned	CA.
2	U	R1	*Agrostis blasdalei* var. *blasdalei*	Poaceae	Bentgrass, Blasdale's	CA.
3B	N	R1	*Agrostis blasdalei* var. *marinensis*	Poaceae	Bentgrass, Marin	CA.
3B	N	R1	*Agrostis clivicola* var. *clivicola*	Poaceae	Bentgrass, coastal bluff	CA.
3B	N	R1	*Agrostis clivicola* var. *punta-reyesensis.*	Poaceae	Bentgrass, Point Reyes	CA.
S	N	R1	*Agrostis hendersonii*	*** see ***	*Agrostis microphylla* var. *hendersonii*	
2	S	R1	*Agrostis howellii*	Poaceae	Bentgrass, Howell's	OR.
2	U	R1	*Agrostis microphylla* var. *hendersonii*	Poaceae	Bentgrass, Henderson's	CA, OR.
2	S	R6	*Agrostis rossiae*	Poaceae	Bent grass, Ross	WY.
2	S	R6	*Aletes humilis*	Apiaceae		CO, WY.
1	S	R1	*Allium aaseae*	Liliaceae	Onion, Aase's	ID.
3C	N	R1	*Allium constrictum*	Liliaceae		WA.
1	U	R1	*Allium dictuon*	Liliaceae	Onion, Blue Mountain	WA.
S	N	R1	*Allium douglasii* var. *constrictum*	*** see ***	*Allium constrictum*	
S	N	R1	*Allium fimbriatum* var. *munzii*	*** see ***	*Allium munzii*	
1	U	R2	*Allium gooddingii*	Liliaceae	Onion, Goodding's	AZ, NM.
1	S	R1	*Allium hickmanii*	Liliaceae	Onion, Hickman's	CA.
2	U	R1	*Allium jepsoni*	Liliaceae	Onion, Jepson's	CA.
1	D	R1	*Allium munzii*	Liliaceae	Onion, Munz's	CA.
2	U	R6	*Allium passeyi*	Liliaceae	Onion, Passey's	UT.
S	N	R1	*Allium sanbornii* var. *tuolumnense*	*** see ***	*Allium tuolumnense*	
2	U	R1	*Allium shevockii*	Liliaceae	Needle onion, Spanish	CA.
2	S	R4	*Allium speculae*	Liliaceae		AL, GA.
2	U	R1	*Allium tribracteatum*	Liliaceae	Onion, Siskiyou	CA.
1	U	R1	*Allium tuolumnense*	Liliaceae	Onion, Rawhide Hill	CA.
2	U	R1	*Alopecurus aequalis* var. *sonomensis.*	Poaceae	Alopecurus, Sonoma	CA.
2	S	R1	*Alsinidendron lychnoides*	Caryophyllaceae		HI.
PE	D	R1	*Amaranthus brownii*	Amaranthaceae		HI.
PE	D	R2	*Ambrosia cheiranthifolia*	Asteraceae	Ambrosia, South Texas	TX.
2	S	R6	*Ambrosia linearis*	Asteraceae		CO.
2	D	R1	*Ambrosia pumila*	Asteraceae	Ambrosia, San Diego	CA, Mexico.
2	S	R5	*Amelanchier nantucketensis*	Rosaceae	Service-berry,	MA, NY.
S	N	R1	*Ammobroma sonorae*	*** see ***	*Pholisma sonorae*	
2	U	R2	*Amoreuxia gonzalezii*	Cochlospermaceae.	Saiya	TX, Mexico (Sonora).

Status		Lead Region	Scientific name	Family	Common name	Historic range
Category	Trend					
3C	N	R2	*Amoreuxia wrightii*	Cochlospermaceae.	Yellowshow, Wright's	TX, Curacao, Mexico, South America.
2	U	R4	*Amorpha georgiana* var. *confusa*	Fabaceae	Lead-plant, Carolina	NC.
2	U	R4	*Amorpha georgiana* var. *georgiana*	Fabaceae	Lead-plant, Georgia	GA, NC, SC.
2	U	R2	*Amorpha ouachitensis*	Fabaceae	False indigo,	AR, OK.
3C	N	R2	*Amorpha roemeriana*	Fabaceae	Amorpha, Texas	TX.
S	N	R2	*Amorpha texana*	*** see ***	*Amorpha roemeriana*	
1	S	R1	*Amsinckia carinata*	Boraginaceae		OR.
S	N	R1	*Amsinckia furcata*	*** see ***	*Amsinckia vernicosa* var. *furcata*	
2	U	R1	*Amsinckia vernicosa* var. *furcata*	Boraginaceae	Fiddleneck, forked	CA.
2	U	R2	*Amsonia fugatei*	Apocynaceae		NM.
3C	N	R2	*Amsonia glaberrima*	Apocynaceae	Blue-star, smooth	LA, TX.
2	U	R2	*Amsonia grandiflora*	Apocynaceae		AZ, Mexico.
3C	N	R4	*Amsonia ludoviciana*	Apocynaceae	Blue-star, Louisiana	GA, LA, MS.
2	U	R4	*Amsonia tabernaemontana* var. *gattingeri.*	Apocynaceae		TN.
2	U	R2	*Amsonia tharpii*	Apocynaceae	Blue-star, Tharp	NM, TX.
2	U	R2	*Andrachne arida*	Euphorbiaceae	Maidenbush, Trans-Pecos	TX, Mexico.
2	U	R2	*Anemone edwardsiana* var. *petraea*	Ranunculaceae	Anemone, Edge Falls	TX.
2	U	R1	*Angelica scabrida*	Apiaceae		NV.
S	N	R4	*Anguria cookiana*	*** see ***	*Psiguria cookiana*	
S	N	R2	*Anoda pygmaea*	*** see ***	*Fryxellia pygmaea*	
2	U	R1	*Antennaria arcuata*	Asteraceae	Pussytoes, meadow	ID, NV, WY.
2	U	R1	*Antennaria soliceps*	Asteraceae		NV.
2	D	R2	*Anthericum chandleri*	Liliaceae	Lilia de los llanos	TX.
3C	N	R4	*Antirhea portoricensis*	Rubiaceae	Quina	PR.
3C	N	R1	*Antirrhinum ovatum*	Scrophulariaceae	Snapdragon, oval-leaved	CA.
2	U	R1	*Aphanisma blitoides*	Chenopodiaceae	Aphanisma	CA, Mexico.
S	N	R4	*Aquilegia australis*	*** see ***	*Aquilegia canadensis* var. *australis*	
2	U	R4	*Aquilegia canadensis* var. *australis*	Ranunculaceae	Columbine, Canadian,	AL, FL.
2	U	R2	*Aquilegia chrysantha* var. *hinckleyana.*	Ranunculaceae	Columbine, Hinckley's	TX.
S	N	R2	*Aquilegia hinckleyana*	*** see ***	*Aquilegia chrysantha* var. *hinckleyana.*	
2	U	R6	*Aquilegia laramiensis*	Ranunculaceae	Columbine, Laramie	WY.
2	U	R2	*Aquilegia longissima*	Ranunculaceae	Columbine, long spur	TX, Mexico.
3B	N	R6	*Aquilegia micrantha* var. *mancosana*	Ranunculaceae	Columbine, Mancos	CO.
2	U	R1	*Arabis bodiensis*	Brassicaceae	Rock-cress, Bodie Hills	CA, NV.
2	U	R1	*Arabis breweri* var. *pecuniaria*	Brassicaceae	Rock-cress, San Bernardino	CA.
2	U	R6	*Arabis falcatoria*	Brassicaceae		NV, UT.
2	U	R1	*Arabis falcifructa*	Brassicaceae		NV.
2	S	R6	*Arabis fecunda*	Brassicaceae	Rock-cress, Sapphire Mt.	MT.
2	U	R4	*Arabis georgiana*	Brassicaceae	Rock-cress, Georgia	AL, GA.
1	D	R1	*Arabis hoffmannii*	Brassicaceae	Rock-cress, Hoffmann's	CA.
1	U	R1	*Arabis johnstonii*	Brassicaceae	Rock-cress, Johnston's	CA.
2	S	R1	*Arabis koehleri* var. *koehleri*	Brassicaceae	Rock-cress, Koehler's	OR.
2	U	R3	*Arabis missouriensis* var. *deamii*	Brassicaceae		AR, IN, MI, MC, WI.
2	U	R1	*Arabis ophira*	Brassicaceae		NV.
2	U	R1	*Arabis parishii*	Brassicaceae	Rock-cress, Parish's	CA.
1	D	R4	*Arabis perstellata* var. *ampla*	Brassicaceae	Rock-cress, large	TN.
1	D	R4	*Arabis perstellata* var. *perstellata*	Brassicaceae	Rock-cress, small	AL, KY.
2	U	R1	*Arabis pinzlae*	Brassicaceae	Rock-cress, Boundary Peak	CA, NV.
1	D	R6	*Arabis pusilla*	Brassicaceae	Rock-cress, small	WY.
1	U	R1	*Arabis rigidissima* var. *demota*	Brassicaceae	Rock-cress, Galena Creek (=Carson Range).	NV.
2	U	R1	*Arabis serpentinicola*	Brassicaceae	Rock-cress, Preston Peak	CA, OR.
3B	N	R6	*Arabis* sp. nov. /ined.	Brassicaceae	Rock-cress (Gray Knolls, Uintah Co.)	UT.
2	U	R1	*Arabis* sp. nov. /ined. (Del Norte, Curry Cos.).	Brassicaceae	Rock-cress, Del Norte	CA, OR.
S	N	R6	*Arabis* sp. nov. /ined. (Jones Hole, Uintah Co.).	*** see ***	*Arabis vivariensis*	CO, UT.
2	D	R1	*Arabis suffrutescens* var. *horizontalis*	Brassicaceae		OR.
2	U	R1	*Arabis tiehmii*	Brassicaceae	Rock-cress, Tiehm's	CA, NV.
2	D	R6	*Arabis vivariensis* (was sp. nov. /ined.).	Brassicaceae	Rock-cress, Park (Jones Hole, Uintah Co.).	CO, UT.
3C	N	R6	*Arabis williamsii*	Brassicaceae		WY.
2	U	R1	*Arctomecon californica*	Papaveraceae	Desert-poppy,	AZ, NV.
2	U	R1	*Arctomecon merriamii*	Papaveraceae	Desert-poppy, white bear	CA, NV.
2	U	R1	*Arctostaphylos andersonii*	Ericaceae	Manzanita, Santa Cruz	CA.
S	N	R1	*Arctostaphylos andersonii* var. *pallida.*	*** see ***	*Arctostaphylos pallida*	

Status		Lead Region	Scientific name	Family	Common name	Historic range
Category	Trend					
3C	N	R1	*Arctostaphylos bakeri* ssp. *bakeri*	Ericaceae	Manzanita, Baker's	CA.
2	U	R1	*Arctostaphylos catalinae*	Ericaceae	Manzanita, Santa Catalina Island	CA.
1	U	R1	*Arctostaphylos confertiflora*	Ericaceae	Manzanita, Santa Rosa Island	CA.
2	U	R1	*Arctostaphylos cruzensis*	Ericaceae	Manzanita, Arroyo de la Cruz	CA.
2	E	R1	*Arctostaphylos densiflora*	Ericaceae	Manzanita, Vine Hill	CA.
2	U	R1	*Arctostaphylos edmundsii*	Ericaceae	Manzanita, Little Sur	CA.
S	N	R1	*Arctostaphylos edmundsii* var. *parvifolia.*	*** see ***	*Arctostaphylos edmundsii*	
2	U	R1	*Arctostaphylos gabrielensis*	Ericaceae	Manzanita, San Gabriel	CA.
1	D	R1	*Arctostaphylos glandulosa* ssp. *crassifolia.*	Ericaceae	Manzanita, Del Mar (=Costa Baja, =Eastwood's).	CA.
2	U	R1	*Arctostaphylos glutinosa*	Ericaceae	Manzanita, Schreiber's	CA.
2	E	R1	*Arctostaphylos hookeri* ssp. *franciscana.*	Ericaceae	Manzanita, San Francisco	CA.
2	U	R1	*Arctostaphylos hookeri* ssp. *hearstiorum.*	Ericaceae	Manzanita, Hearsts'	CA.
2	U	R1	*Arctostaphylos hookeri* ssp. *montana*	Ericaceae	Manzanita, Tamalpais	CA.
1	U	R1	*Arctostaphylos imbricata*	Ericaceae	Manzanita, San Bruno Mountain	CA.
S	N	R1	*Arctostaphylos imbricata* ssp. *imbricata.*	*** see ***	*Arctostaphylos imbricata*	
S	N	R1	*Arctostaphylos imbricata* ssp. *montaraensis.*	*** see ***	*Arctostaphylos montaraensis*	
2	U	R1	*Arctostaphylos klamathensis*	Ericaceae	Manzanita, Klamath	CA.
2	U	R1	*Arctostaphylos luciana*	Ericaceae	Manzanita, Santa Lucia	CA.
S	N	R1	*Arctostaphylos montana*	*** see ***	*Arctostaphylos hookeri* ssp. *montana*	
2	U	R1	*Arctostaphylos montaraensis*	Ericaceae	Manzanita, Montara	CA.
2	U	R1	*Arctostaphylos montereyensis*	Ericaceae	Manzanita, Monterrey	CA.
PE	D	R1	*Arctostaphylos morroensis*	Ericaceae	Manzanita, Morro	CA.
1	D	R1	*Arctostaphylos myrtifolia*	Ericaceae	Manzanita, Ione	CA.
2	U	R1	*Arctostaphylos nissenana*	Ericaceae	Manzanita, Nissenan	CA.
2	U	R1	*Arctostaphylos nortensis*	Ericaceae	Manzanita, Del Norte	CA.
2	U	R1	*Arctostaphylos osoensis*	Ericaceae	Manzanita, Oso	CA.
2	U	R1	*Arctostaphylos otayensis*	Ericaceae	Manzanita, Otay	CA.
2	U	R1	*Arctostaphylos pajaroensis*	Ericaceae	Manzanita, Pajaroensis	CA.
1	D	R1	*Arctostaphylos pallida*	Ericaceae	Manzanita, pallid	CA.
2	U	R1	*Arctostaphylos pechoensis*	Ericaceae	Manzanita, pecho	CA.
2	U	R1	*Arctostaphylos pilosula* ssp. *pilosula*	Ericaceae	Manzanita, Santa Margarita	CA.
2	U	R1	*Arctostaphylos pumila*	Ericaceae	Manzanita, sandmat	CA.
S	N	R1	*Arctostaphylos pungens* ssp. *bakeri*	*** see ***	*Arctostaphylos bakeri* ssp. *bakeri*	
S	N	R1	*Arctostaphylos pungens* ssp. *montana.*	*** see ***	*Arctostaphylos hookeri* ssp. *montana*	
2	U	R1	*Arctostaphylos refugioensis*	Ericaceae	Manzanita, Refugio	CA.
1	D	R1	*Arctostaphylos rudis*	Ericaceae	Manzanita, sand mesa (=shagbark)	CA.
2	U	R1	*Arctostaphylos silvicola*	Ericaceae	Manzanita, Bonny Doon (=silver-leaved.	CA.
2	U	R1	*Arctostaphylos stanfordiana* ssp. *raichei.*	Ericaceae	Manzanita, Raiches (=Hopland)	CA.
2	U	R1	*Arctostaphylos tomentosa* ssp. *daciticola.*	Ericaceae	Manzanita, dacite	CA.
S	N	R1	*Arctostaphylos uva-ursi* ssp. *edmundsii.*	*** see ***	*Arctostaphylos edmundsii*	
S	N	R1	*Arctostaphylos uva-ursi* ssp. *myrtifolia.*	*** see ***	*Arctostaphylos myrtifolia*	
S	N	R1	*Arctostaphylos uva-ursi* ssp. *pumila*	*** see ***	*Arctostaphylos pumila*	
S	N	R1	*Arctostaphylos uva-ursi* var. *densiflora.*	*** see ***	*Arctostaphylos densiflora*	
S	N	R1	*Arctostaphylos uva-ursi* var. *franciscana.*	*** see ***	*Arctostaphylos hookeri* ssp. *franciscana.*	
S	U	R1	*Arctostaphylos uva-ursi* var. *hearstiorum.*	*** see ***	*Arctostaphylos hookeri* ssp. *hearstiorum.*	
S	N	R1	*Arctostaphylos uva-ursi* var. *parvifolia.*	*** see ***	*Arctostaphylos edmundsii*	
S	N	R1	*Arenaria decumbens*	*** see ***	*Minuartia decumbens*	
2	U	R4	*Arenaria fontinalis*	Caryophyllaceae	Stitchwort, water	KY, TN.
S	N	R4	*Arenaria godfreyi*	*** see ***	*Minuartia godfreyi*	
2	U	R1	*Arenaria kingii* ssp. *rosea*	Caryophyllaceae		NV.
2	U	R2	*Arenaria livermorensis*	Caryophyllaceae	Sandwort, Livermore	TX.
2	U	R1	*Arenaria macradenia* var. *kuschei*	Caryophyllaceae	Sandwort, Forest Camp	CA.
S	N	R5	*Arenaria marcescens*	*** see ***	*Minuartia marcescens*	
1	D	R1	*Arenaria ursina*	Caryophyllaceae	Sandwort, Bear Valley	CA.
2	U	R2	*Argemone arizonica*	Papaveraceae		AZ.

Status		Lead Region	Scientific name	Family	Common name	Historic range
Category	Trend					
3B	N	R1	*Argemone munita* ssp. *robusta*	Papaveraceae	Prickly-poppy, robust	CA.
2	U	R2	*Argythamnia aphoroides*	Euphorbiaceae	Mercury, wild, Hill Country	TX.
2	D	R4	*Argythamnia blodgettii*	Euphorbiaceae		FL.
2	U	R4	*Aristida simpliciflora*	Poaceae	Grass, three-awned, southern	AL, FL, MS.
S	N	R3	*Armoracia aquatica*	*** see ***	*Armoracia lacustris*	
3C	N	R3	*Armoracia lacustris*	Brassicaceae		IL, IN, KY, LA, MI, MO, NC, NY, OH, OK, SC, TN, VA, VT, WI, Canada.
2	D	R3	*Arnica chionopappa*	Asteraceae		CA, MN.
S	N	R3	*Arnica lonchophyllum*	*** see ***	*Arnica chionopappa*	
3B	N	R6	*Arnica paniculata*	Asteraceae		WY.
3C	N	R7	*Artemisia aleutica*	Asteraceae	Wormwood, Aleutian	AK.
2	U	R6	*Artemisia biennis* var. *diffusa*	Asteraceae		WY.
1	D	R1	*Artemisia campestris* var. *wormskioldii.*	Asteraceae		OR, WA.
2	U	R7	*Artemisia globularia* var. *lutea*	Asteraceae	Wormwood,	AK.
2	U	R7	*Artemisia glomerata* var. *subglabra*	Asteraceae	Wormwood,	AK.
2	S	R1	*Artemisia ludoviciana* ssp. *estesii*	Asteraceae		OR.
S	N	R4	*Asarum contracta*	*** see ***	*Hexastylis contracta*	
2	U	R1	*Asclepias eastwoodiana*	Asclepiadaceae	Milkweed, Eastwood's	NV.
2	U	R2	*Asclepias prostrata*	Asclepiadaceae		TX, Mexico.
3B	N	R2	*Asclepias sanjuanensis*	Asclepiadaceae	Milkweed, San Juan	NM.
2	U	R6	*Asclepias uncialis*	Asclepiadaceae	Milkweed,	CO, KS, NM.
2	D	R4	*Asclepias viridula*	Asclepiadaceae		FL.
S	N	R1	*Asplenium fragile*	*** see ***	*Asplenium fragile* var. *insulare*	
PE	U	R1	*Asplenium fragile* var. *insulare*	Aspleniaceae		HI.
2	D	R4	*Asplenium heteroresiliens*	Aspleniaceae		AL, FL, GA, NC, SC.
2	D	R4	*Asplenium plenum*	Aspleniaceae		FL.
S	N	R1	*Asplenium rhomboideum*	*** see ***	*Asplenium fragile*	
2	U	R1	*Asplenium schizophyllum*	Aspleniaceae		HI.
2	S	R4	*Aster avitus*	Asteraceae	Rock-aster, Alexander's	GA, NC, SC.
S	N	R2	*Aster blepharophyllus*	*** see ***	*Machaeranthera gypsitherma*	
2	D	R4	*Aster chapmani*	Asteraceae	Aster, Chapman's	AL, FL.
2	U	R1	*Aster chilensis* var. *lentus*	Asteraceae	Aster, Suisun	CA.
2	D	R1	*Aster curtus*	Asteraceae	Aster, curtus	OR, WA, Canada (B.C.).
2	S	R5	*Aster depauperatus*	Asteraceae	Aster, serpentine	DE, MD, NC, PA.
S	N	R5	*Aster ericoides* var. *depauperatus*	*** see ***	*Aster depauperatus*	
2	U	R4	*Aster eryngiifolius*	Asteraceae	Aster, coyote-thistle	AL, FL, GA.
2	U	R3	*Aster furcatus*	Asteraceae		AR, IA, IL, IN, MO, WI.
2	D	R4	*Aster georgianus*	Asteraceae	Aster, Georgia	AL, GA, NC, SC.
2	S	R1	*Aster gormanii*	Asteraceae	Aster, Gorman	OR.
1	S	R1	*Aster jessicae*	Asteraceae	Aster, Jessica's	ID, WA.
2	U	R6	*Aster kingii* var. *barnebyana*	Asteraceae		UT.
3C	N	R6	*Aster kingii* var. *kingii*	Asteraceae		UT.
2	U	R2	*Aster laevis* var. *guadalupensis*	Asteraceae	Aster, Guadalupe smooth	NM, TX.
2	U	R6	*Aster mollis*	Asteraceae		WY.
1	D	R2	*Aster puniceus* ssp. *elliottii* var. *scabricaulis.*	Asteraceae	Aster, rough-stemmed	TX.
S	N	R2	*Aster puniceus* var. *scabricaulis*	*** see ***	*Aster puniceus* ssp. *elliottii* var. *scabricaulis.*	
2	U	R4	*Aster saxicastellii*	Asteraceae	Aster, Rockcastle	KY, TN.
S	N	R2	*Aster scabricaulis*	*** see ***	*Aster puniceus* ssp. *elliottii* var. *scabricaulis.*	
2*	U	R5	*Aster schistosus*	Asteraceae		VA.
2	D	R4	*Aster spinulosus*	Asteraceae		FL.
2	U	R1	*Aster vialis*	Asteraceae	Aster, wayside	OR.
2	U	R7	*Aster yukonensis*	Asteraceae	Aster, Yukon	AK, Canada (Yukon).
2*	U	R4	*Astilbe crenatiloba*	Saxifragaceae		TN.
2	U	R1	*Astragalus aequalis*	Fabaceae		NV.
1	S	R1	*Astragalus agnicidus*	Fabaceae	Milk-vetch, Humboldt	CA.
PE	D	R1	*Astragalus albens*	Fabaceae	Milk-vetch, Cushenbury	CA.
2	U	R1	*Astragalus amphioxys* var. *musimonum.*	Fabaceae		AZ, NV.
2	U	R6	*Astragalus ampullarius*	Fabaceae	Milk-vetch, gumbo	AZ, UT.
2	U	R6	*Astragalus anisus*	Fabaceae	Milk-vetch, Gunnison	CO.
2	S	R6	*Astragalus anserinus*	Fabaceae		ID, NV, UT.
2	S	R1	*Astragalus atratus* var. *inseptus*	Fabaceae	Milk-vetch,	ID.

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Category	Trend					
1	U	R1	*Astragalus australis* var. *olympicus*	Fabaceae		WA.
3C	N	R6	*Astragalus barrii*	Fabaceae		MT, NE, SD, WY.
1	U	R1	*Astragalus beatleyae*	Fabaceae	Milk-vetch, Beatley	NV.
2	U	R6	*Astragalus brandegei*	Fabaceae	Milk-vetch,	CO.
PE	D	R1	*Astragalus brauntonii*	Fabaceae	Milk-vetch, Braunton's	CA.
3C	N	R1	*Astragalus camptopus*	Fabaceae		ID.
1	U	R1	*Astragalus clarianus*	Fabaceae	Milk-vetch, Clara Hunt's	CA.
2	U	R2	*Astragalus cobrensis* var. *maguirei*	Fabaceae	Milk-vetch, coppermine	AZ.
2	S	R1	*Astragalus collinus* var. *laurentii*	Fabaceae		OR.
1	S	R1	*Astragalus columbianus*	Fabaceae	Milk-vetch, Columbia	WA.
S	N	R1	*Astragalus cottonii*	*** see ***	*Astragalus australis* var. *olympicus*	
2	U	R2	*Astragalus cremnophylax* var. *myriorrhaphis.*	Fabaceae	Milk-vetch, cliff	AZ.
2	D	R6	*Astragalus cronquistii*	Fabaceae	Milk-vetch, Cronquist	CO, UT.
2	U	R1	*Astragalus deanei*	Fabaceae	Milk-vetch, Deane's	CA.
2	S	R6	*Astragalus debequaeus*	Fabaceae		CO.
1	U	R6	*Astragalus desereticus*	Fabaceae	Milk-vetch, Deseret	UT.
2	U	R6	*Astragalus deterior*	Fabaceae	Milk-vetch, cliff-palace	CO.
2	S	R1	*Astragalus diaphanus* var. *diurnus*	Fabaceae		OR, WA.
2	U	R1	*Astragalus douglasii* var. *perstrictus*	Fabaceae	Milk-vetch, Jacumba	CA.
2	S	R6	*Astragalus drabelliformis*	Fabaceae		WY.
1	U	R6	*Astragalus equisolensis*	Fabaceae	Milk-vetch,	UT.
2	U	R6	*Astragalus eremiticus* var. *ampullariodes.*	Fabaceae		UT.
2	U	R1	*Astragalus ertterae*	Fabaceae	Milk-vetch, Ertter's	CA.
2	U	R1	*Astragalus eurylobus*	Fabacaeae		NV.
2	U	R1	*Astragalus funereus*	Fabaceae	Wooly-pod, black	CA, NV.
2	U	R1	*Astragalus geyeri* var. *triquetrus*	Fabaceae		AZ, NV.
2	U	R1	*Astragalus gilmanii*	Fabaceae		CA, NV.
2	U	R6	*Astragalus gilviflora* var. *purpureus*	Fabaceae		WY.
2	U	R6	*Astragalus hamiltonii*	Fabaceae	Milk-vetch, Hamilton	UT.
1	D	R6	*Astragalus holmgreniorum*	Fabaceae	Milk-vetch, Holmgren	AZ, UT.
2	D	R1	*Astragalus howellii*	Fabaceae		OR.
2	U	R2	*Astragalus hypoxylus*	Fabaceae	Milk-vetch,	AZ, Mexico (Sonora).
PE	U	R1	*Astragalus jaegerianus*	Fabaceae	Milk-vetch, Coolgardie	CA.
2	U	R6	*Astragalus jejunus* var. *articulatus*	Fabaceae		WY.
S	N	R6	*Astragalus jejunus* ssp nov. /ined.	*** see ***	*Astragalus jejunus* var. *articulatus*	
2	U	R2	*Astragalus kerrii* (was sp. nov. /ined.).	Fabaceae	Milk-vetch, Kerr's	
2	U	R2	*Astragalus knightii*	Fabaceae		NM.
S	N	R1	*Astragalus laurentii*	*** see ***	*Astragalus collinus* var. *laurentii*	
2	U	R1	*Astragalus lentiformis*	Fabaceae		CA.
2	U	R2	*Astragalus lentiginosus* var. *ambiguus.*	Fabaceae		AZ.
2	U	R1	*Astragalus lentiginosus* var. *antonius*	Fabaceae		CA.
3C	N	R1	*Astragalus lentiginosus* var. *chartaceus.*	Fabaceae	Milk-vetch, San Pitch Valley	CA, CO, ID, OR, UT.
PE	D	R1	*Astragalus lentiginosus* var. *coachellae.*	Fabaceae	Milk-vetch, Coachella Valley	CA.
PT	S	R1	*Astragalus lentiginosus* var. *micans*	Fabaceae	Milk-vetch, shiny	CA.
PE	U	R1	*Astragalus lentiginosus* var. *piscinensis.*	Fabaceae	Milk-vetch, Fish Slough	CA.
2	U	R6	*Astragalus lentiginosus* var. *pohlii*	Fabaceae	Milk-vetch,	UT.
2	U	R6	*Astragalus lentiginosus* var. *scorpionis.*	Fabaceae	Milk-vetch,	NV, UT.
PT	D	R1	*Astragalus lentiginosus* var. *sesquimetralis.*	Fabaceae	Milk-vetch, Sodaville	CA, NV.
2	U	R1	*Astragalus lentiginosus* var. *sierrae*	Fabaceae	Milk-vetch, Big Bear	CA.
2	U	R1	*Astragalus leucolobus*	Fabaceae	Wooly-pod, Bear Valley	CA.
2	U	R6	*Astragalus limnocharis* var. *limnocharis.*	Fabaceae		UT.
2	U	R6	*Astragalus limnocharis* var. *tabulaeus.*	Fabaceae		UT.
PE	D	R1	*Astragalus magdalenae* var. *peirsonii*	Fabaceae	Milk-vetch, Peirson's	CA.
2	U	R4	*Astragalus michauxii*	Fabaceae	Milk-vetch, sandhills	GA, NC, SC.
2	S	R6	*Astragalus microcymbus*	Fabaceae	Milk-vetch,	CO.
2	U	R1	*Astragalus mohavensis* var. *hemigyrus.*	Fabaceae	Milk-vetch, curve-podded Mojave	CA, NV.
2	U	R2	*Astragalus mollissimus* var. *marcidus*	Fabaceae	Milk-vetch, withered wooly	TX.
2	U	R6	*Astragalus molybdenus*	Fabaceae	Milk-vetch,	CO, UT.

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Category	Trend					
2	U	R1	*Astragalus monoensis* var. *monoensis.*	Fabaceae	Milk-vetch, Mono	CA.
2	U	R1	*Astragalus monoensis* var. *ravenii*	Fabaceae	Milk-vetch, Raven's	CA.
1	D	R1	*Astragalus mulfordiae*	Fabaceae	Milk-vetch, Mulford's	ID, OR.
S	U	R1	*Astragalus musimonum*	*** see ***	*Astraglus amphioxys* var. *musimonum.*	AZ, NV.
2	U	R3	*Astragalus neglectus*	Fabaceae		MI, MN, OH, WI.
1	U	R1	*Astragalus nevinii*	Fabaceae	Milk-vetch, San Clemente Island	CA.
2	U	R2	*Astragalus nutriosensis*	Fabaceae	Milk-vetch, Nutriosa	AZ.
2	U	R1	*Astragalus oocarpus*	Fabaceae	Milk-vetch, Descanso	CA.
1	U	R1	*Astragalus oophorus* var. *clokeyanus*	Fabaceae		NV.
2	U	R1	*Astragalus oophorus* var. *lavinii*	Fabaceae	Milk-vetch, Lavin's	CA, NV.
2	U	R1	*Astragalus oophorus* var. *lonchocalyx.*	Fabaceae		NV, UT.
2	U	R1	*Astragalus pachypus* var. *jaegeri*	Fabaceae	Milk-vetch, Jaeger's bush	CA.
2	U	R1	*Astragalus paysonii*	Fabaceae		ID, WY.
2	D	R1	*Astragalus peckii*	Fabaceae		OR.
2	U	R6	*Astragalus preussii* var. *cutleri*	Fabaceae	Milk-vetch,	UT.
2	S	R6	*Astragalus proimanthus*	Fabaceae	Milk-vetch,	WY.
2	U	R6	*Astragalus proximus*	Fabaceae	Milk-vetch,	CO, NM.
2	U	R1	*Astragalus pulsiferae* var. *suksdorfii*	Fabaceae		CA, WA.
2*	E	R1	*Astragalus pycnostachyus* var. *lanosissimus.*	Fabaceae	Milk-vetch, Ventura Marsh	CA.
S	N	R1	*Astragalus ravenii*	*** see ***	*Astragalus monoensis* var. *ravenii*	
2	U	R1	*Astragalus remotus*	Fabaceae	Milk-vetch, Spring Mountain	NV.
2	D	R2	*Astragalus ripleyi*	Fabaceae	Milk-vetch, Ripley	CO, NM.
2	U	R1	*Astragalus robbinsii* var. *occidentalis*	Fabaceae	Milk-vetch, Robbins,	NV.
2	U	R6	*Astragalus sabulosus*	Fabaceae		UT.
3C	N	R6	*Astragalus scaphoides*	Fabaceae	Milk-vetch,	MT.
2	U	R6	*Astragalus schmolliae*	Fabaceae	Milk-vetch, Schmoll	CO.
2	U	R6	*Astragalus serpens*	Fabaceae	Milk-vetch,	UT.
2	S	R1	*Astragalus sinuatus*	Fabaceae	Milk-vetch, Whited	WA.
2	U	R1	*Astragalus solitarius*	Fabaceae	Milk-vetch, weak	NV, OR.
S	N	R2	*Astragalus* sp. nov. /ined.	*** see ***	*Astragalus kerrii*	NM.
S	N	R1	*Astragalus spaldingii* var. *tyghensis*	*** see ***	*Astragalus tyghensis*	
2	S	R1	*Astragalus sterilis*	Fabaceae	Milk-vetch, sterile (=barren)	ID, OR.
2	U	R6	*Astragalus subcinereus* var. *basalticus.*	Fabaceae		UT.
2	U	R1	*Astragalus tegetarioides*	Fabaceae		CA, OR.
2	U	R1	*Astragalus tener* var. *ferrisae*	Fabaceae	Milk-vetch, Sacramento Valley	CA.
1	D	R1	*Astragalus tener* var. *titi*	Fabaceae	Rattleweed, coastal dunes	CA.
3C	N	R4	*Astragalus tennesseensis*	Fabaceae		AL, IL, IN, TN.
S	N	R1	*Astragalus tephrodes* var. *eurylobus*	*** see ***	*Astragalus eurylobus*	
2	U	R1	*Astragalus tiehmii*	Fabaceae	Milk-vetch, Tiehm's	NV.
2	U	R1	*Astragalus traskiae*	Fabaceae	Milk-vetch, Trask's	CA.
PE	D	R1	*Astragalus tricarinatus*	Fabaceae	Milk-vetch, triple-ribbed	CA.
S	N	R1	*Astragalus triquetrus*	*** see ***	*Astragalus geyeri* var. *triquetrus*	
2	D	R1	*Astragalus tyghensis*	Fabaceae		OR.
2	U	R1	*Astragalus uncialis*	Fabaceae	Milk-vetch,	NV, UT.
2	S	R1	*Astragalus vexilliflexus* var. *nubilus*	Fabaceae		ID.
2	U	R1	*Astragalus webberi*	Fabaceae	Milk-vetch, Webber's	CA.
3C	N	R6	*Astragalus wetherillii*	Fabaceae	Milk-vetch, Wetherill	CO, UT.
2	U	R2	*Astragalus xiphoides*	Fabaceae	Milk-vetch, gladiator	AZ.
2	S	R1	*Astragalus yoder-williamsii*	Fabaceae	Milk-vetch, Osgood Mountains	ID, NV.
PE	D	R2	*Astrophytum asterias*	Cactaceae	Cactus, star	TX, Mexico.
2	U	R6	*Atriplex canescens* var. *gigantea*	Chenopodiaceae		UT.
2	D	R1	*Atriplex cordulata*	Chenopodiaceae	Heartscale	CA.
1	D	R1	*Atriplex coronata* var. *notatior*	Chenopodiaceae	Saltbush (=Crownscale), San Jacinto Valley.	CA.
2	U	R1	*Atriplex joaquiniana*	Chenopodiaceae	Spearscale, valley	CA.
2	U	R1	*Atriplex pacifica*	Chenopodiaceae	Saltbush, south coast	CA.
2	U	R1	*Atriplex parishii*	Chenopodiaceae	Brittlescale, Parrish's	CA.
S	N	R1	*Atriplex patula* ssp. *spicata*	*** see ***	*Atriplex joaquiniana*	
S	N	R2	*Atriplex pleiantha*	*** see ***	*Proatriplex pleiantha*	
2*	E	R1	*Atriplex tularensis*	Chenopodiaceae	Saltbush, Bakersfield	CA.
2	U	R1	*Atriplex vallicola*	Chenopodiaceae	Saltbush, Lost Hills	CA.
PE	U	R4	*Auerodendron pauciflorum*	Rhamnaceae		PR.
2	S	R4	*Aureolaria patula*	Scrophulariaceae		AL, GA, KY, TN.
PE	D	R2	*Ayenia limitaris*	Sterculiaceae	Ayenia, Texas	TX, Mexico.
1	U	R1	*Baccharis vanessae*	Asteraceae	Baccharis (=Coyote bush), Encinitis	CA.
2	D	R4	*Balduina atropurpurea*	Asteraceae		AL, FL, GA, NC, SC.

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Category	Trend					
2	D	R4	*Baptisia calycosa* var. *calycosa*	Fabaceae		FL.
S	N	R4	*Baptisia calycosa* var. *hirsuta*	*** see ***	*Baptisia calycosa* var. *villosa*	
2	U	R4	*Baptisia calycosa* var. *villosa*	Fabaceae	Wild indigo, hairy	FL.
S	N	R4	*Baptisia hirsuta*	*** see ***	*Baptisia calycosa* var. *hirsuta*	
2	D	R4	*Baptisia simplicifolia*	Fabaceae		FL.
2	U	R2	*Batesimalva violacea*	Malvaceae	Gay-mallow, purple	TX, Mexico.
2	U	R4	*Bazzania nudicaulis*	Lepidoziaceae		NC, TN, VA.
2	D	R1	*Bensoniella oregona*	Saxifragaceae	Bensoniella	CA, OR.
2	U	R1	*Berberis nervosa* var. *mendocinensis*	Berberidaceae	Barberry, Hardy Creek	CA.
1	D	R1	*Berberis nevinii*	Berberidaceae	Barberry, Nevin's	CA.
1	D	R1	*Berberis pinnata* ssp. *insularis*	Berberidaceae	Barberry, Island	CA.
2	U	R3	*Betula murrayana*	Betulaceae		MI.
2	D	R5	*Bidens bidentoides* var. *bidentoides*	Asteraceae	Bur-marigold,	DE, NJ, NY, PA.
2	D	R5	*Bidens bidentoides* var. *mariana*	Asteraceae	Bur-marigold, Maryland	MD.
2	U	R1	*Bidens campylotheca* ssp. *pentamera.*	Asteraceae		HI.
2	U	R1	*Bidens campylotheca* ssp. *waihoiensis.*	Asteraceae		HI.
2	U	R1	*Bidens conjuncta*	Asteraceae	Ko'oko'olau	HI.
S	N	R1	*Bidens ctenophylla*	*** see ***	*Bidens micrantha* ssp. *ctenophylla*	
2	U	R1	*Bidens micrantha* ssp. *ctenophylla*	Asteraceae		HI.
S	N	R1	*Bidens nematocera*	*** see ***	*Bidens wiebkei*	
2	U	R1	*Bidens sandvicensis* ssp. *confusa*	Asteraceae		HI.
2	U	R1	*Blennosperma nanum* var. *robustum*	Asteraceae	Stickyseed, Point Reyes	CA.
1	U	R1	*Bloomeria humilis*	Liliaceae	Goldenstar, dwarf	CA.
2	U	R1	*Bobea timonioides*	Rubiaceae	'Ahakea	HI.
2	D	R2	*Boerhavia mathisiana*	Nyctaginaceae	Spiderling, Mathis	TX, Mexico.
S	N	R6	*Bolophyta tetraneuris*	*** see ***	*Parthenium tetraneuris*	
PE	S	R1	*Bonamia menziesii*	Convolvulaceae		HI.
2	U	R2	*Bonamia ovalifolia*	Convolvulaceae	Bonamia, bigpod	TX, Mexico.
2	U	R1	*Botrychium ascendens*	Ophioglossaceae		ID, OR.
2	U	R1	*Botrychium crenulatum*	Ophioglossaceae		AZ, CA, MT, OR, UT.
2	D	R3	*Botrychium gallicomontanum*	Ophioglossaceae	Moonwort, Prairie	MI, Canada (Ont.).
2	U	R6	*Botrychium lineare*	Ophioglossaceae		UT.
2	U	R3	*Botrychium mormo*	Ophioglossaceae		MI, MN, WI.
2	U	R6	*Botrychium pallidum*	Ophioglossaceae		UT.
2	U	R6	*Botrychium paradoxum*	Ophioglossaceae		UT, MT, Canada (Alta.).
2	U	R1	*Botrychium pedunculosum*	Ophioglossaceae		OR.
2	U	R1	*Botrychium pumicola*	Ophioglossaceae	Grape fern, Crater Lake	CA, OR.
2*	E	R1	*Botrychium subbifoliatum*	Ophioglossaceae	Makou	HI.
2*	D	R4	*Brachionidium ciliolatum*	Orchidaceae		PR.
2*	U	R4	*Brachymenium andersonii*	Bryaceae	Brachymenium, Anderson's	NC.
3C	N	R4	*Brassia caudata*	Orchidaceae		FL, Central America, Mexico, South America, West Indies.
2	U	R2	*Brickellia brachyphylla* var. *hinckleyi*	Asteraceae	Bricklebush, Hinckley's	TX.
2	U	R2	*Brickellia brachyphylla* var. *terlinguensis.*	Asteraceae	Bricklebush, Terlingua	TX.
2	D	R4	*Brickellia cordifolia*	Asteraceae	Brickell-bush, Flyr's	AL, FL, GA.
S	N	R4	*Brickellia eupatorioides* var. *floridana*	*** see ***	*Brickellia mosieri*	
2	U	R4	*Brickellia mosieri*	Asteraceae		FL.
2	U	R2	*Brickellia viejensis*	Asteraceae	Brickellia, Sierra Vieja	TX.
S	N	R1	*Brighamia citrina*	*** see ***	*Brighamia insignis*	
PE	D	R1	*Brighamia insignis*	Campanulaceae	Alula	HI.
S	N	R1	*Brighamia remyi*	*** see ***	*Brighamia rockii*	
2	U	R1	*Brodiaea coronaria* ssp. *rosea*	Liliaceae	Brodiaea, Indian Valley	CA.
1	D	R1	*Brodiaea filifolia*	Liliaceae	Brodiaea, thread-leaved	CA.
2	S	R1	*Brodiaea insignis*	Liliaceae	Brodiaea, Kaweah	CA.
2	U	R1	*Brodiaea kinkiensis*	Liliaceae	Brodiaea, San Clemente Island	CA.
2	U	R1	*Brodiaea orcuttii*	Liliaceae	Brodiaea, Orcutt's	CA, Mexico.
1	U	R1	*Brodiaea pallida*	Liliaceae	Brodiaea, Chinese Camp	CA.
2	S	R2	*Brongniartia minutifolia*	Fabaceae	Brongniartia, little-leaf	TX, Mexico.
2	U	R2	*Browallia* sp. nov. *fined.*	Solanaceae		AZ, Mexico.
2	U	R4	*Brunfelsia portoricensis*	Solanaceae		PR.
2	U	R4	*Bryocrumia vivicolor*	Hypnaceae	Moss, gorge	NC, SC, China.
2	D	R4	*Buckleya distichophylla*	Santalaceae	Piratebush	NC, TN, VA.
2	D	R4	*Bumelia thornei*	Sapotaceae	Buckthorn,	FL, GA.
S	N	R4	*Byrsonima homeana*	*** see ***	*Byrsonima spicata*	

Status		Lead Region	Scientific name	Family	Common name	Historic range
Category	Trend					
2	U	R4	*Byrsonima lucida*	Malpighiaceae	Maricao cimarron	FL, PR.
S	N	R4	*Byrsonima ophiticola*	*** see ***	*Byrsonima lucida*	
2	U	R4	*Byrsonima spicata*	Malpighiaceae	Maricao cimarron	PR.
3C	N	R4	*Cacalia diversifolia*	Asteraceae		AL, FL, GA.
2	U	R4	*Cacalia rugelia*	Asteraceae		NC, TN.
2	U	R2	*Caesalpinia brachycarpa*	Fabaceae	Rushpea, broad-pod	TX.
2	U	R4	*Caesalpinia culebrae*	Fabaceae	Mato amarillo or nicker, smooth yellow.	PR.
3B	N	R4	*Caesalpinia portoricensis*	Fabaceae	Mato or nicker, brown	PR.
2	U	R4	*Calamagrostis cainii*	Poaceae	Reedgrass, Cain's	TN, NC.
2	U	R1	*Calamagrostis crassiglumis*	Poaceae	Reedgrass, Thurber's	AK, CA, WA, Canada (B.C.).
3C	N	R1	*Calamagrostis densa*	Poaceae	Reedgrass, dense	CA, Mexico.
2	U	R1	*Calamagrostis expansa*	Poaceae		HI.
3C	N	R1	*Calamagrostis foliosa*	Poaceae	Reedgrass, leafy	CA.
S	N	R3	*Calamagrostis insperata*	*** see ***	*Calamagrostis porteri* ssp. *insperata*	
2	S	R5	*Calamagrostis perplexa*	Poaceae	Reedgrass, wood	NY.
2	S	R3	*Calamagrostis porteri* ssp. *insperata*	Poaceae	Reedgrass, Ofer Hollow	AR, IL, KY, MO, OH.
3C	N	R1	*Calamagrostis tweedyi*	Poaceae	Reedgrass,	ID, MT, WA.
2	D	R4	*Calamintha ashei*	Lamiaceae		FL, GA.
2	S	R4	*Calamovilfa arcuata*	Poaceae	Sand grass,	AR, OK, TN.
2	D	R4	*Calamovilfa curtissii*	Poaceae	Sand grass,	FL.
2	U	R1	*Calochortus clavatus* ssp. *recurvifolius.*	Liliaceae	Mariposa lily, Arroyo de la Cruz	CA.
1	D	R1	*Calochortus clavatus* var. *avius*	Liliaceae	Mariposa lily, Pleasant Valley	CA.
2	D	R1	*Calochortus clavatus* var. *gracilis*	Liliaceae	Mariposa lily, slender	CA.
S	N	R1	*Calochortus coeruleus* var. *westonii*	*** see ***	*Calochortus westonii*	
2	U	R1	*Calochortus coxii*	Liliaceae	Mariposa lily, Cox's	OR.
2	U	R1	*Calochortus dunnii*	Liliaceae	Mariposa lily, Dunn's	CA, Mexico (Baja California).
2	U	R1	*Calochortus excavatus*	Liliaceae	Mariposa lily, Inyo	CA.
1	U	R1	*Calochortus greenei*	Liliaceae	Mariposa lily, Greene's	CA, OR.
1	U	R1	*Calochortus howellii*	Liliaceae	Mariposa lily, Howell's	OR.
2*	U	R1	*Calochortus indecorus*	Liliaceae	Mariposa lily,	OR.
2	U	R1	*Calochortus longebarbatus* var. *longebarbatus.*	Liliaceae	Star-tulip, long-haired	CA, OR, WA.
2	U	R1	*Calochortus longebarbatus* var. *peckii.*	Liliaceae	Mariposa, long-bearded, Peck's	OR.
2*	E	R1	*Calochortus monanthus*	Liliaceae	Mariposa lily, Shasta River	CA.
1	S	R1	*Calochortus nitidus*	Liliaceae		ID, WA.
2	D	R1	*Calochortus palmeri* var. *munzii*	Liliaceae	Mariposa lily, Munz's	CA.
2	D	R1	*Calochortus palmeri* var. *palmeri*	Liliaceae	Mariposa lily, Palmer's	CA.
2	U	R1	*Calochortus persistens*	Liliaceae	Mariposa lily, Siskiyou	CA.
2	D	R1	*Calochortus plummerae*	Liliaceae	Mariposa lily, Plummer's	CA.
2	U	R1	*Calochortus raichei*	Liliaceae	Globe-lily, The Cedars	CA.
2	U	R1	*Calochortus striatus*	Liliaceae	Mariposa lily, alkali	CA, NV.
PT	U	R1	*Calochortus tiburonensis*	Liliaceae	Mariposa lily, Tiburon	CA.
1	D	R1	*Calochortus umpquaensis*	Liliaceae	Mariposa lily, umpqua	OR.
2	U	R1	*Calochortus weedii* var. *intermedius*	Liliaceae	Mariposa lily, foothill	CA.
2	D	R1	*Calochortus weedii* var. *vestus*	Liliaceae		CA.
1	U	R1	*Calochortus westonii*	Liliaceae	Mariposa lily, Shirley Meadows	CA.
2	U	R1	*Calycadenia fremontii*	Asteraceae	Rosinweed, Fremont's	CA.
2	U	R1	*Calycadenia hooveri*	Asteraceae	Rosinweed, Hoover's	CA.
2	U	R4	*Calyptranthes estremerae*	Myrtaceae		PR.
2	U	R4	*Calyptranthes luquillensis*	Myrtaceae		PR.
2	U	R4	*Calyptranthes peduncularis*	Myrtaceae		PR.
PE	U	R4	*Calyptranthes thomasiana*	Myrtaceae		PR, VI.
2	U	R4	*Calyptranthes triflorum*	Myrtaceae		PR.
S	N	R1	*Calyptridium pulchellum*	*** see ***	*Cistanthe pulchella*	
2	U	R1	*Calystegia atriplicifolia* ssp. *buttensis*	Convolvulaceae	Morning-glory, Butte County	CA.
2	U	R1	*Calystegia collina* ssp. *oxyphylla*	Convolvulaceae	Morning-glory, Mt. Saint Helena	CA.
2	U	R1	*Calystegia collina* ssp. *venusta*	Convolvulaceae	Morning-glory, South Coast Range	CA.
2	U	R1	*Calystegia macrostegia* ssp. *amplissima.*	Convolvulaceae	Morning-glory, island	CA.
2	U	R1	*Calystegia peirsonii*	Convolvulaceae	Morning-glory, Peirson's	CA.
2	U	R1	*Calystegia stebbinsii*	Convolvulaceae	Morning-glory, Stebbins'	CA.
2	U	R1	*Calystegia subacaulis* ssp. *episcopalis.*	Convolvulaceae	Morning-glory, Cambria	CA.
2	U	R1	*Camassia howellii*	Liliaceae		OR.
2	U	R6	*Camissonia atwoodi*	Onagraceae		UT.
2	U	R2	*Camissonia confertiflora*	Onagraceae		AZ.

Status		Lead Region	Scientific name	Family	Common name	Historic range
Category	Trend					
2	U	R2	*Camissonia exilis*	Onagraceae		AZ, UT.
2	U	R1	*Camissonia guadalupensis* ssp. *clementina.*	Onagraceae	Evening-primrose, San Clemente Island.	CA.
2	U	R1	*Camissonia hardhamiae*	Onagraceae	Evening-primrose, Hardham's	CA.
2	U	R1	*Camissonia megalantha*	Onagraceae		NV.
2	U	R1	*Camissonia sierrae* ssp. *alticola*	Onagraceae	Evening-primrose, Mono Hot Springs	CA.
2	U	R2	*Camissonia specuicola* ssp. *hesperia*	Onagraceae		AZ.
2	U	R1	*Campanula californica*	Campanulaceae	Harebell, swamp	CA.
2	U	R1	*Campanula sharsmithiae*	Campanulaceae	Harebell, Mt. Hamilton	CA.
2	U	R1	*Campanula wilkinsiana*	Campanulaceae	Harebell, Wilkin's	CA.
2	U	R4	*Campylopus carolinae*	Dicranaceae	Campylopus, savannah	GA, NC, Cuba.
S	N	R1	*Canavalia forbesii*	*** see ***	*Canavalia pubescens*	
S	N	R1	*Canavalia haleakalaensis*	*** see ***	*Canavalia pubescens*	
S	N	R1	*Canavalia lanaiensis*	*** see ***	*Canavalia pubescens*	
S	N	R1	*Canavalia makahaensis*	*** see ***	*Canavalia napaliensis*	
S	N	R1	*Canavalia munroi*	*** see ***	*Canavalia pubescens*	
2	I	R1	*Canavalia napaliensis*	Fabaceae	Jack-bean,	HI.
S	N	R1	*Canavalia nualoloensis*	*** see ***	*Canavalia napaliensis*	
S	N	R1	*Canavalia peninsularis*	*** see ***	*Canavalia molokaiensis*	
2	U	R1	*Canavalia pubescens*	Fabaceae	Jack-bean,	HI.
S	N	R1	*Canavalia stenophylla*	*** see ***	*Canavalia molokaiensis*	
2	U	R4	*Canna pertusa*	Cannaceae	Maraca	PR.
2	U	R1	*Capparis sandwichiana*	Capparaceae	Pus pilo or Caper, native	HI.
2	U	R4	*Cardamine clematitis*	Brassicaceae	Bittercress, mountain	NC, TN, VA.
S	N	R1	*Cardamine gambelii*	*** see ***	*Rorippa gambelii*	
2	U	R1	*Cardamine gemmata*	Brassicaceae	Toothwort, yellow-tubered	CA, OR.
1	U	R1	*Cardamine pattersonii*	Brassicaceae	Bittercress, Saddle Mountain	OR.
3A	E	R1	*Carex aboriginum*	Cyperaceae	Sedge, Indian Valley	ID.
1	U	R1	*Carex albida*	Cyperaceae	Sedge, white	CA.
S	N	R4	*Carex amplisquama*	*** see ***	*Carex communis* var. *amplisquama* .	
2	U	R4	*Carex baltzellii*	Cyperaceae		AL, FL, GA, MS.
2	S	R4	*Carex bicknellii* var. *opaca*	Cyperaceae		AR.
2	U	R4	*Carex chapmanii*	Cyperaceae	Sedge, Chapman's	FL, NC, SC, VA.
2	U	R4	*Carex communis* var. *amplisquama* .	Cyperaceae		GA.
2	U	R2	*Carex fissa*	Cyperaceae		KS, OK.
2	U	R3	*Carex formosa*	Cyperaceae	Sedge,	MI, MN, ND, NY, OH, WI.
2	U	R6	*Carex haysii*	Cyperaceae	Sedge,	UT.
2	U	R2	*Carex hyalina*	Cyperaceae	Sedge, tissue	AR, OK, TX.
2	S	R4	*Carex impressinervia*	Cyperaceae		AL, MS, NC.
2	U	R2	*Carex latebracteata*	Cyperaceae	Sedge, waterfall's	AR, OK.
2	U	R6	*Carex lenticularis* var. *dolia*	Cyperaceae		AK, MT, Canada (Alta., B.C., Yukon).
2	U	R4	*Carex manhartii*	Cyperaceae	Sedge, Manhart's	GA, NC.
3B	N	R6	*Carex microptera* var. *crassinervia*	Cyperaceae	Sedge, small-living, thick-nerved	CO, MT, NV, WY.
2	D	R5	*Carex oronensis*	Cyperaceae	Sedge,	ME.
S	N	R6	*Carex plectocarpa*	*** see ***	*Carex lenticularis* var. *dolia*	
2	D	R5	*Carex polymorpha*	Cyperaceae	Sedge, variable	CT, DE, MA, MD, ME, NH, NJ, NY, PA, RI, VA, WV.
3C	N	R4	*Carex purpurifera*	Cyperaceae		AL, GA, KY, OH, TN, VA.
2	D	R4	*Carex roanensis*	Cyperaceae		GA, NC, TN.
2	U	R5	*Carex schweinitzii*	Cyperaceae		CT, MA, MO, NC, NJ, NY, PA, VA, VT, WI, Canada.
2	U	R1	*Carex wahuensis* ssp. *herbstii*	Cyperaceae		HI.
1	D	R1	*Carpenteria californica*	Saxifragaceae	Carpenteria	CA.
2	S	R5	*Cassia fasciculata* var. *macrosperma*	Fabaceae		MD, VA.
S	N	R4	*Cassia keyensis*	*** see ***	*Chamaecrista lineata* var. *keyensis*	
S	N	R2	*Cassia ripleyana*	*** see ***	*Senna ripleyana*	
S	N	R4	*Castanea ozarkensis*	*** see ***	*Castanea pumila* var. *ozarkensis*	
2	D	R4	*Castanea pumila* var. *ozarkensis*	Fagaceae	Chinquapin, Ozark	AL, AR, MO, OK.
2	U	R1	*Castilleja ambigua* ssp. *humboldtiensis.*	Scrophulariaceae	Owl's clover, Humboldt Bay	CA.
1	D	R6	*Castilleja aquariensis*	Scrophulariaceae	Indian paintbrush, Aquarius	UT.
PT	U	R1	*Castilleja campestris* ssp. *succulenta*	Scrophulariaceae	Owl's-clover, fleshy	CA.
2	U	R1	*Castilleja chlorotica*	Scrophulariaceae	Paintbrush, green-tinged	OR.
1	S	R1	*Castilleja christii*	Scrophulariaceae	Paintbrush, Christ's	ID.
2	U	R2	*Castilleja ciliata*	Scrophulariaceae	Indian paintbrush,	TX.

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Category	Trend					
2	U	R1	*Castilleja cinerea*	Scrophulariaceae	Paintbrush, ash-grey	CA.
2	U	R1	*Castilleja cryptantha*	Scrophulariaceae		WA.
1	U	R2	*Castilleja elongata*	Scrophulariaceae	Paintbrush, tall	TX.
2	S	R1	*Castilleja fraterna*	Scrophulariaceae		OR.
2	U	R1	*Castilleja gleasonii*	Scrophulariaceae	Paintbrush, Mt. Gleason	CA.
3C	N	R2	*Castilleja kaibabensis*	Scrophulariaceae	Paintbrush, Kaibab	AZ.
2	D	R1	*Castilleja lasiorhyncha*	Scrophulariaceae	Orthocarpus, San Bernardino Mountains.	CA.
S	N	R1	*Castilleja latifolia* ssp. *mendocinensis.*	*** see ***	*Castilleja mendocinensis*	
3B	N	R1	*Castilleja leschkeana*	Scrophulariaceae	Paintbrush, Point Reyes	CA.
1	D	R1	*Castilleja levisecta*	Scrophulariaceae		OR, WA, Canada (B.C.).
2	U	R1	*Castilleja mendocinensis*	Scrophulariaceae	Paintbrush, Mendocino coast	CA.
2	U	R2	*Castilleja mogollonica*	Scrophulariaceae	Paintbrush, White Mountains	AZ.
1	U	R1	*Castilleja mollis*	Scrophulariaceae	Paintbrush, soft-leaved	CA.
PE	U	R1	*Castilleja neglecta*	Scrophulariaceae	Paintbrush, Tiburon	CA.
2	U	R6	*Castilleja parvula*	Scrophulariaceae	Indian paintbrush, Tushar	UT.
2	S	R1	*Castilleja pilosa* var. *steenensis*	Scrophulariaceae	Paintbrush, Steen's mountain	OR.
2	U	R6	*Castilleja revealii*	Scrophulariaceae	Indian paintbrush, Reveal	UT.
2	S	R1	*Castilleja rubida*	Scrophulariaceae		OR.
1	U	R1	*Castilleja salsuginosa*	Scrophulariaceae	Paintbrush, Monte Neva	NV.
S	N	R1	*Castilleja steenensis*	*** see ***	*Castilleja pilosa* var. *steenensis*	
2	D	R1	*Castilleja uliginosa*	Scrophulariaceae	Paintbrush, Pitkin Marsh	CA.
2	U	R4	*Catesbia melanocarpa*	Rubiaceae		PR, Antigua, Guadalupe.
1	U	R1	*Caulanthus amplexicaulis* var. *barbarae.*	Brassicaceae	Jewelflower, Santa Barbara	CA.
S	N	R2	*Caulanthus lemmonii*	*** see ***	*Streptanthus lemmonii*	
2	U	R1	*Caulanthus simulans*	Brassicaceae	Jewelflower, Payson's	CA.
3B	N	R1	*Caulanthus stenocarpus*	Brassicaceae	Jewelflower, slender-pod	CA, Mexico.
2	U	R1	*Caulostramina jaegeri*	Brassicaceae	Caulostramina, Jaeger's	CA.
2	U	R1	*Ceanothus arboreus* var. *glaber*	Rhamnaceae		CA.
2	U	R1	*Ceanothus confusus*	Rhamnaceae	Ceanothus, Rincon	CA.
2	U	R1	*Ceanothus cuneatus* var. *rigidus*	Rhamnaceae	Ceanothus, Monterey	CA.
2	U	R1	*Ceanothus cyaneus*	Rhamnaceae	Ceanothus, Lakeside	CA.
2	U	R1	*Ceanothus divergens*	Rhamnaceae	Ceanothus, Calistoga	CA.
PE	U	R1	*Ceanothus ferrisae*	Rhamnaceae	Ceanothus, coyote (=California-lilac, Coyote Valley).	CA.
2	U	R1	*Ceanothus foliosus* var. *vineatus*	Rhamnaceae	Ceanothus, Vine Hill	CA.
2	U	R1	*Ceanothus gloriosus* var. *porrectus*	Rhamnaceae	Ceanothus, Mt. Vision	CA.
2	U	R1	*Ceanothus hearstiorum*	Rhamnaceae	Ceanothus, Hearst's	CA.
2	U	R1	*Ceanothus maritimus*	Rhamnaceae	California-lilac, maritime	CA.
2	U	R1	*Ceanothus masonii*	Rhamnaceae	Ceanothus, Bolinas	CA.
2	U	R1	*Ceanothus ophiochilus*	Rhamnaceae	Ceanothus, Vail Lake	CA.
2	N	R1	*Ceanothus rigidus*	*** see ***	*Ceanothus cuneatus* var. *rigidus*	
1	U	R1	*Ceanothus roderickii*	Rhamnaceae	Ceanothus, Pine Hill	CA.
2	U	R1	*Ceanothus sonomensis*	Rhamnaceae	Ceanothus, Sonoma	CA.
2	U	R1	*Ceanothus verrucosus*	Rhamnaceae	Ceanothus, wart-stemmed	CA, Mexico (Baja California).
2*	E	R1	*Cenchrus agrimonioides* var. *laysanensis.*	Poaceae	Sandbur, agrimony, Laysan	HI.
2*	U	R4	*Cephaloziella obtusilobula*	Cephaloziellaceae		GA, NC.
2	S	R5	*Cerastium arvense* var. *villosissimum.*	Caryophyllaceae	Chickweed, field, long-hairy	PA.
1	U	R1	*Cercocarpus traskiae*	Rosaceae	Mountain-mahogany, Catalina	CA.
2	D	R4	*Cereus gracilis* var. *aboriginum*	Cactaceae	Prickly-apple, aboriginal	FL.
2	D	R4	*Cereus gracilis* var. *simpsonii*	Cactaceae	Prickly-apple, Simpson's	FL.
2	U	R2	*Cereus greggii* var. *greggii*	Cactaceae	Night-blooming cereus, desert	NM, TX, Mexico.
2	D	R1	*Chaenactis cusickii*	Asteraceae		ID, OR.
2	S	R2	*Chaetopappa elegans*	Asteraceae		NM.
2	U	R2	*Chaetopappa hersheyi*	Asteraceae	Leastdaisy, mat	NM, TX.
3C	N	R4	*Chamaecrista lineata* var. *keyensis*	Fabaceae	Senna, Florida keys	FL.
2	U	R3	*Chamaerhodos nuttallii* var. *keweenawensis.*	Rosaceae		MI.
2	S	R1	*Chamaesyce amottiana*	Euphorbiaceae		HI.
2	U	R1	*Chamaesyce atrococca*	Euphorbiaceae		HI.
2*	E	R1	*Chamaesyce celastroides* var. *tomentella.*	Euphorbiaceae		HI.
2	U	R2	*Chamaesyce chaetocalyx* var. *triligulata.*	Euphorbiaceae	Spurge, three-tongued	TX, Mexico.

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Category	Trend					
2	U	R4	*Chamaesyce cumulicola*	Euphorbiaceae		FL.
3C	N	R4	*Chamaesyce deltoidea* ssp. *serpyllum.*	Euphorbiaceae	Spurge, wedge	FL.
PE	U	R1	*Chamaesyce deppeana*	Euphorbiaceae	'Akoko	HI.
2	U	R2	*Chamaesyce golondrina*	Euphorbiaceae	Spurge, swallow	TX, Mexico.
PT	D	R1	*Chamaesyce hooveri*	Euphorbiaceae	Spurge, Hoover's	CA.
2	D	R1	*Chamaesyce olowaluana*	Euphorbiaceae		HI.
2	U	R1	*Chamaesyce platysperma*	Euphorbiaceae	Spurge, flat-seeded	AZ, CA.
2	U	R4	*Chamaesyce porteriana* var. *keyensis.*	Euphorbiaceae	Spurge, Porter's, Key	FL.
2	U	R4	*Chamaesyce porteriana* var. *porteriana.*	Euphorbiaceae		FL.
2	U	R4	*Chamaesyce porteriana* var. *scoparia.*	Euphorbiaceae	Spurge, Porter's,	FL.
1	U	R1	*Chamaesyce remyi* var. *hanaleiensis*	Euphorbiaceae		HI.
2	U	R1	*Chamaesyce remyi* var. *kauaiensis*	Euphorbiaceae		HI.
2	S	R1	*Chamaesyce remyi* var. *remyi*	Euphorbiaceae		HI.
2	U	R1	*Chamaesyce skottsbergii* var. *vaccinioides.*	Euphorbiaceae		HI.
2	S	R1	*Chamaesyce sparsiflora*	Euphorbiaceae		HI.
2	D	R1	*Charpentiera densiflora*	Amaranthaceae	Papala	HI.
3C	N	R2	*Cheilanthes pringlei*	Adiantaceae	Fern, Pringle lip	AZ, Mexico.
2*	U	R4	*Cheilolejeunea evansii*	Lejeuneaceae		NC, SC.
2	U	R6	*Chenopodium cycloides*	Chenopodiaceae	Goosefoot, sandhill	CO, KS, NM, TX.
2	U	R2	*Chloris texensis*	Poaceae	Grass, Texas windmill	TX.
2	U	R1	*Chlorogalum grandiflorum*	Liliaceae	Soaproot, Red Hills	CA.
1	U	R1	*Chlorogalum purpureum* var. *purpureum.*	Liliaceae	Amole, purple	CA.
1	U	R1	*Chlorogalum purpureum* var. *reductum.*	Liliaceae	Amole, Cammatta Canyon	CA.
2	U	R2	*Choisya mollis*	Rutaceae	Star leaf, Santa Cruz	AZ.
2	U	R1	*Chorizanthe biloba* var. *immemora*	Polygonaceae	Spineflower, San Benito	CA.
2	D	R1	*Chorizanthe cuspidata* var. *cuspidata*	Polygonaceae	Spineflower, San Francisco Bay	CA.
1	U	R1	*Chorizanthe orcuttiana*	Polygonaceae	Spineflower, Orcutt's	CA.
2*	E	R1	*Chorizanthe parryi* var. *fernandina*	Polygonaceae	Spineflower, San Fernando Valley	CA.
2	U	R1	*Chorizanthe parryi* var. *parryi*	Polygonaceae	Spineflower, Parry's	CA.
2	U	R1	*Chorizanthe polygonoides* ssp. *longispina.*	Polygonaceae		CA.
PE	U	R1	*Chorizanthe pungens* var. *hartwegiana.*	Polygonaceae	Spineflower, Ben Lomond	CA.
PE	U	R1	*Chorizanthe pungens* var. *pungens*	Polygonaceae	Spineflower, Monterey	CA.
2	U	R1	*Chorizanthe rectispina*	Polygonaceae	Spineflower, one-awned	CA.
PE	U	R1	*Chorizanthe robusta* var. *hartwegii*	Polygonaceae	Spineflower, Scotts Valley	CA.
PE	U	R1	*Chorizanthe robusta* var. *robusta*	Polygonaceae	Spineflower, robust	CA.
S	N	R4	*Chromolaena borinquensis*	*** see ***	*Eupatorium borinquense*	
S	N	R4	*Chromolaena oteroi*	*** see ***	*Eupatorium oteroi*	
2	U	R4	*Chrysophyllum eggersii*	Sapotaceae		PR, VI.
S	N	R4	*Chrysopsis cruiseana*	*** see ***	*Chrysopsis gossypina* ssp. *cruiseana*	
2	I	R4	*Chrysopsis godfreyi*	Asteraceae	Aster, Godfrey's golden	AL, FL.
2	D	R4	*Chrysopsis gossypina* ssp. *cruiseana*	Asteraceae	Aster, Cruise's golden	FL.
2	D	R3	*Chrysosplenium iowense*	Saxifragaceae		IA, MN.
2	U	R1	*Chrysothamnus eremobius*	Asteraceae		NV.
2	U	R2	*Chrysothamnus molestus*	Asteraceae		AZ.
2	U	R2	*Chrysothamnus nauseosus* ssp. *texensis.*	Asteraceae		NM, TX.
2	U	R6	*Chrysothamnus nauseosus var.iridus*	Asteraceae		UT.
2	U	R1	*Chrysothamnus parryi* ssp. *montanus.*	Asteraceae		ID.
S	N	R2	*Chrysothamnus viscidiflorus* var. *molestus.*	*** see ***	*Chrysothamnus molestus*	
1	S	R2	*Cimicifuga arizonica*	Ranunculaceae	Bugbane, Arizona	AZ.
2	U	R1	*Cimicifuga elata*	Ranunculaceae		OR, WA, Canada (B.C.).
2	U	R4	*Cimicifuga rubifolia*	Ranunculaceae		AL, IL, IN, KY, TN, VA.
S	N	R1	*Cirsium campylon*	*** see ***	*Cirsium fontinale* var. *campylon*	
2	D	R1	*Cirsium crassicaule*	Asteraceae	Thistle, slough	CA.
2	U	R1	*Cirsium fontinale* var. *campylon*	Asteraceae	Thistle, Mt. Hamilton	CA.
PE	U	R1	*Cirsium fontinale* var. *fontinale*	Asteraceae	Thistle, fountain	CA.
PE	U	R1	*Cirsium fontinale* var. *obispoense*	Asteraceae	Thistle, Chorro Creek	CA.

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Category	Trend					
2	U	R3	*Cirsium hillii*	Asteraceae		IA, IL, IN, MI, MN, OH, PA, WI, Canada (Ont.).
1	U	R1	*Cirsium hydrophilum* var. *hydrophilum.*	Asteraceae	Thistle, Suisun	CA.
2	U	R1	*Cirsium hydrophilum* var. *vaseyi*	Asteraceae	Thistle, Mt. Tamalpais	CA.
1	U	R1	*Cirsium loncholepis*	Asteraceae	Thistle, La Graciosa	CA.
2	U	R6	*Cirsium longistylum*	Asteraceae		MT.
2	U	R1	*Cirsium occidentale* var. *compactum*	Asteraceae	Thistle, compact cobweb	CA.
2	U	R6	*Cirsium ownbeyi*	Asteraceae	Thistle, Ownbey's	UT.
2	U	R2	*Cirsium parryi* ssp. *mogollonicum*	Asteraceae	Thistle, Mogollon	AZ.
1	U	R1	*Cirsium rhothophilum*	Asteraceae	Thistle, surf	CA.
2	U	R6	*Cirsium* sp. nov. *lined.*	Asteraceae		WY.
2	U	R6	*Cirsium virginensis*	Asteraceae	Thistle, Virgin	AZ, UT.
2	U	R1	*Cistanthe pulchella*	Portulacaceae	Pussy-paws, Mariposa	CA.
2	U	R4	*Cladonia psoromica*	Cladoniaceae	Lichen, reindeer, Bluff Mountain	NC.
2	U	R1	*Clarkia borealis* ssp. *arida*	Onagraceae	Clarkia, arid northern	CA.
S	N	R1	*Clarkia calientensis*	*** see ***	*Clarkia temblorensis* ssp. *calientensis.*	
2	U	R1	*Clarkia concinna* ssp. *automixa*	Onagraceae	Clarkia, East Bay	CA.
2	U	R1	*Clarkia concinna* ssp. *raichei*	Onagraceae	Clarkia, Tomales	CA.
PE	U	R1	*Clarkia franciscana*	Onagraceae	Clarkia, Presidio	CA.
1	U	R1	*Clarkia imbricata*	Onagraceae	Clarkia, Vine Hill	CA.
1	D	R1	*Clarkia lingulata*	Onagraceae	Clarkia, Merced	CA.
2	E	R1	*Clarkia mosquinii* ssp. *mosquinii*	Onagraceae	Clarkia, Mosquin's	CA.
2	E	R1	*Clarkia mosquinii* ssp. *xerophila*	Onagraceae	Clarkia, Enterprise	CA.
2	U	R1	*Clarkia rostrata*	Onagraceae	Clarkia, beaked	CA.
PE	D	R1	*Clarkia speciosa* ssp. *immaculata*	Onagraceae	Clarkia, Pismo	CA.
1	U	R1	*Clarkia springvillensis*	Onagraceae	Clarkia, Springville	CA.
1	U	R1	*Clarkia temblorensis* ssp. *calientensis.*	Onagraceae	Clarkia, Caliente	CA.
S	N	R1	*Claytonia flava*	*** see ***	*Claytonia lanceolata* var. *flava*	
2	D	R1	*Claytonia lanceolata* var. *flava*	Portulacaceae		ID, MT, WY.
1	U	R1	*Claytonia lanceolata* var. *peirsonii*	Portulacaceae	Spring beauty, Peirson's	CA.
2	S	R5	*Claytonia virginica* var. *hammondiae*	Portulacaceae	Spring-beauty	NJ.
2	D	R5	*Clematis addisonii*	Ranunculaceae	Virgin's bower, Addison's	VA.
1	U	R2	*Clematis hirsutissima* var. *arizonica*	Ranunculaceae	Leather flower, Arizona	AZ.
2	S	R5	*Clematis viticaulis*	Ranunculaceae	Leatherflower, Millboro	VA.
2	U	R6	*Cleome multicaulis*	Capparaceae	Spiderflower, slender	AZ, CO, NM, TX, WY, Mexico.
2	U	R1	*Clermontia drepanomorpha*	Campanulaceae	Clermontia, Kohala	HI.
PE	U	R1	*Clermontia lindseyana*	Campanulaceae	'Oha wai	HI.
PE	U	R1	*Clermontia peleana*	Campanulaceae	'Oha wai	HI.
PE	U	R1	*Clermontia pyrularia*	Campanulaceae	'Oha wai	HI.
1	U	R4	*Coccoloba rugosa*	Polygonaceae		PR.
2	U	R4	*Coelorachis tuberculosa*	Poaceae		AL, FL.
2	U	R1	*Collinsia antonina*	Scrophulariaceae		CA.
2	U	R1	*Collomia mazama*	Polemoniaceae	Collomia, Crater Lake	OR.
1	S	R1	*Collomia rawsoniana*	Polemoniaceae	Trumpet, Rawson's flaming	CA.
2	U	R1	*Collomia renacta*	Polemoniaceae		NV, OR.
PE	D	R1	*Colubrina oppositifolia*	Rhamnaceae	Kauila	HI.
2	U	R2	*Colubrina stricta*	Rhamnaceae	Snakewood, Comal	TX, Mexico.
2	U	R1	*Comarostaphylis diversifolia* ssp. *diversifolia.*	Ericaceae	Summer-holly	CA, Mexico (Baja California).
2	U	R2	*Condalia hookeri* var. *edwardsiana*	Rhamnaceae	Brasil, Edwards'	TX.
2	U	R2	*Conioselinum mexicanum*	Apiaceae	Parsley, hemlock, Mexican	AZ, Mexico (Sonora, Chihuahua).
2	U	R4	*Conostegia hotteana*	Melastomataceae		PR.
2	D	R4	*Conradina grandiflora*	Lamiaceae		FL.
2	U	R4	*Cordia bellonis*	Boraginaceae		PR.
2	U	R4	*Cordia rupicola*	Boraginaceae		PR, British V.I.
2	U	R4	*Cordia wagnerorum*	Boraginaceae		PR.
S	N	R1	*Cordylanthus brunneus* var. *capillaris*	*** see ***	*Cordylanthus tenuis* ssp. *capillaris*	
S	N	R1	*Cordylanthus littoralis*	*** see ***	*Cordylanthus rigidus* ssp. *littoralis*	
2	U	R1	*Cordylanthus maritimus* ssp. *palustris.*	Scrophulariaceae	Bird's-beak, northcoast	CA, OR.
2	U	R1	*Cordylanthus mollis* ssp. *hispidus*	Scrophulariaceae	Bird's-beak, hispid	CA.
1	U	R1	*Cordylanthus mollis* ssp. *mollis*	Scrophulariaceae	Bird's-beak, soft	CA.
1	U	R1	*Cordylanthus nidularius*	Scrophulariaceae	Bird's-beak, Mt. Diablo	CA.
2	D	R1	*Cordylanthus orcuttianus*	Scrophulariaceae	Bird's-beak, Orcutt's	CA, Mexico (Baja California).

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Category	Trend					
1	U	R1	*Cordylanthus rigidus* ssp. *littoralis*	Scrophulariaceae	Bird's-beak, seaside	CA.
2	U	R1	*Cordylanthus tecopensis*	Scrophulariaceae	Bird's-beak, Tecopa	CA, NV.
2	U	R1	*Cordylanthus tenuis* ssp. *barbatus*	Scrophulariaceae	Bird's-beak, Fresno County	CA.
PE	U	R1	*Cordylanthus tenuis* ssp. *capillaris*	Scrophulariaceae	Bird's-beak, Pennell's	CA.
2	U	R1	*Cordylanthus tenuis* ssp. *pallescens*	Scrophulariaceae	Bird's-beak, pallid	CA.
2	U	R1	*Coreopsis hamiltonii*	Asteraceae	Coreopsis, Mt. Hamilton	CA.
2	U	R4	*Coreopsis intermedia*	Asteraceae	Tickseed, golden wave	LA, TX.
1	D	R1	*Corethrogyne filaginifolia* var. *linifolia*	Asteraceae	Sand aster, Del Mar	CA.
2	S	R1	*Corydalis aquae-gelidae*	Fumariaceae		OR, WA.
2	U	R2	*Coryphantha albicolumnaria*	Cactaceae	Cory cactus, white column	TX.
2	U	R2	*Coryphantha chaffeyi*	Cactaceae	Cory cactus, Chaffey's	TX, Mexico.
2	U	R2	*Coryphantha dasyacantha* var. *dasyacantha.*	Cactaceae		TX.
2	U	R2	*Coryphantha duncanii*	Cactaceae	Cory cactus, Duncan's	NM, TX, Mexico.
2	U	R2	*Coryphantha hesteri*	Cactaceae	Cory cactus, Hester's	TX.
1	U	R2	*Coryphantha recurvata*	Cactaceae	Cactus, beehive, Santa Cruz	AZ, Mexico.
S	N	R2	*Coryphantha strobiliformis* var. *durispina.*	*** see ***	*Coryphantha albicolumnaria*	
2	U	R2	*Coryphantha sulcata* var. *nickelsiae*	Cactaceae	Cory cactus, Nickel's	TX, Mexico.
2	U	R1	*Coryphantha vivipara* var. *alversonii*	Cactaceae	Foxtail cactus, Alverson's	CA.
2	U	R2	*Coursetia glabella*	Fabaceae		TX, Mexico (Chihuahua).
2	U	R4	*Crataegus harbisonii*	Rosaceae	Haw,	AL, GA, TN.
2	U	R4	*Crataegus triflora*	Rosaceae		AL, GA, LA, MS.
2	U	R2	*Crataegus warneri*	Rosaceae	Hawthorn, Warner	TX.
3C	N	R4	*Croomia pauciflora*	Stemonaceae	Croomia	AL, FL, GA, LA.
2	S	R4	*Croton alabamensis* var. *alabamensis.*	Euphorbiaceae	Croton, Alabama	AL, TN.
2	U	R4	*Croton fishlockii*	Euphorbiaceae		PR.
2*	U	R6	*Cryptantha aperta*	Boraginaceae	Catseye, Grand Junction	CO.
2	U	R6	*Cryptantha cinerea* var. *arenicola*	Boraginaceae		AZ, UT.
2	U	R6	*Cryptantha compacta*	Boraginaceae	Catseye, compact	UT.
2	U	R6	*Cryptantha creutzfeldtii*	Boraginaceae		UT.
2	U	R1	*Cryptantha crinita*	Boraginaceae	Cryptantha, silky	CA.
2	U	R1	*Cryptantha ganderi*	Boraginaceae	Cryptantha, Gander's	CA, Mexico.
3B	N	R1	*Cryptantha hoffmannii*	Boraginaceae	Cryptantha, Hoffmann's	CA, NV.
2*	U	R1	*Cryptantha insolita*	Boraginaceae	Catseye,	NV.
2	U	R6	*Cryptantha ochroleuca*	Boraginaceae	Catseye, yellow-white	UT.
2	U	R6	*Cryptantha rollinsii*	Boraginaceae		CO, UT.
2	U	R1	*Cryptantha roosiorum*	Boraginaceae	Catseye, bristlecone	CA.
2	U	R1	*Cryptantha schoolcraftii*	Boraginaceae	Cryptantha, Schoolcraft's	NV.
2	U	R7	*Cryptantha shackletteana*	Boraginaceae	Catseye,	AK.
2	D	R6	*Cryptantha subcapitata*	Boraginaceae		WY.
1	U	R1	*Cryptantha traskiae*	Boraginaceae	Cryptantha, Trask's	CA.
2	U	R1	*Cryptantha welshii*	Boraginaceae	Cryptantha, Welsh's	NV.
PE	U	R1	*Ctenitis squamigera*	Aspleniaceae	Pauoa	HI.
2	D	R4	*Cuphea aspera*	Lythraceae		FL.
S	N	R1	*Cupressus arizonica* var. *nevadensis*	*** see ***	*Cupressus nevadensis*	
S	N	R1	*Cupressus arizonica* var. *stephensonii.*	*** see ***	*Cupressus stephensonii*	
2	D	R1	*Cupressus forbesii*	Cupressaceae	Cypress, Tecate	CA, Mexico (Baja California).
2	S	R1	*Cupressus goveniana* ssp. *goveniana.*	Cupressaceae	Cypress, Gowen	CA.
2	D	R1	*Cupressus goveniana* ssp. *pigmaea*	Cupressaceae	Cypress, Mendocino	CA.
2	D	R1	*Cupressus macrocarpa*	Cupressaceae	Cypress, Monterey	CA.
S	N	R1	*Cupressus pygmaea*	*** see ***	*Cupressus goveniana* ssp. *pygmaea*	
1	S	R1	*Cupressus stephensonii*	Cupressaceae	Cypress, Cuyamaca	CA.
2	U	R2	*Cuscuta attenuata*	Cuscutaceae	Dodder, slender	KS, OK, TX.
2	D	R4	*Cuscuta harperi*	Cuscutaceae	Dodder, Harper's	AL, GA.
2*	U	R6	*Cuscuta warneri*	Cuscutaceae	Dodder, Warner's	AZ, UT.
2	U	R1	*Cusickiella quadricostata*	Brassicaceae	Draba, Bodie Hills	CA, NV.
PE	U	R1	*Cyanea asarifolia*	Campanulaceae		HI.
S	N	R1	*Cyanea carlsonii*	*** see ***	*Cyanea hamatiflora* ssp. *carlsonii*	
PE	U	R1	*Cyanea copelandii* ssp. *copelandii*	Campanulaceae	Haha	HI.
2	U	R1	*Cyanea grimesiana* ssp. *grimesiana*	Campanulaceae		HI.
PE	U	R1	*Cyanea grimesiana* ssp. *obatae*	Campanulaceae	Haha	HI.
S	N	R1	*Cyanea grimesiana* var. *hirsutifolia*	*** see ***	*Cyanea grimesiana* ssp. *obatae*	
S	N	R1	*Cyanea grimesiana* var. *lydgatei*	*** see ***	*Cyanea grimesiana* ssp. *grimesiana*	
S	N	R1	*Cyanea grimesiana* var. *mauiensis*	*** see ***	*Cyanea grimesiana* ssp. *grimesiana*	
S	N	R1	*Cyanea grimesiana* var. *munroi*	*** see ***	*Cyanea grimesiana* ssp. *grimesiana*	

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Category	Trend					
PE	U	R1	*Cyanea hamatiflora* ssp. *carlsonii*	Campanulaceae	Haha	HI.
2	U	R1	*Cyanea kunthiana*	Campanulaceae		HI.
2	U	R1	*Cyanea leptostegia*	Campanulaceae	Cyanea, giant koke'e	HI.
S	N	R1	*Cyanea lindseyana*	*** see ***	*Clermontia lindseyana*	
2*	E	R1	*Cyanea longissima*	Campanulaceae		HI.
2	U	R1	*Cyanea marksii*	Campanulaceae		HI.
S	N	R1	*Cyanea nelsonii*	*** see ***	*Cyanea stictophylla*	
PE	D	R1	*Cyanea shipmanii*	Campanulaceae	Haha	HI.
PE	U	R1	*Cyanea stictophylla*	Campanulaceae	Haha	HI.
S	N	R1	*Cyanea submuricata*	*** see ***	*Cyanea tritomantha*	
2	U	R1	*Cyanea tritomantha*	Campanulaceae	'Aku'aku	HI.
PE	U	R1	*Cyanea truncata*	Campanulaceae	Haha	HI.
S	N	R4	*Cyclodon alabamensis*	*** see ***	*Matelea alabamensis*	
2*	U	R4	*Cylindrocolea andersonii*	Cephaloziellaceae		NC.
2	D	R6	*Cymopterus acaulis* var. *higginsii*	Apiaceae	Biscuitroot, Higgins	UT.
2	U	R6	*Cymopterus beckii*	Apiaceae		UT.
2	D	R1	*Cymopterus davisii*	Apiaceae		ID.
1	U	R1	*Cymopterus deserticola*	Apiaceae	Cymopterus, desert	CA.
2	U	R1	*Cymopterus douglassii*	Apiaceae		ID.
3C	N	R6	*Cymopterus everetii*	Apiaceae		WY.
2	U	R1	*Cymopterus goodrichii*	Apiaceae		NV.
S	N	R6	*Cymopterus higginsii*	*** see ***	*Cymopterus acaulis* var. *higginsii*	
2	U	R2	*Cymopterus megacephalus*	Apiaceae		AZ.
2	U	R6	*Cymopterus minimus*	Apiaceae	Biscuitroot, Cedar Breaks	UT.
2	U	R1	*Cymopterus ripleyi* var. *saniculoides*	Apiaceae		NV.
S	N	R6	*Cymopterus* sp. nov. /ined.	*** see ***	*Cymopterus everetii*	
S	N	R1	*Cymopterus* sp. nov. /ined. (Custer, Lemhi Cos.).	*** see ***	*Cymopterus douglassii*	
2	U	R2	*Cynanchum wigginsii*	Asclepiadaceae		AZ, Mexico.
2	U	R4	*Cyperus cephalanthus*	Cyperaceae		LA, TX.
2	S	R3	*Cyperus grayoides (=grayioides)*	Cyperaceae	Sedge, umbrella,	IL, LA, MO, TX.
2	U	R4	*Cyperus louisianensis*	Cyperaceae	Sedge,	LA.
2	U	R2	*Cyperus onerosus*	Cyperaceae	Sedge, flat dune	TX.
S	N	R1	*Cyperus pennatiformis* var. *bryanii*	*** see ***	*Mariscus pennatiformis*	
2	U	R1	*Cyperus trachysanthos*	Cyperaceae		HI.
S	N	R4	*Cyperus urbanii*	*** see ***	*Mariscus urbanii*	
2	D	R1	*Cypripedium fasciculatum*	Orchidaceae	Lady's-slipper, clustered	CA, CO, ID, MT, OR, UT, WA, WY, Canada.
2	I	R4	*Cypripedium kentuckiense*	Orchidaceae		AL, AR, KY, LA, MS, OK, TN, TX.
2	U	R1	*Cyrtandra biserrata*	Gesneriaceae		HI.
PE	U	R1	*Cyrtandra crenata*	Gesneriaceae	Ha'iwale	HI.
2	U	R1	*Cyrtandra cyaneoides*	Gesneriaceae		HI.
2	U	R1	*Cyrtandra filipes*	Gesneriaceae		HI.
PE	U	R1	*Cyrtandra giffardii*	Gesneriaceae	Ha'iwale	HI.
2	U	R1	*Cyrtandra halawensis*	Gesneriaceae		HI.
2	U	R1	*Cyrtandra hematos*	Gesneriaceae		HI.
2	U	R1	*Cyrtandra kealiae*	Gesneriaceae		HI.
PE	U	R1	*Cyrtandra limahuliensis*	Gerneriaceae		HI.
2	U	R1	*Cyrtandra lydgatei*	Gerneriaceae		HI.
2	U	R1	*Cyrtandra macrocalyx*	Gerneriaceae		HI.
2	I	R1	*Cyrtandra oenobarba*	Gesneriaceae		HI.
2	U	R1	*Cyrtandra oxybapha*	Gerneriaceae		HI.
2	U	R1	*Cyrtandra pickeringii*	Gesneriaceae		HI.
PE	U	R1	*Cyrtandra polyantha*	Gesneriaceae	Ha'iwale	HI.
2	U	R1	*Cyrtandra pruinosa*	Gesneriaceae		HI.
2	U	R1	*Cyrtandra sandwicensis*	Gesneriaceae		HI.
2	U	R1	*Cyrtandra sessilis*	Gerneriaceae		HI.
2	U	R1	*Cyrtandra subumbellata*	Gerneriaceae		HI.
S	N	R1	*Cyrtandra subumbellata* var. *intosa*	*** see ***	*Cyrtandra subumbellata*	
PE	U	R1	*Cyrtandra tintinnabula*	Gerneriaceae	Ha'iwale	HI.
2	U	R1	*Cyrtandra viridiflora*	Generiaceae		HI.
2	U	R2	*Dalea bartonii*	Fabaceae	Dalea, Cox's	TX.
S	N	R6	*Dalea epica*	*** see ***	*Dalea flavescens* var. *epica*	UT.
2	U	R6	*Dalea flavescens* var. *epica*	Fabaceae	Prairie-clover, Hole-In-The-Rock	UT.
2	U	R2	*Dalea reverchonii*	Fabaceae	Prairie-clover, Comanche-peak	TX.
2	D	R2	*Dalea sabinalis*	Fabaceae	Prairie-clover, Sabinal	TX.
1	U	R2	*Dalea tentaculoides*	Fabaceae	Indigobush, Gentry's	AZ.
2	U	R1	*Dedeckera eurekensis*	Polygonaceae	Gold, July	CA.
S	N	R1	*Delissea niihauensis*	*** see ***	*Delissea undulata*	

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Category	Trend					
PE	U	R1	*Delissea rhytidosperma*	Campanulaceae		HI.
2*	E	R1	*Delissea undulata*	Campanulaceae		HI.
1	U	R1	*Delphinium bakeri*	Ranunculaceae	Larkspur, Baker's	CA.
2	U	R1	*Delphinium californicum* ssp. *interius*	Ranunculaceae	Larkspur, Hospital Canyon	CA.
2	U	R4	*Delphinium exaltatum*	Ranunculaceae	Larkspur, tall	AL, MD, MO, NC, OH, PA, TN, VA, WV.
2	U	R1	*Delphinium hesperium* ssp. *cuyamacae.*	Ranunculaceae	Larkspur, Cuyamaca	CA.
2	U	R1	*Delphinium hutchinsonae*	Ranunculaceae	Delphinium, Hutchinson's	CA.
2	D	R1	*Delphinium leucophaeum*	Ranunculaceae		OR, WA.
1	D	R1	*Delphinium luteum*	Ranunculaceae	Larkspur, yellow	CA.
2	U	R1	*Delphinium parryi* ssp. *blochmaniae* .	Ranunculaceae	Larkspur, dune	CA.
1	D	R1	*Delphinium pavonaceum*	Ranunculaceae	Larkspur, peacock	OR.
2	U	R1	*Delphinium recurvatum*	Ranunculaceae	Larkspur, recurved	CA.
1	D	R1	*Delphinium variegatum* ssp. *thornei* .	Ranunculaceae	Larkspur, Thorne's royal	CA.
1	U	R1	*Delphinium viridescens*	Ranunculaceae	Larkspur, Wenatchee	WA.
2	D	R1	*Dendrographa leucophaea*	Roccellaceae		CA, Mexico.
2	U	R1	*Dendromecon rigida* ssp. *harfordii*	Papaveraceae	Tree poppy, Channel Island	CA.
2	D	R1	*Dendromecon rigida* ssp. *rhamnoides.*	Papaveraceae	Tree poppy, island	CA.
2	U	R4	*Dendropemon sintenisii*	Loranthaceae	Hicaquillo (mistletoe)	PR.
2	U	R6	*Descurainia torulosa*	Brassicaceae		WY.
3C	N	R2	*Desmanthus bicornutus*	Fabaceae	Bundleflower, ruby	AZ, Mexico.
2	S	R5	*Desmodium humifusum*	Fabaceae	Tick-trefoil, ground-spreading	CT, DE, MA, MD, NJ, NY, PA.
2	U	R2	*Desmodium lindheimeri*	Fabaceae	Tickseed, Lindheimer's	TX, Mexico.
2	U	R4	*Dicerandra radfordiana*	Lamiaceae		GA.
2	U	R1	*Dichanthelium lanuginosum* var. *thermale.*	Poaceae	Panic grass, The Geysers	CA.
2	D	R4	*Dicliptera krugii*	Acanthaceae		PR.
PE	U	R1	*Diellia erecta*	Aspleniaceae		HI.
PE	U	R1	*Diellia laciniata*	Aspleniaceae		HI.
PE	U	R1	*Diellia unisora*	Aspleniaceae		HI.
2	D	R4	*Digitaria floridana*	Poaceae		FL.
2	D	R4	*Digitaria gracillima*	Poaceae		FL.
2	D	R4	*Digitaria pauciflora*	Poaceae	Finger grass,	FL.
2	D	R4	*Dionaea muscipula*	Droseraceae	Venus' fly-trap	NC, SC.
PE	U	R1	*Diplazium molokaiense*	Aspleniaceae		HI.
2*	E	R1	*Dissanthelium californicum*	Poaceae	Dissanthelium, California	CA, Mexico (Baja California).
2	U	R1	*Ditaxis californica*	Euphorbiaceae	Ditaxis, California	CA.
1	D	R1	*Dithyrea maritima*	Brassicaceae	Spectacle-pod, beach	CA, Mexico.
2	U	R1	*Dodecatheon austrofrigidum*	Primulaceae	Shootingstar,	OR, WA.
3C	N	R3	*Dodecatheon frenchii*	Primulaceae	Shootingstar, French's	AR, IL, IN, KY, MO.
2	S	R1	*Douglasia idahoensis*	Primulaceae		ID.
1	U	R1	*Downingia concolor* var. *brevior*	Campanulaceae	Downingia, Cuyamaca Lake	CA.
2	U	R1	*Draba arida*	Brassicaceae		NV.
2	U	R1	*Draba asterophora* var. *macrocarpa* .	Brassicaceae	Draba, Cup Lake	CA.
2	U	R1	*Draba carnosula*	Brassicaceae	Draba, Mt. Eddy	CA.
2	U	R1	*Draba crassifolia* var. *nevadensis*	Brassicaceae	Draba, dolomite	NV.
S	N	R1	*Draba howellii* var. *carnosula*	*** see ***	*Draba carnosula*	
2	U	R1	*Draba jaegeri*	Brassicaceae		NV.
2	U	R6	*Draba kassii*	Brassicaceae		UT.
2	U	R7	*Draba murrayi*	Brassicaceae		AK, Canada (Yukon).
3B	N	R6	*Draba nivalis* var. *breviculа*	Brassicaceae	Draba, snow, little	WY.
S	N	R6	*Draba oligosperma* var. *pectinipila*	*** see ***	*Draba pectinipila*	
2	U	R1	*Draba oreibata* var. *serpentina*	Brassicaceae		NV.
2	U	R1	*Draba paucifructa*	Brassicaceae		NV.
2	U	R6	*Draba pectinipila*	Brassicaceae		CO, WY.
S	N	R1	*Draba quadricostata*	*** see ***	*Cusickiella quadricostata*	
2	U	R6	*Draba smithii*	Brassicaceae		UT.
2	U	R6	*Draba sobolifera*	Brassicaceae	Whitlow-grass, stolon	UT.
2	U	R2	*Draba standleyi*	Brassicaceae	Whitlow-grass, Standley	AZ, NM, TX.
1	S	R1	*Draba trichocarpa*	Brassicaceae	Whitlow-grass, Stanley	ID.
2	U	R7	*Draba yukonensis*	Brassicaceae		AK, Canada (Yukon).
S	N	R1	*Dracaena hawaiiensis*	*** see ***	*Pleomele hawaiiensis*	
2	U	R4	*Dracontium polyphyllum*	Araceae		PR, Hispaniola, Guiana.

Status		Lead Region	Scientific name	Family	Common name	Historic range
Category	Trend					
S	N	R1	*Drypetes phyllanthoides*	*** see ***	*Flueggea neowawraea*	
2	I	R1	*Dubautia arborea*	Asteraceae		HI.
2	U	R1	*Dubautia imbricata*	Asteraceae		HI.
2	U	R1	*Dubautia knudsenii* ssp. *filiformis*	Asteraceae		HI.
2	U	R1	*Dubautia microcephala*	Asteraceae		HI.
2	U	R1	*Dubautia plantaginea* ssp. *humilis*	Asteraceae		HI.
2	S	R1	*Dubautia sherffiana*	Asteraceae	Railliardia, Sherff	HI.
2	U	R1	*Dudleya abramsii* ssp. *affinis*	Crassulaceae	Dudleya, San Bernardino Mountains	CA.
2	U	R1	*Dudleya abramsii* ssp. *bettinae*	Crassulaceae	Dudleya, San Luis serpentine (=Liveforever, Betty's).	CA.
PT	U	R1	*Dudleya abramsii* ssp. *parva*	Crassulaceae	Dudleya, Conejo	CA.
2	U	R1	*Dudleya attentuata* ssp. *orcuttii*	Crassulaceae	Dudleya, Orcutt's	CA, Mexico (Baja California).
S	N	R1	*Dudleya bettinae*	*** see ***	*Dudleya abramsii* ssp. *bettinae*	
2	U	R1	*Dudleya blochmaniae* ssp. *blochmaniae.*	Crassulaceae	Dudleya, short-leaved	CA.
1	D	R1	*Dudleya blochmaniae* ssp. *brevifolia*	Crassulaceae	Dudleya, short-leaved	CA.
1	U	R1	*Dudleya blochmaniae* ssp. *insularis*	Crassulaceae	Dudleya, Santa Rosa Island	CA.
S	N	R1	*Dudleya brevifolia*	*** see ***	*Dudleya blochmaniae* ssp. *brevifolia*	
2	U	R1	*Dudleya candelabrum*	Crassulaceae	Dudleya, candleholder	CA.
1	S	R1	*Dudleya cymosa* ssp. *costifolia* (was ssp nov. /.	Crassulaceae	Liveforever, Pierpoint Springs (Tulare Co.).	CA.
2	U	R1	*Dudleya cymosa* ssp. *crebrifolia*	Crassulaceae	Dudleya, San Gabriel River	CA.
PT	U	R1	*Dudleya cymosa* ssp. *marcescens*	Crassulaceae	Dudleya, Marcescent	CA.
S	N	R1	*Dudleya cymosa* ssp. nov. /ined. (Tulare Co).	*** see ***	*Dudleya cymosa* ssp. *costifolia*	
PT	U	R1	*Dudleya cymosa* ssp. *ovatifolia*	Crassulaceae	Dudleyea, Santa Monica Mountains	CA.
1	U	R1	*Dudleya densiflora*	Crassulaceae	Dudleya, San Gabriel Mountains	CA.
2	D	R1	*Dudleya multicaulis*	Crassulaceae	Liveforever, many-stemmed	CA.
2	D	R1	*Dudleya nesiotica*	Crassulaceae	Liveforever, Santa Cruz Island	CA.
S	N	R1	*Dudleya parva*	*** see ***	*Dudleya abramsii* ssp. *parva*	
2	U	R1	*Dudleya saxosa* ssp. *saxosa*	Crassulaceae	Dudleya, Panamint	CA.
PE	U	R1	*Dudleya setchellii*	Crassulaceae	Dudleya, Santa Clara Valley	CA.
1	U	R1	*Dudleya stolonifera*	Crassulaceae	Liveforever, Laguna Beach	CA.
2	U	R1	*Dudleya variegata*	Crassulaceae	Dudleya, variegated	CA, Mexico.
PT	U	R1	*Dudleya verityi*	Crassulaceae	Dudleya, Verity's	CA.
2	U	R1	*Dudleya virens*	Crassulaceae	Liveforever, green	CA.
1	U	R1	*Dudleya viscida*	Crassulaceae	Liveforever, sticky-leaved	CA.
S		R2	*Echinocactus asterias*	*** see ***	*Astrophytum asterias*	
S	N	R2	*Echinocereus berlandieri* var. *angusticeps.*	*** see ***	*Echinocereus papillosus* var. *angusticeps.*	
S	N	R2	*Echinocereus blankii* var. *angusticeps.*	*** see ***	*Echinocereus papillosus* var. *angusticeps.*	
2	U	R2	*Echinocereus chloranthus* var. *neocapillus.*	Cactaceae	Hedgehog cactus, golden-spined	TX.
2	U	R1	*Echinocereus engelmannii* var. *howei.*	Cactaceae	Hedgehog cactus, Howe's	CA.
2	U	R1	*Echinocereus engelmannii* var. *munzii.*	Cactaceae	Hedgehog cactus, Munz's	CA, Mexico.
2	U	R2	*Echinocereus papillosus* var. *angusticeps.*	Cactaceae	Papillosus, small	TX.
3C	N	R2	*Echinocereus reichenbachii* var. *fitchii.*	Cactaceae	Hedgehog cactus, Fitch's	TX, Mexico.
2	U	R6	*Echinodorus parvulus*	Alismataceae		KS.
1	U	R2	*Echinomastus erectocentrus* var. *acunensis.*	Cactaceae	Cactus, Acuna	AZ, Mexico.
2	U	R2	*Echinomastus erectocentrus* var. *erectocentrus.*	Cactaceae		AZ.
2	U	R2	*Eleocharis brachycarpa*	Cyperaceae	Spikerush, short-fruited	TX, Mexico.
2	D	R2	*Eleocharis cylindrica*	Cyperaceae	Spikerush, cylinder	TX.
2	U	R3	*Eleocharis wolfii*	Cyperaceae		IA, IL, IN, LA, KS, MN, MO, ND, NE, OH, WI.
3B	N	R4	*Elodea linearis*	Hydrocharitaceae	Waterweed, Nashville	TN.
2*	U	R5	*Elodea schweinitzii*	Hydrocharitaceae	Waterweed, Schweinitz's	NY, PA.
2	U	R4	*Elymus svensonii*	Poaceae		KY, TN.
2	U	R4	*Elytraria caroliniensis* var. *angustifolia.*	Acanthaceae		FL.
2	U	R1	*Enceliopsis covillei*	Asteraceae	Daisy, Panamint	CA.

Status		Lead Region	Scientific name	Family	Common name	Historic range
Category	Trend					
3C	N	R4	*Encyclia boothiana* var. *erythronioides.*	Orchidaceae	Orchid, dollar	FL, Bahamas, Belize, Cuba, Hispaniola, Jamaica, Mexico, South America.
2	U	R4	*Encyclia kranzlinii*	Orchidaceae		PR.
S	N	R4	*Epidendrum erythronioides*	*** see ***	*Encyclia boothiana* var. *erythronioides.*	
S	N	R4	*Epidendrum kranzlinii*	*** see ***	*Encyclia kranzlinii*	
2	U	R6	*Epilobium nevadense*	Onagraceae	Willowherb, Nevada	NV, UT.
2	D	R1	*Epilobium oreganum*	Onagraceae	Fireweed, Oregon	CA, OR.
3C	N	R2	*Epithelantha bokei*	Cactaceae	Button cactus, Boke's	TX, Mexico.
2*	E	R1	*Eragrostis fosbergii*	Poaceae	Love grass, Fosberg's	HI.
2*	E	R1	*Eragrostis hosakai*	Poaceae		HI.
2	U	R4	*Eragrostis tracyi*	Poaceae	Love grass, Sanibel	FL.
2	D	R1	*Eriastrum brandegeae*	Polemoniaceae	Eriastrum, brandegee	CA.
S	N	R1	*Eriastrum tracyi*	*** see ***	*Eriastrum brandegeae*	
2	U	R1	*Ericameria fasciculata*	Asteraceae	Goldenweed, Eastwood's	CA.
S	N	R1	*Ericameria palmeri* ssp. *palmeri*	*** see ***	*Haplopappus palmeri* ssp. *palmeri*	
2	U	R2	*Erigeron acomanus* (was sp. nov. /ined.).	Asteraceae	Fleabane, Acoma	NM.
2	U	R2	*Erigeron anchana*	Asteraceae	Fleabane, Mogollon	AZ.
1	S	R1	*Erigeron basalticus*	Asteraceae	Daisy, basalt	WA.
2	U	R6	*Erigeron canaanii*	Asteraceae		UT.
2	U	R6	*Erigeron carringtonae*	Asteraceae		UT.
2	U	R6	*Erigeron cronquistii*	Asteraceae	Daisy, Cronquist	ID, UT.
1	D	R1	*Erigeron decumbens* var. *decumbens.*	Asteraceae		OR.
S	N	R2	*Erigeron geiseri* var. *calcicola*	*** see ***	*Erigeron mimegletes*	
2	U	R2	*Erigeron heligraphicus*	Asteraceae	Fleabane, Pinalenos	AZ.
2	U	R2	*Erigeron hessii*	Asteraceae	Fleabane, Hess's	NM.
2	S	R1	*Erigeron howellii*	Asteraceae	Fleabane, Howell's	OR, WA.
2	U	R6	*Erigeron kachinensis*	Asteraceae	Daisy, Kachina	CO, UT.
2	S	R2	*Erigeron kuschei*	Asteraceae	Fleabane, Chiricahua	AZ.
2	U	R6	*Erigeron lackshewitz*	Asteraceae		MT.
2	S	R1	*Erigeron latus*	Asteraceae	Fleabane,	ID, NV.
1	S	R2	*Erigeron lemmonii*	Asteraceae	Fleabane, Lemmon	AZ.
2	U	R6	*Erigeron maguirei* var. *harrisonii*	Asteraceae		UT.
2	U	R6	*Erigeron mancus*	Asteraceae	Daisy, depauperate	UT.
2	U	R2	*Erigeron mimegletes*	Asteraceae	Fleabane, Sonora	TX.
2	U	R1	*Erigeron multiceps*	Asteraceae	Daisy, Kern River	CA.
2	S	R1	*Erigeron oreganus*	Asteraceae	Fleabane, Oregon	OR, WA.
2	U	R1	*Erigeron ovinus*	Asteraceae		NV.
PE	U	R1	*Erigeron parishii*	Asteraceae	Daisy, Parish's	CA.
2	U	R2	*Erigeron piscaticus*	Asteraceae	Fleabane, Fish Creek	AZ.
3C	N	R2	*Erigeron pringlei*	Asteraceae		AZ.
2	U	R3	*Erigeron pulchellus* var. *tolsteadii*	Asteraceae		MN.
2	U	R1	*Erigeron salmonensis*	Asteraceae		ID.
2	U	R6	*Erigeron sionis*	Asteraceae		UT.
2	U	R2	*Erigeron sivinskii*	Asteraceae		NM.
2	S	R6	*Erigeron* sp. nov. /ined.	Asteraceae		WY.
2	D	R1	*Erigeron supplex*	Asteraceae	Daisy, supple	CA.
2	U	R6	*Erigeron untermannii*	Asteraceae		UT.
2	U	R6	*Erigeron wilkenii*	Asteraceae		CO.
2	U	R6	*Erigeron zothecinus*	Asteraceae		UT.
2	D	R2	*Eriocaulon kornickianum*	Eriocaulaceae	Pipewort, small-headed	AR, GA, OK, TX.
2	U	R4	*Eriochloa michauxii* var. *simpsonii*	Poaceae		FL.
PE	U	R1	*Eriodictyon altissimum*	Hydrophyllaceae	Mountain balm, Indian Knob	CA.
1	U	R1	*Eriodictyon capitatum*	Hydrophyllaceae	Yerba santa, Lompoc	CA.
3C	N	R2	*Eriogonum aliquantum*	Polygonaceae	Wild-buckwheat, Cimarron	NM.
2	U	R1	*Eriogonum alpinum*	Polygonaceae	Buckwheat, Trinity	CA.
2	U	R6	*Eriogonum ammophilum*	Polygonaceae	Wild-buckwheat, sand-loving	UT.
3C	N	R1	*Eriogonum ampullaceum*	Polygonaceae	Buckwheat, Mono	CA, NV.
2	U	R1	*Eriogonum anemophilum*	Polygonaceae	Buckwheat,	NV.
2	U	R2	*Eriogonum apachense*	Polygonaceae	Wild-buckwheat, Apache	AZ.
1	U	R1	*Eriogonum apricum* var. *apricum*	Polygonaceae	Buckwheat, Ione	CA.
1	U	R1	*Eriogonum apricum* var. *prostratum*	Polygonaceae	Buckwheat, Irish Hill	CA.
2	U	R6	*Eriogonum aretioides*	Polygonaceae	Wild-buckwheat, Widstoe	UT.
1	U	R1	*Eriogonum argophyllum*	Polygonaceae	Buckwheat,	NV.
2	U	R1	*Eriogonum bifurcatum*	Polygonaceae	Buckwheat, forked	CA, NV.
1	U	R6	*Eriogonum brandegei*	Polygonaceae	Wild-buckwheat, Brandegee	CO.

Status		Lead Region	Scientific name	Family	Common name	Historic range
Category	Trend					
1	S	R1	*Eriogonum breedlovei* var. *breedlovei.*	Polygonaceae	Buckwheat, Piute	CA.
2	U	R1	*Eriogonum butterworthianum*	Polygonaceae	Buckwheat, Butterworth's	CA.
2	U	R2	*Eriogonum capillare*	Polygonaceae	Wild-buckwheat, San Carlos	AZ.
1	U	R1	*Eriogonum chrysops*	Polygonaceae	Buckwheat, golden	OR.
2	U	R1	*Eriogonum crocatum*	Polygonaceae	Buckwheat, Conejo	CA.
2	U	R6	*Eriogonum cronquistii*	Polygonaceae	Wild-buckwheat, Cronquist	UT.
2	U	R1	*Eriogonum crosbyae*	Polygonaceae	Buckwheat, Crosby's	NV, OR.
2	U	R1	*Eriogonum cusickii*	Polygonaceae	Buckwheat, Cusick's	OR.
2	U	R1	*Eriogonum eremicola*	Polygonaceae	Buckwheat, Wild Rose Canyon	CA.
1	U	R1	*Eriogonum ericifolium* var. *thornei*	Polygonaceae	Buckwheat, Thorne's	CA.
2	U	R7	*Eriogonum flavum* var. *aquilinum*	Polygonaceae	Wild-buckwheat,	AK.
S	N	R4	*Eriogonum floridanum*	*** see ***	*Eriogonum longifolium* var. *gnaphalifolium.*	
2	U	R1	*Eriogonum giganteum* var. *compactum.*	Polygonaceae	Buckwheat, Santa Barbara Island	CA.
2	U	R1	*Eriogonum giganteum* var. *formosum*	Polygonaceae	Buckwheat, San Clemente Island	CA.
2	U	R1	*Eriogonum grande* var. *rubescens*	Polygonaceae	Buckwheat, large red	CA.
2	U	R1	*Eriogonum grande* var. *timorum*	Polygonaceae	Buckwheat, San Nicolas Island	CA.
S	N	R4	*Eriogonum harperi*	*** see ***	*Eriogonum longifolium* var. *harperi*	
2	U	R1	*Eriogonum holmgrenii*	Polygonaceae	Buckwheat, Holmgren's	NV.
2	U	R1	*Eriogonum intrafractum*	Polygonaceae	Buckwheat, jointed	CA.
1	U	R1	*Eriogonum kelloggii*	Polygonaceae	Buckwheat, Red Mountain	CA.
2	D	R1	*Eriogonum kennedyi* var. *austromontanum.*	Polygonaceae	Buckwheat, southern mountain	CA.
2	U	R1	*Eriogonum kennedyi* var. *pinicola*	Polygonaceae	Buckwheat, Cache Peak	CA.
2	U	R6	*Eriogonum lagopus*	Polygonaceae		MT, WY.
2	U	R1	*Eriogonum lewisii*	Polygonaceae		NV.
2	U	R1	*Eriogonum lobbii* var. *robustum*	Polygonaceae		NV.
S	N	R4	*Eriogonum longifolium* var. *floridanum.*	*** see ***	*Eriogonum floridanum*	
2	U	R4	*Eriogonum longifolium* var. *harperi*	Polygonaceae		AL, KY, TN.
2	S	R1	*Eriogonum meledonum*	Polygonaceae	Buckwheat,	ID.
2	U	R1	*Eriogonum microthecum* var. *johnstonii.*	Polygonaceae	Buckwheat, Johnston's	CA.
2	U	R1	*Eriogonum microthecum* var. *panamintense.*	Polygonaceae	Buckwheat, Panamint Mountains	CA.
2	U	R2	*Eriogonum mortonianum*	Polygonaceae	Wild-buckwheat, Fredonia	AZ.
2	U	R1	*Eriogonum nervulosum*	Polygonaceae	Buckwheat, Snow Mountain	CA.
2	U	R1	*Eriogonum nudum* var. *murinum*	Polygonaceae	Buckwheat, mouse	CA.
PE	D	R1	*Eriogonum ovalifolium* var. *vineum*	Polygonaceae	Buckwheat, Cushenbury	CA.
2	D	R1	*Eriogonum prociduum*	Polygonaceae	Buckwheat, prostrate	CA, NV, OR.
2	U	R2	*Eriogonum ripleyi*	Polygonaceae	Wild-buckwheat, Ripley	AZ.
2	U	R6	*Eriogonum smithii*	Polygonaceae	Wild-buckwheat, Smith	UT.
2	U	R6	*Eriogonum soredium*	Polygonaceae		UT.
S	N	R1	*Eriogonum sp. (Lakeview Co., OR)*	*** see ***	*Eriogonum crosbyae*	
2	U	R2	*Eriogonum suffruticosum*	Polygonaceae	Wild-buckwheat, bushy	TX.
2	U	R1	*Eriogonum temblorense*	Polygonaceae	Buckwheat, Temblor	CA.
2	U	R2	*Eriogonum thompsonae* var. *atwoodii.*	Polygonaceae	Wild-buckwheat, Thompson, Atwood's.	AZ.
2	U	R1	*Eriogonum tiehmii*	Polygonaceae	Buckwheat, Tiehm's	NV.
3A	N	R1	*Eriogonum truncatum*	Polygonaceae	Buckwheat, Contra Costa	CA.
2	U	R1	*Eriogonum twisselmannii*	Polygonaceae	Buckwheat, Twisselmann's	CA.
2	U	R1	*Eriogonum umbellatum* var. *torreyanum.*	Polygonaceae	Buckwheat, Donner Pass	CA.
2	U	R1	*Eriogonum viscidulum*	Polygonaceae	Buckwheat,	NV.
2	U	R6	*Eriogonum visheri*	Polygonaceae		ND, SD.
1	U	R1	*Eriophyllum lanatum* var. *hallii*	Asteraceae	Wooly-sunflower, Ft. Tejon	CA.
PE	U	R1	*Eriophyllum latilobum*	Asteraceae	Sunflower, San Mateo woolly	CA.
2	U	R1	*Eriophyllum mohavense*	Asteraceae	Wooly-sunflower, Barstow	CA.
2	U	R1	*Eriophyllum nevinii*	Asteraceae	Wooly-sunflower, Nevin's	CA.
2	U	R1	*Eriophyllum nubigenum*	Asteraceae	Wooly-sunflower, Yosemite	CA.
2	U	R4	*Erithalis revoluta*	Rubiaceae		PR.
1	U	R1	*Eryngium aristulatum* var. *hooveri*	Apiaceae	Button-celery, Hoover's	CA.
2	U	R1	*Eryngium pinnatisectum*	Apiaceae	Coyote-thistle, Tuolumne	CA.
2	D	R1	*Eryngium racemosum*	Apiaceae	Coyote-thistle, Delta	CA.
2	D	R1	*Eryngium spinosepalum*	Apiaceae	Coyote-thistle, spiny-sepaled	CA.
2	U	R1	*Erysimum ammophilum*	Brassicaceae	Wallflower, coast	CA.
2	U	R1	*Erysimum franciscanum*	Brassicaceae	Wallflower, San Francisco	CA.
2	U	R1	*Erysimum insulare* ssp. *insulare*	Brassicaceae	Wallflower, island	CA, Mexico.
PE	D	R1	*Erysimum teretifolium*	Brassicaceae	Wallflower, Ben Lomond	CA.

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Category	Trend					
1	U	R4	*Erythrina eggersii*	Fabaceae	Pinon espinoso or cockspur	PR, VI.
2	U	R1	*Erythronium citrinum* var. *rodrickii*	Liliaceae	Fawn-lily, lemon colored	CA.
2	U	R1	*Erythronium elegans*	Liliaceae		OR.
3C	N	R1	*Erythronium grandiflorum* var. *nudipetalum.*	Liliaceae		ID.
S	N	R1	*Erythronium* sp. nov. /ined.	*** see ***	*Erythronium elegans*	
2	U	R1	*Erythronium tuolumnense*	Liliaceae	Fawn-lily, Tuolumne	CA.
2	U	R1	*Eschscholzia multiflora* ssp. *twisselmannii.*	Papaveraceae		CA.
2	U	R1	*Eschscholzia procera*	Papaveraceae	Poppy, Kernville	CA.
2	U	R1	*Eschscholzia rhombipetala*	Papaveraceae	Poppy, diamond-petaled	CA.
2	U	R2	*Escobaria guadalupensis*	Cactaceae	Pincushion cactus, Guadalupe	TX.
2	U	R2	*Escobaria villardii*	Cactaceae	Pincushion cactus, Villard's	NM.
2	U	R4	*Eugenia bellonis*	Myrtaceae		PR.
1	U	R4	*Eugenia haematocarpa*	Myrtaceae	Uvillo	PR.
PE	U	R1	*Eugenia koolauensis*	Myrtaceae	Nioi	HI.
2	U	R4	*Eugenia margarettae*	Myrtaceae		PR.
S	N	R1	*Eugenia molokaiana*	*** see ***	*Eugenia koolauensis*	
2	U	R4	*Eugenia underwoodii*	Myrtaceae		PR.
2	D	R4	*Eugenia woodburyana*	Myrtaceae		PR.
S	N	R4	*Eulophia ecristata*	*** see ***	*Pteroglossaspis ecristata*	
2	U	R4	*Eupatorium borinquense*	Asteraceae		PR.
2	U	R4	*Eupatorium droserolepis*	Asteraceae	Oreganillo	PR.
2	S	R5	*Eupatorium leucolepis* var. *novae-angliae.*	Asteraceae	Thoroughwort, white-bracted, New England.	MA, RI.
2	S	R4	*Eupatorium luciae-brauniae*	Asteraceae		KY, TN.
2	U	R4	*Eupatorium oteroi*	Asteraceae		PR.
2	S	R5	*Eupatorium resinosum*	Asteraceae	Boneset, pine barrens	DE, NC, NJ, NY, SC.
S	N	R1	*Euphorbia arnottiana* var. *arnottiana*	*** see ***	*Chamaesyce arnottiana*	
S	N	R1	*Euphorbia atrococca*	*** see ***	*Chamaesyce atrococca*	
S	N	R2	*Euphorbia chaetocalyx* var. *triligulata*	*** see ***	*Chamaesyce chaetocalyx* var. *triligulata.*	
S	N	R4	*Euphorbia cumulicola*	*** see ***	*Chamaesyce cumulicola*	
S	N	R4	*Euphorbia deltoidea* ssp. *serpyllum*	*** see ***	*Chamaesyce deltoidea* ssp. *serpyllum.*	
S	N	R1	*Euphorbia deppeana*	*** see ***	*Chamaesyce deppeana*	
S	N	R2	*Euphorbia fendleri* var. *triligulata*	*** see ***	*Chamaesyce chaetocalyx* var. *triligulata.*	
S	N	R2	*Euphorbia golondrina*	*** see ***	*Chamaesyce golondrina*	
S	N	R1	*Euphorbia hooveri*	*** see ***	*Chamaesyce hooveri*	
S	N	R1	*Euphorbia multiformis* var. *haleakalana.*	*** see ***	*Chamaesyce skottsbergii* var. *vaccinioides.*	
S	N	R1	*Euphorbia multiformis* var. *kaalana*	*** see ***	*Chamaesyce celastroides* var. *tomentella.*	
S	N	R1	*Euphorbia multiformis* var. *kapuleiensis.*	*** see ***	*Chamaesyce skottsbergii* var. *vaccinioides.*	
S	N	R1	*Euphorbia multiformis* var. *sparsiflora.*	*** see ***	*Chamaesyce sparsiflora*	
S	N	R1	*Euphorbia multiformis* var. *tomentella.*	*** see ***	*Chamaesyce celastroides* var. *tomentella.*	
S	N	R1	*Euphorbia olowaluana* var. *olowaluana.*	*** see ***	*Chamaesyce olowaluana*	
S	N	R1	*Euphorbia platysperma*	*** see ***	*Chamaesyce platysperma*	
2	U	R2	*Euphorbia plummerae*	Euphorbiaceae		AZ, Mexico.
S	N	R4	*Euphorbia porteriana* var. *keyensis*	*** see ***	*Chamaesyce porteriana* var. *keyensis.*	
S	N	R4	*Euphorbia porteriana* var. *porteriana*	*** see ***	*Chamaesyce porteriana* var. *porteriana.*	
S	N	R4	*Euphorbia porteriana* var. *scoparia*	*** see ***	*Chamaesyce porteriana* var. *scoparia.*	
2	S	R5	*Euphorbia purpurea*	Euphorbiaceae	Spurge, Darlington's	DE, MD, NC, NJ, OH, PA, VA, WV.
S	N	R1	*Euphorbia skottsbergii* var. *vaccinioides.*	*** see ***	*Chamaesyce skottsbergii* var. *vaccinioides.*	
2	U	R4	*Eurhychium pringlei*	Brachtheciaceae		NC, SC, Mexico.
2	U	R1	*Eurya sandwicensis*	Theaceae		HI.
S	N	R1	*Eurya sandwicensis* var. *grandifolia*	*** see ***	*Eurya sandwicensis*	
2	U	R1	*Exocarpos gaudichaudii*	Santalaceae		HI.
PE	U	R1	*Exocarpos luteolus*	Santalaceae	Heau or exocarpos, leafy	HI.
2	U	R1	*Ferocactus viridescens*	Cactaceae	Barrel cactus, coast	CA, Mexico.

Status		Lead Region	Scientific name	Family	Common name	Historic range
Category	Trend					
2	U	R1	*Festuca hawaiiensis*	Poaceae		HI.
1	U	R2	*Festuca ligulata*	Poaceae	Fescue, Guadalupe	TX, Mexico.
2	S	R1	*Filipendula occidentalis*	Rosaceae	Queen-of-the-forest	OR, WA.
2	U	R1	*Fimbristylis hawaiiensis*	Cyperaceae		HI.
2	U	R5	*Fimbristylis perpusilla*	Cyperaceae	Fimbristylis, Harper's	DE, GA, MD, NC, SC, TN, VA.
3C	N	R2	*Flaveria mcdougallii*	Asteraceae		AZ.
PE	D	R1	*Flueggea neowawraea*	Euphorbiaceae	Mehameharne	HI.
2	U	R4	*Forchhammeria polyandra*	Capparaceae		PR, Hispanola, Jamaica.
2	D	R4	*Forestiera segregata* var. *pinetorum*	Oleaceae		FL.
2	U	R1	*Forsellesia clokeyi*	Crossosomataceae.	Forsellesia, Clokey's	NV.
S	N	R1	*Forsellesia pungens* var. *glabra*	*** see ***	*Glossopetalon pungens* var. *glabra*	
2	U	R2	*Forsellesia texensis*	Crossosomataceae.	Greasebush, Texas	TX.
1	E	R4	*Franklinia alatamaha*	Theaceae	Franklin tree	GA.
2	U	R6	*Frasera coloradensis*	Gentianaceae		CO.
2	U	R1	*Frasera gypsicola*	Gentianaceae	Green-gentian,	NV, UT.
2	U	R1	*Frasera pahutensis*	Gentianaceae	Green-gentian,	NV.
2	U	R1	*Frasera umpquaensis*	Gentianaceae	Green-gentian, Umpqua	CA, OR.
1	U	R1	*Fremontodendron decumbens*	Sterculiaceae	Flannelbush, Pine Hill	CA.
2	D	R1	*Fremontodendron mexicanum*	Sterculiaceae	Flannelbush, Mexican	CA, Mexico.
2	U	R1	*Fritillaria eastwoodiae*	Liliaceae	Fritillary, Butte	CA.
2	U	R1	*Fritillaria falcata*	Liliaceae	Fritillary, talus	CA.
1	D	R1	*Fritillaria gentneri*	Liliaceae	Fritillaria, Gentner's (=Mission-bells, Gentner).	OR.
3B	N	R1	*Fritillaria grayana*	Liliaceae	Fritillary, Roderick's	CA.
2	D	R1	*Fritillaria liliacea*	Liliaceae	Fritillary, fragrant	CA.
2	U	R1	*Fritillaria ojaiensis*	Liliaceae	Frtillary, Ojai	CA.
S	N	R1	*Fritillaria phaeanthera*	*** see ***	*Fritillaria eastwoodiae*	
2	D	R1	*Fritillaria pluriflora*	Liliaceae	Adobe-lily,	CA.
S	N	R1	*Fritillaria roderickii*	*** see ***	*Fritillaria grayana*	
1	D	R1	*Fritillaria striata*	Liliaceae	Adobe-lily, Greenhorn	CA.
2	D	R1	*Fritillaria viridea*	Liliaceae	Fritillary, San Benito	CA.
2	U	R2	*Fryxellia pygmaea*	Malvaceae	Fryxell wort, small	TX, Mexico.
2	U	R2	*Gaillardia aestivalis* var. *winkleri*	Asteraceae	Blanketflower, white	TX.
2	U	R4	*Galactia eggersii*	Fabaceae		VI, British V.I.
2	D	R4	*Galactia pinetorum*	Fabaceae	Milkpea,	FL.
2	U	R1	*Galium angustifolium* ssp. *borregoense.*	Rubiaceae	Bedstraw, Borrego	CA.
1	D	R1	*Galium buxifolium*	Rubiaceae	Bedstraw, Island	CA.
2	U	R1	*Galium californicum* ssp. *luciense*	Rubiaceae	Bedstraw, Cone Peak	CA.
2	U	R1	*Galium californicum* ssp. *primum*	Rubiaceae	Bedstraw, San Jacinto	CA.
2	U	R1	*Galium californicum* ssp. *sierrae*	Rubiaceae	Bedstraw, El Dorado	CA.
2	U	R1	*Galium catalinense* ssp. *acrispum*	Rubiaceae	Bedstraw, San Clemente island	CA.
2	U	R2	*Galium correllii*	Rubiaceae	Bedstraw, cliff	TX, Mexico.
2	U	R1	*Galium grande*	Rubiaceae	Bedstraw, San Gabriel	CA.
2	U	R1	*Galium hilendiae* ssp. *kingstonense*	Rubiaceae	Bedstraw, Kingston	CA, NV.
2	U	R1	*Galvezia speciosa*	Scrophulariaceae	Snapdragon, island	CA.
2	U	R1	*Gardenia remyi*	Rubiaceae		HI.
1	D	R6	*Gaura neomexicana* ssp. *coloradensis.*	Onagraceae	Butterfly plant, Colorado	CO, NE, WY.
S	N	R2	*Gaya violacea*	*** see ***	*Batesimalva violacea*	
2	S	R2	*Genistidium dumosum*	Fabaceae	Bush-pea	TX, Mexico.
S	N	R1	*Gentiana bisetaea*	*** see ***	*Gentiana setigera*	
2	D	R4	*Gentiana pennelliana*	Gentianaceae	Gentian, wiregrass	FL.
2	S	R1	*Gentiana plurisetosa*	Gentianaceae	Gentian, Klamath	CA, OR.
2	U	R1	*Gentiana setigera*	Gentianaceae	Gentian, Mendocino	CA, OR.
2	U	R2	*Gentianella wislizenii*	Gentianaceae		AZ, Mexico.
2	U	R1	*Geranium humile*	Geraniaceae		HI.
2	U	R1	*Geranium kauaiense*	Geraniaceae		HI.
1	U	R4	*Gesneria pauciflora*	Gesneriaceae		PR.
2	S	R4	*Geum geniculatum*	Rosaceae	Avens, bent	NC, TN.
1	U	R6	*Gilia caespitosa*	Polemoniaceae	Gilia, Rabbit Valley	UT.
2	D	R2	*Gilia formosa*	Polemoniaceae	Gilia, beautiful	NM.
1	U	R1	*Gilia maculata*	Polemoniaceae	Gilia, Little San Bernardino Mountains.	CA.
1	U	R1	*Gilia tenuiflora* ssp. *hoffmannii*	Polemoniaceae	Gilia, Hoffmann's	CA.
2	U	R6	*Gilia tenuis*	Polemoniaceae		UT.
2	D	R1	*Githopsis diffusa* ssp. *filicaulis*	Campanulaceae	Bluecup, Mission Canyon	CA.

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Category	Trend					
2	U	R1	*Glossopetalon pungens* var. *glabra*	Crossosomataceae.	Forsellesia, smooth pungent	CA, NV.
2	S	R4	*Glyceria nubigena*	Poaceae	Manna grass, Smoky Mountains	NC, TN.
3B	N	R3	*Gnaphalium macounii*	Asteraceae		IL, NJ, Canada.
2	U	R3	*Gnaphalium obtusifolium* var. *saxicola.*	Asteraceae	Catfoot, rock,	WI.
2	S	R1	*Gnaphalium sandwicensium* var. *molokaiense.*	Asteraceae	'Ena'ena	HI.
2	U	R4	*Gonocalyx concolor*	Ericaceae		PR.
S	N	R1	*Gouania bishopii*	*** see ***	*Gouania vitifolia*	
S	N	R1	*Gouania hawaiiensis*	*** see ***	*Gouania vitifolia*	
PE	E	R1	*Gouania vitifolia*	Rhamnaceae		HI.
S	N	R1	*Gouldia* sp. nov. *fined.*	*** see ***	*Hedyotis tryblium*	
2	U	R4	*Graffenrieda ottoschulzii*	Melastomataceae	Camasey, Petites Graines	PR, Dominican Republic, Haiti.
2	U	R4	*Grammitis nimbata*	Grammitidaceae	Polypody, dwarf	NC, Cuba.
2	U	R2	*Graptopetalum bartramii*	Crassulaceae		AZ, Mexico.
3C	N	R1	*Gratiola heterosepala*	Scrophulariaceae	Hedge-hyssop, Boggs Lake	CA, OR.
2	U	R1	*Grindelia hirsuta* var. *maritima*	Asteraceae	Gumplant, San Francisco	CA.
2	S	R1	*Grindelia howellii*	Asteraceae	Gumplant, Howell's	ID, MT.
S	N	R1	*Grindelia maritima*	*** see ***	*Grindelia hirsuta* var. *maritima*	
2	U	R1	*Grindelia stricta* ssp. *blakei*	Asteraceae	Gumplant, Humboldt Bay	CA.
3C	N	R6	*Gutierrezia petradoria*	Asteraceae		UT.
2	U	R5	*Gymnocarpium sp.*	Aspleniaceae	Oak fern, Appalachian	NC, PA, VA, WV.
1	U	R4	*Gymnoderma lineare*	Cladoniaceae	Lichen, rock gnome	NC, TN.
S	N	R1	*Habenaria holochila*	*** see ***	*Platanthera holochila*	
2	U	R6	*Habenaria zothecina*	Orchidaceae		CO, UT.
2	U	R1	*Hackelia brevicula*	Boraginaceae	Stickseed, Poison Canyon	CA.
1	S	R1	*Hackelia cronquistii*	Boraginaceae	Stickseed, Cronquist's	OR.
2	U	R6	*Hackelia gracilenta*	Boraginaceae	Stickleaf, Mesa Verde	CO.
2	U	R6	*Hackelia ibapensis*	Boraginaceae	Stickseed,	UT.
S	N	R1	*Hackelia patens* var. *semiglabra*	*** see ***	*Hackelia cronquistii*	
1	D	R1	*Hackelia venusta*	Boraginaceae	Stickseed, showy	WA.
2	U	R1	*Haplopappus alpinus*	Asteraceae		NV.
S	N	R1	*Haplopappus canus*	*** see ***	*Hazardia cana*	
S	N	R1	*Haplopappus carthamoides* var. *maximus.*	*** see ***	*Haplopappus radiatus*	
2	U	R6	*Haplopappus carthamoides* var. *subsquarrosus.*	Asteraceae		WY.
2	U	R6	*Haplopappus crispus*	Asteraceae		UT.
S	N	R1	*Haplopappus eastwoodiae*	*** see ***	*Ericameria fasciculata*	
2	S	R6	*Haplopappus engelmannii*	Asteraceae	Goldenrod, Engelmann's	CO, KS.
3C	N	R6	*Haplopappus fremontii* ssp. *monocephalus.*	Asteraceae	Goldenweed,	CO.
2	U	R1	*Haplopappus graniticus*	Asteraceae		NV.
1	S	R1	*Haplopappus insecticruris*	Asteraceae		ID.
S	N	R1	*Haplopappus integrifolius* ssp. *insecticruris.*	*** see ***	*Haplopappus insecticruris*	
2	D	R1	*Haplopappus liatriformis*	Asteraceae		ID, WA.
2	I	R2	*Haplopappus microcephalus*	Asteraceae	Goldenweed, small-headed	CO, NM.
2	U	R1	*Haplopappus palmeri* ssp. *palmeri*	Asteraceae	Haplopappus, Palmer's	CA, Mexico.
1	U	R1	*Haplopappus radiatus*	Asteraceae	Goldenweed,	ID, OR.
S	N	R1	*Haplopappus uniflorus* ssp. *gossypinus.*	*** see ***	*Pyrrocoma uniflora* var. *gossypina*	
2	U	R6	*Haplopappus zionis*	Asteraceae		UT.
2	D	R1	*Harpagonella palmeri* var. *palmeri*	Boraginaceae	Grapplinghook, Palmer's	CA.
2	U	R4	*Hartwrightia floridana*	Asteraceae	Hartwrightia	FL, GA.
2	D	R1	*Hastingsia atropurpurea*	Liliaceae		OR.
1	S	R1	*Hastingsia bracteosa*	Liliaceae		OR.
2	D	R1	*Hazardia cana*	Asteraceae	Hazardia, island	CA, Mexico (Baja California Norte)
2	U	R1	*Hazardia orcuttii*	Asteraceae	Hazardia, Orcutt's	CA, Mexico (Baja California).
2	U	R4	*Hedeoma graveolens*	Lamiaceae	Pennyroyal, mock	FL.
2	U	R2	*Hedeoma pilosum*	Lamiaceae	Pennyroyal, Old Blue mock	TX.
2	U	R2	*Hedyotis butterwickiae*	Rubiaceae	Bluet,	TX.
PE	U	R1	*Hedyotis cookiana*	Rubiaceae		HI.
2	I	R1	*Hedyotis elatior*	Rubiaceae		HI.
S	N	R1	*Hedyotis elatior* var. *herbacea*	*** see ***	*Hedyotis elatior*	
2	S	R1	*Hedyotis fluviatilis*	Rubiaceae		HI.
S	N	R1	*Hedyotis fluviatilis* var. *kauaiensis*	*** see ***	*Hedyotis fluviatilis*	

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Category	Trend					
2	U	R1	*Hedyotis formosa*	Rubiaceae		HI.
2	S	R1	*Hedyotis littoralis*	Rubiaceae		HI.
2	D	R4	*Hedyotis nigricans* var. *pulvinata*	Rubiaceae	Diamondflowers,	FL.
2	U	R1	*Hedyotis schlechtendahliana* var. *remyi.*	Rubiaceae		HI.
S	N	R1	*Hedyotis thyrsoidea*	*** see ***	*Hedyotis mannii*	
2	I	R1	*Hedyotis tryblium*	Rubiaceae		HI.
2	U	R6	*Hedysarum occidentale* var. *canone*	Fabaceae		UT.
1	D	R5	*Helenium virginicum*	Asteraceae		VA.
2	U	R1	*Helianthella castanea*	Asteraceae	Rock-rose, Diablo	CA.
2	D	R5	*Helianthemum durnosum*	Cistaceae	Rush-rose, bushy	CT, MA, NY, RI.
2	U	R1	*Helianthemum greenei*	Cistaceae	Rush-rose, island	CA.
3C	N	R1	*Helianthemum suffrutescens*	Cistaceae	Rush-rose, Amador	CA.
2	U	R4	*Helianthus carnosus*	Asteraceae		FL.
2	D	R4	*Helianthus debilis* ssp. *vestitus*	Asteraceae	Sunflower, Gulf beach	FL.
1	D	R4	*Helianthus eggertii*	Asteraceae	Sunflower, Eggert's	AL, KY, TN.
2	U	R1	*Helianthus niveus* ssp. *tephrodes*	Asteraceae	Sunflower, Algodones Dunes	AZ, CA, Mexico.
2*	E	R1	*Helianthus nuttallii* ssp. *parishii*	Asteraceae	Sunflower, Los Angeles	CA.
1	S	R2	*Helianthus paradoxus*	Asteraceae	Sunflower,	NM, TX.
2	U	R2	*Helianthus praecox* ssp. *hirtus*	Asteraceae	Sunflower, Dimmit	TX.
1	U	R1	*Hemizonia arida*	Asteraceae	Tarweed, Red Rock	CA.
S	D	R1	*Hemizonia australis*	*** see ***	*Hemizonia parryi* ssp. *australis*	
2	U	R1	*Hemizonia conjugens*	Asteraceae	Tarweed, Otay	CA.
2	U	R1	*Hemizonia floribunda*	Asteraceae	Tarweed, Tecate	CA, Mexico.
1	U	R1	*Hemizonia increscens* ssp. *villosa*	Asteraceae	Tarweed, Gaviota	CA.
S	N	R1	*Hemizonia laevis*	*** see ***	*Hemizonia pungens* ssp. *laevis*	
2	U	R1	*Hemizonia minthornii*	Asteraceae	Tarweed, Santa Susana	CA.
2*	E	R1	*Hemizonia mohavensis*	Asteraceae	Tarweed, Mojave	CA.
2	U	R1	*Hemizonia multicaulis* ssp. *multicaulis.*	Asteraceae	Tarweed, seaside	CA.
2	U	R1	*Hemizonia multicaulis* ssp. *vernalis*	Asteraceae	Tarweed, Tiburon	CA.
2	D	R1	*Hemizonia parryi* ssp. *australis*	Asteraceae	Tarplant, southern	CA.
1	U	R1	*Hemizonia parryi* ssp. *congdonii*	Asteraceae	Spikeweed, pappose	CA.
2	D	R1	*Hemizonia pungens* ssp. *laevis*	Asteraceae	Tarplant, smooth	CA.
2	U	R6	*Herricka horrida*	Asteraceae		CO.
PE	D	R1	*Hesperocnide sandwicensis*	Urticaceae		HI.
2	U	R1	*Hesperolinon adenophyllum*	Linaceae	Dwarf-flax, glandular	CA.
2	U	R1	*Hesperolinon bicarpellatum*	Linaceae	Dwarf-flax, two carpeled	CA.
2	U	R1	*Hesperolinon breweri*	Linaceae	Dwarf-flax, Brewer's	CA.
PT	U	R1	*Hesperolinon congestum*	Linaceae	Dwarf-flax, Marin	CA.
1	U	R1	*Hesperolinon didymocarpum*	Linaceae	Dwarf-flax, Lake County	CA.
2	U	R1	*Hesperolinon drymarioides*	Linaceae	Dwarf-flax, Drymaria	CA.
2	U	R1	*Hesperolinon tehamense*	Linaceae	Dwarf-flax, Tehama	CA.
PE	U	R1	*Hesperomannia arborescens*	Asteraceae	Hesperomannia, Lana'i	HI.
2	D	R1	*Heterodermia erinacea*	Physciaceae		CA, Mexico.
S	N	R4	*Heterotheca flexuosa*	*** see ***	*Pityopsis flexuosa*	
3C	N	R6	*Heterotheca jonesii*	Asteraceae	Golden aster, Jones	UT.
2	U	R2	*Heterotheca rutteri*	Asteraceae		AZ, Mexico (Sonora).
2	U	R1	*Heuchera maxima*	Saxifragaceae	Alumroot, island	CA.
3B	N	R3	*Heuchera missouriensis*	Saxifragaceae		MO.
2	U	R2	*Hexalectris nitida*	Orchidaceae	Coral-root, Glass Mountain	NM, TX, Mexico.
2	U	R2	*Hexalectris revoluta*	Orchidaceae	Coral-root, Chisos	TX, Mexico.
2	U	R2	*Hexalectris warnockii*	Orchidaceae	Spike, purple, Texas	AZ, NM, TX.
2	S	R4	*Hexastylis contracta*	Aristolochiaceae		KY, NC, TN.
2	U	R4	*Hexastylis rhombiformis*	Aristolochiaceae	Heartleaf, French Broad	NC.
1	U	R1	*Hibiscadelphus crucibracteatus*	Malvaceae		HI.
1	E	R1	*Hibiscadelphus giffardianus*	Malvaceae	Hau kuahiwi, Kilauea	HI.
1	D	R1	*Hibiscadelphus hualalaiensis*	Malvaceae	Hau kuahiwi, Hualalai	HI.
PE	U	R1	*Hibiscus brackenridgei*	Malvaceae	Ma'o hau hele or hibiscus, native yellow.	HI.
3B	N	R1	*Hibiscus californicus*	Malvaceae	Hibiscus, California	CA.
PE	U	R1	*Hibiscus clayi*	Malvaceae	Hibiscus, Clay's	HI.
2	D	R2	*Hibiscus dasycalyx*	Malvaceae	Rose-mallow, Neches River	TX.
S	N	R1	*Hibiscus immaculatus*	*** see ***	*Hibiscus arnottianus* ssp. *immaculatus.*	
S	N	R1	*Hibiscus kahilii*	*** see ***	*Hibiscus kokio*	
2	U	R1	*Hibiscus kokio*	Malvaceae	Pualoalo, (koki'o 'ula'ula)	HI.
S	N	R1	*Hibiscus kokio* var. *pukoonis*	*** see ***	*Hibiscus kokio*	
S	N	R1	*Hibiscus newhousei*	*** see ***	*Hibiscus clayi*	
S	N	R1	*Hibiscus roeatae*	*** see ***	*Hibiscus kokio*	

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Category	Trend					
S	N	R1	*Hibiscus saint-johnianus*	*** see ***	*Hibiscus kokio*	
2	U	R1	*Hibiscus waimeae* ssp. *hannerae*	Malvaceae		HI.
2	U	R2	*Hieracium pringlei*	Asteraceae	Hawkweed, Pringle	AZ.
2	U	R5	*Hieracium robinsonii*	Asteraceae	Hawkweed,	ME, NH, Canada (Nfld., N.S., Que.)
2	U	R1	*Hollisteria lanata*	Polygonaceae	Hollisteria	CA.
2	U	R1	*Holmgrenanthe petrophila*	Scrophulariaceae	Rock lady	CA.
1	D	R1	*Holocarpha macradenia*	Asteraceae	Tarweed, Santa Cruz	CA.
2	U	R1	*Holocarpha virgata* ssp. *elongata*	Asteraceae		CA.
2	U	R1	*Horkelia bolanderi*	Rosaceae	Horkelia, Bolander's	CA.
2	U	R1	*Horkelia congesta* ssp. *congesta*	Rosaceae		OR.
2	U	R1	*Horkelia cuneata* ssp. *sericea*	Rosaceae	Horkelia, wedge-leaved	CA.
2	S	R1	*Horkelia hendersonii*	Rosaceae	Horkelia, Henderson's	CA, OR.
2	U	R1	*Horkelia marinensis*	Rosaceae	Horkelia, Point Reyes	CA.
2	U	R1	*Horkelia parryi*	Rosaceae	Horkelia, Parry's	CA.
2	U	R1	*Horkelia tularensis*	Rosaceae	Horkelia, Tulare	CA.
2	U	R1	*Horkelia wilderae*	Rosaceae	Horkelia, Barton Flats	CA.
S	N	R2	*Houstonia butterwickiae*	*** see ***	*Hedyotis butterwickiae*	
S	N	R4	*Houstonia nigricans* var. *pulvinata*	*** see ***	*Hedyotis nigricans* var. *pulvinata*	
S	N	R4	*Houstonia pulvinata*	*** see ***	*Hedyotis nigricans* var. *pulvinata*	
PT	S	R6	*Howellia aquatilis*	Campanulaceae	Howellia, water	CA, ID, MT, OR, WA.
2	D	R4	*Hymenocallis coronaria*	Liliaceae	Spider-lily, shoals	AL, GA, SC.
2	D	R4	*Hymenocallis henryae*	Liliaceae	Spider-lily,	FL.
2	U	R4	*Hymenophyllum tunbrigense*	Hymenophyllaceae.	Fern, Tunbridge	SC, Europe, West Indies, Canary Islands.
2	U	R6	*Hymenoxys depressa*	Asteraceae		UT.
3C	N	R6	*Hymenoxys lapidicola*	Asteraceae		CO, UT.
2	U	R5	*Hypericum adpressum*	Hypericaceae		AL, CT, DE, GA, IL, IN, KY, MA, MD, NJ, NY, PA, RI, SC, TN, VA.
3C	N	R3	*Hypericum dolabriforme*	Hypericaceae		AL, GA, IN, KY, OH, TN.
2	D	R4	*Hypericum edisonianum*	Hypericaceae	Ascyrum, Edison's	FL.
2	D	R4	*Hypericum lissophloeus*	Hypericaceae		FL.
3B	N	R4	*Hypoxis longii*	Liliaceae	Star-grass,	AR, LA, OK, TX, VA.
3C	N	R4	*Ilex amelanchier*	Aquifoliaceae	Holly,	AL, FL, GA, LA, MS, NC, SC.
2	S	R3	*Iliamna remota*	Malvaceae	Globe-mallow, Kankakee	IL, IN, VA.
2	S	R4	*Illicium parviflorum*	Illiciaceae		FL.
2	D	R4	*Indigofera mucronata* var. *keyensis*	Fabaceae		FL.
2	U	R4	*Ipomoea krugii*	Convolvulaceae	Morning-glory, Krug's white	PR.
S	N	R2	*Ipomoea lemmonii*	*** see ***	*Ipomoea tenuiloba* var. *lemmonii*	
3C	N	R2	*Ipomoea tenuiloba* var. *lemmonii*	Convolvulaceae	Morning-glory, Lemmon's	AZ.
2	U	R6	*Ipomopsis aggregata* ssp. *webberi*	Polemoniaceae		WY.
2	D	R6	*Ipomopsis polyantha* var. *polyantha*	Polemoniaceae		CO.
PE	S	R2	*Ipomopsis sancti-spiritus*	Polemoniaceae	Ipomopsis, Holy Ghost	NM.
2	U	R6	*Ipomopsis spicata* ssp. *robruthii*	Polemoniaceae		WY.
2*	U	R6	*Iris pariensis*	Iridaceae	Iris,	UT.
PE	U	R1	*Ischaemum byrone*	Poaceae	Ischaemum, Hilo	HI.
2	U	R1	*Isocoma arguta*	Asteraceae	Goldenbush	CA.
S	N	R1	*Isodendrion forbesii*	*** see ***	*Isodendrion laurifolium*	
S	N	R1	*Isodendrion hawaiiense*	*** see ***	*Isodendrion pyrifolium*	
S	N	R1	*Isodendrion hillebrandii*	*** see ***	*Isodendrion pyrifolium*	
S	N	R1	*Isodendrion lanaiense*	*** see ***	*Isodendrion pyrifolium*	
2	U	R1	*Isodendrion laurifolium*	Violaceae	Aupaka,	HI.
3C	N	R1	*Isodendrion longifolium*	Violaceae	Aupaka,	HI.
S	N	R1	*Isodendrion lydgatei*	*** see ***	*Isodendrion longifolium*	
S	N	R1	*Isodendrion maculatum*	*** see ***	*Isodendrion longifolium*	
S	N	R1	*Isodendrion molokaiense*	*** see ***	*Isodendrion pyrifolium*	
PE	U	R1	*Isodendrion pyrifolium*	Violaceae	Wahine noho kula	HI.
S	N	R1	*Isodendrion remyi*	*** see ***	*Isodendrion pyrifolium*	
S	N	R1	*Isodendrion subsessilifolium*	*** see ***	*Isodendrion laurifolium*	
S	N	R1	*Isodendrion waianaense*	*** see ***	*Isodendrion laurifolium*	
2	U	R2	*Isoetes lithophylla*	Isoetaceae	Quillwort, rock	TX.
2	U	R5	*Isoetes virginica*	Isoetaceae	Quillwort,	NC, SC, VA.
2	U	R1	*Iva hayesiana*	Asteraceae	Marsh elder, San Diego	CA.
2	U	R1	*Ivesia aperta* var. *aperta*	Rosaceae	Ivesia, Sierra Valley	CA.
1	U	R1	*Ivesia aperta* var. *canina*	Rosaceae	Ivesia, Dog Valley	CA.

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Category	Trend					
2	U	R1	*Ivesia argyrocoma*	Rosaceae	Ivesia, silver-haired	CA.
2	U	R1	*Ivesia callida*	Rosaceae	Ivesia, Tahquitz	CA.
S	N	R1	*Ivesia corymbosa*	*** see ***	*Ivesia paniculata*	
2	U	R1	*Ivesia cryptocaulis*	Rosaceae		NV.
2	U	R1	*Ivesia jaegeri*	Rosaceae		CA, NV.
2	U	R1	*Ivesia longibracteata*	Rosaceae		CA.
2	U	R1	*Ivesia paniculata*	Rosaceae	Ivesia, Ash Creek	CA.
2	U	R1	*Ivesia patellifera*	Roasceae	Cinquefoil, Kingston Mountains	CA.
2	U	R1	*Ivesia pickeringii*	Rosaceae	Ivesia, Pickering	CA.
2	U	R1	*Ivesia pityocharis*	Rosaceae	Ivesia, Pine Nut Mountains	NV.
2	D	R1	*Ivesia rhypara* var. *rhypara*	Rosaceae	Ivesia, grimy	NV, OR.
2	S	R1	*Ivesia rhypara* var. *shellyi*	Rosaceae	Ivesia, Venator Canyon, Shelly's	OR.
2	U	R1	*Ivesia sericleuca*	Rosaceae	Ivesia, Plumas	CA.
2	U	R6	*Ivesia shockleyi* var. *ostleri*	Rosaceae		UT.
2	U	R1	*Ivesia webberi*	Rosaceae	Ivesia, Webber's	CA, NV.
2	D	R4	*Jacquemontia curtissii*	Convolvulaceae	Jacquemontia, pineland	FL.
PE	D	R4	*Jacquemontia reclinata*	Convolvulaceae	Jacquemontia, beach	FL.
2	U	R6	*Jamesia americana* var. *zionis*	Saxifragaceae		UT.
2	U	R6	*Jamesia tetrapetala*	Saxifragaceae		NV, UT.
2	U	R4	*Jamesianthus alabamensis*	Asteraceae	Jamesianthus, Alabama	AL.
3C	N	R4	*Jaquinia umbellata*	Theophrastaceae		PR, Hispaniola.
2	U	R1	*Jepsonia malvifolia*	Saxifragaceae	Jepsonia, Island	CA.
2	U	R1	*Joinvillea ascendens* ssp. *ascendens*	Flagellariaceae	'Ohe	HI.
2	D	R1	*Juglans californica* var. *hindsii*	Juglandaceae	Walnut, Northern California black	CA.
2	D	R4	*Juglans cinerea*	Juglandaceae	Butternut	AL, AR, CT, DE, GA, IA, IL, IN, KY, MD, MI, MN, MO, MS, NC, NE, NH, NJ, NY, OH, PA, RI, SC, TN, VA, VT, WI, Canada.
S	N	R1	*Juglans hindsii*	*** see ***	*Juglans californica* var. *hindsii*	
2	U	R4	*Juglans jamaicensis*	Juglandaceae		PR, Cuba, Hispaniola.
2	D	R5	*Juncus caesariensis*	Juncaceae	Rush, New Jersey	MD, NJ, VA.
1	U	R1	*Juncus leiospermus* var. *ahartii*	Juncaceae	Rush, Ahart's	CA.
3C	N	R1	*Juncus leiospermus* var. *leiospermus*	Juncaceae	Rush, Red Bluff	CA.
3B	N	R5	*Juncus oronensis*	Juncaceae	Rush,	ME.
3B	N	R4	*Juncus trifidus* ssp. *carolinianus*	Juncaceae		NC, NY, TN, VA, WV.
2	U	R4	*Justicia borinquensis*	Acanthaceae		PR.
2	U	R4	*Justicia crassifolia*	Acanthaceae	Water-willow, thick-leaved	FL.
2	U	R4	*Justicia culebritae*	Acanthaceae		PR, British V.I.
2	U	R2	*Justicia runyonii*	Acanthaceae	Water-willow, Runyon's	TX, Mexico.
2	U	R2	*Justicia wrightii*	Acanthaceae	Water-willow, Wright's	NM, TX.
2	U	R2	*Kallstroemia perennans*	Zygophyllaceae	Caltrop, perennial	TX.
2	U	R4	*Kalmia cuneata*	Ericaceae	White-wicky	NC, SC.
S	N	R4	*Koanophyllon droserolepis*	*** see ***	*Eupatorium droserolepis*	
2	U	R1	*Kokia kauaiensis*	Malvaceae	Koki'o, Kaua'i	HI.
2	U	R1	*Korthalsalla degeneri*	Viscaceae		HI.
2	U	R1	*Labordia cyrtandrae*	Loganiaceae		HI.
S	N	R1	*Labordia cyrtandrae* var. *nahikuana*	*** see ***	*Labordia cyrtandrae*	
2	U	R1	*Labordia helleri*	Loganiaceae		HI.
S	N	R1	*Labordia kaalae* var. *kauaiensis*	*** see ***	*Labordia helleri*	
2	U	R1	*Labordia pumila*	Loganiaceae		HI.
3C	N	R1	*Labordia tinifolia* var. *lanaiensis*	Loganiaceae		HI.
S	N	R1	*Labordia triflora*	*** see ***	*Labordia tinifolia* var. *lanaiensis*	
2	U	R4	*Lachnocaulon digynum*	Eriocaulaceae	Buttons, tiny bog	AL, FL, LA, MS, TX.
2	D	R4	*Lantana depressa*	Verbenaceae		FL.
S	N	R2	*Laphamia cernua*	*** see ***	*Perityle cernua*	
3C	N	R4	*Laplacea portoricensis*	Theaceae	Nino de cota (Maricao verde)	PR, Hispaniola.
1	D	R1	*Lasthenia conjugens*	Asteraceae	Goldfields, Contra Costa	CA.
2	U	R1	*Lasthenia glabrata* var. *coulteri*	Asteraceae	Daisy, seaside, Coulter's	CA.
3C	N	R1	*Lasthenia leptalea*	Asteraceae	Baeria, Salinas Valley	CA.
2	S	R1	*Lasthenia macrantha* ssp. *prisca*	Asteraceae	Meadowfoam, slender	OR.
1	U	R1	*Lathyrus biflorus*	Fabaceae	Lathyrus, two-flowered	CA.
2	U	R1	*Lathyrus grimesii*	Fabaceae		CA.
3C	N	R1	*Lathyrus holochlorus*	Fabaceae		OR.
2	U	R1	*Lathyrus jepsonii* ssp. *jepsonii*	Fabaceae	Tule-pea, Delta	CA.
S	N	R1	*Lavatera assurgentiflora*	*** see ***	*Lavatera assurgentiflora* ssp. *assurgentiflora.*	

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Category	Trend					
1	U	R1	*Lavatera assurgentiflora* ssp. *assurgentiflora.*	Malvaceae	Malva rosa	CA.
1	U	R1	*Lavatera assurgentiflora* ssp. *glabra*	Malvaceae	Malva rosa, southern	CA.
2	U	R1	*Layia discoidea*	Asteraceae	Layia, rayless	CA.
2	U	R1	*Layia heterotricha*	Asteraceae	Layia, pale-yellow	CA.
2	U	R1	*Layia jonesii*	Asteraceae	Layia, Jones	CA.
1	U	R1	*Layia leucopappa*	Asteraceae	Layia, Comanche	CA.
2	U	R1	*Layia zieglerl*	Asteraceae	Layia, Ziegler's	CA.
3C	N	R4	*Leavenworthia alabamica* var. *alabamica.*	Brassicaceae	Glade cress, Alabama	AL.
3B	N	R4	*Leavenworthia alabamica* var. *brachystyla.*	Brassicaceae	Glade cress,	AL.
3C	N	R2	*Leavenworthia aurea*	Brassicaceae	Glade cress, golden	OK.
3C	N	R4	*Leavenworthia crassa* var. *crassa*	Brassicaceae	Glade cress, fleshy-fruit	AL.
2	U	R4	*Leavenworthia crassa* var. *elongata*	Brassicaceae	Glade cress,	AL.
3C	N	R4	*Leavenworthia exigua* var. *exigua*	Brassicaceae		AL, GA, TN.
2	S	R4	*Leavenworthia exigua* var. *laciniata*	Brassicaceae	Glade cress,	KY.
2	S	R4	*Leavenworthia exigua* var. *lutea*	Brassicaceae	Glade cress,	AL, TN.
2	U	R2	*Leavenworthia texana*	Brassicaceae	Glade cress, Texas golden	TX.
2	D	R1	*Lecanora xanthosora*	Lecanoraceae		CA, Mexico.
3C	N	R4	*Lechea cernua*	Cistaceae		FL.
2	U	R4	*Lechea divaricata*	Cistaceae		FL.
2	D	R4	*Lechea lakelae*	Cistaceae		FL.
2	U	R2	*Lechea mensalis*	Cistaceae	Pinweed, Chisos	TX, Mexico.
2	D	R1	*Legenere limosa*	Campanulaceae	Legenere	CA.
2	U	R4	*Leitneria floridana*	Leitneriaceae	Corkwood	AR, FL, GA, LA, MO, TX.
2	U	R4	*Lejeunea blomquistii*	Lejeuneaceae		GA, NC.
2	D	R4	*Lepanthopsis melanantha*	Orchidaceae	Orchid, tiny	FL, Cuba, Dominican Republic, Haiti, Jamaica.
2	U	R1	*Lepechinia cardiophylla*	Lamiaceae	Pitcher-sage, heart-leaved	CA.
2	U	R1	*Lepechinia ganderi*	Lamiaceae	Pitcher-sage, Gander's	CA.
2	I	R1	*Lepidium arbuscula*	Brassicaceae		HI.
2*	E	R1	*Lepidium bidentatum* var. *remyi*	Brassicaceae	'Anaunau, Remy's	HI.
2	S	R1	*Lepidium davisii*	Brassicaceae	Pepper cress, Davis'	ID, OR.
2	U	R1	*Lepidium flavum* var. *felipense*	Brassicaceae	Peppergrass, Borrego Valley	CA.
2	U	R1	*Lepidium jaredii* ssp. *album*	Brassicaceae	Peppergrass, Panoche	CA.
2	U	R1	*Lepidium jaredii* ssp. *jaredii*	Brassicaceae	Peppergrass, Jared's	CA.
2	U	R1	*Lepidium montanum* var. *papilliferum*	Brassicaceae		ID.
PE	U	R6	*Lepidium montanum* var. *stellae*	Brassicaceae	Peppergrass, kodachrome	UT.
2	U	R6	*Lepidium ostleri*	Brassicaceae		UT.
2	I	R1	*Lepidium serra*	Brassicaceae	Anaunau	HI.
2	U	R2	*Lepidospartum burgessii*	Asteraceae	Scalebroom, gypsum	NM, TX.
2	U	R1	*Leptodactylon glabrum*	Polemoniaceae		ID, NV.
S	N	R1	*Leptodactylon hazelae*	*** see ***	*Leptodactylon pungens* ssp. *hazeliae*	
3C	N	R1	*Leptodactylon jaegeri*	Polemoniaceae	Prickly-phlox, San Jacinto	CA.
2	D	R1	*Leptodactylon pungens* ssp. *hazeliae*	Polemoniaceae		ID, OR.
2	U	R6	*Leptodactylon* sp. nov. /ined.	Polemoniaceae		CO.
S	N	R4	*Leptogramma pilosa* var. *alabamensis.*	*** see ***	*Thelypteris pilosa* var. *alabamensis*	
2	U	R4	*Leptothymenium sharpii*	Leskeaceae	Moss, Mt. Leconte	NC, TN.
2	U	R6	*Lesquerella carinata*	Brassicaceae	Bladderpod, keeled	ID, MT, WY.
3C	N	R6	*Lesquerella condensata*	Brassicaceae		CO.
2	U	R6	*Lesquerella garrettii*	Brassicaceae	Bladderpod, Garrett	UT.
2	U	R4	*Lesquerella globosa*	Brassicaceae	Bladderpod, Short's	IN, KY, TN.
2	U	R6	*Lesquerella humilis*	Brassicaceae	Bladderpod,	MT.
2	U	R2	*Lesquerella kaibabensis*	Brassicaceae	Bladderpod, Kaibab	AZ.
PE	U	R1	*Lesquerella kingii* ssp. *bernardina*	Brassicaceae	Bladderpod, San Bernardino	CA.
2	U	R6	*Lesquerella macrocarpa*	Brassicaceae	Bladderpod, large-fruited	WY.
2	U	R6	*Lesquerella paysonii*	Brassicaceae	Bladderpod,	WY.
1	D	R4	*Lesquerella perforata*	Brassicaceae	Bladderpod, Spring Creek	TN.
2	U	R6	*Lesquerella pruinosa*	Brassicaceae	Bladderpod,	CO.
1	D	R4	*Lesquerella stonensis*	Brassicaceae	Bladderpod, Stones River	TN.
1	U	R2	*Lesquerella thamnophila*	Brassicaceae	Bladderpod, Zapata	TX.
PE	D	R6	*Lesquerella tumulosa*	Brassicaceae	Bladderpod, kodachrome	UT.
2	U	R1	*Lessingia arachnoidea*	Asteraceae		CA.
1	D	R1	*Lessingia germanorum* var. *germanorum.*	Asteraceae	Lessingia, San Francisco	CA.
2	U	R1	*Lessingia glandulifera* var. *tomentosa.*	Asteraceae	Lessingia, Warner Springs	CA.

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Category	Trend					
2	U	R1	*Lessingia micradenia* var. *glabrata*	Asteraceae		CA.
2	U	R1	*Lessingia micradenia* var. *micradenia.*	Asteraceae		CA.
2	U	R1	*Lewisia cotyledon* var. *heckneri*	Portulacaceae	Lewisia, Heckner's	CA.
2	U	R1	*Lewisia cotyledon* var. *howellii*	Portulacaceae	Lewisia, Howell's	CA, OR.
2	U	R1	*Lewisia cotyledon* var. *purdyi*	Portulacaceae		OR.
2	U	R1	*Lewisia longipetala*	Portulacaceae	Lewisia, long-petaled	CA.
2	U	R1	*Lewisia maguirei*	Portulacaceae		NV.
S	U	R1	*Lewisia pygmaea* ssp. *longipetala*	*** see ***	*Lewisia longipetala*	
2	U	R1	*Lewisia serrata*	Portulacaceae	Lewisia, saw-toothed	CA.
2	U	R1	*Lewisia stebbinsii*	Portulacaceae	Lewisia, Stebbins	CA.
2	D	R5	*Liatris borealis*	Asteraceae	Blazingstar,	CT, MA, ME, NH, NJ, NY, PA, RI.
2	U	R4	*Liatris provincialis*	Asteraceae	Blazingstar, Godfrey's	FL.
2	U	R2	*Liatris tenuis*	Asteraceae	Gay-feather, slender	LA, TX.
3C	N	R4	*Lilaeopsis carolinensis*	Apiaceae		AL, FL, GA, LA, MS, NC, SC, VA, Argentina, Brazil.
2	U	R1	*Lilaeopsis masonii*	Apiaceae	Lilaeopsis, Mason's	CA.
S	N	R2	*Lilaeopsis recurva*	*** see ***	*Lilaeopsis schaffneriana* ssp. *recurva*	
1	D	R2	*Lilaeopsis schaffneriana* ssp. *recurva*	Apiaceae	Water-umbel, Clenega	AZ, Mexico.
2	S	R5	*Lilium grayi*	Liliaceae	Lily, Gray's	NC, TN, VA.
2	U	R1	*Lilium humboldtii* var. *ocellatum*	Liliaceae	Lily, Humboldt	CA.
2	D	R4	*Lilium iridollae*	Liliaceae	Lily, panhandle	AL, FL.
1	U	R1	*Lilium maritimum*	Liliaceae	Lily, coast	CA.
PE	D	R1	*Lilium occidentale*	Liliaceae	Lily, western	CA, OR.
1	D	R1	*Lilium pardalinum* ssp. *pitkinense*	Liliaceae	Lily, Pitkin Marsh	CA.
2	D	R1	*Lilium parryi*	Liliaceae	Lily, lemon	AZ, CA.
S	N	R1	*Lilium pitkinense*	*** see ***	*Lilium pardalinum* ssp. *pitkinense*	
2	D	R1	*Limbella fryei*	Amblystegiaceae		OR.
2	U	R1	*Limnanthes bakeri*	Limnanthaceae	Meadowfoam, Baker's	CA.
2	U	R1	*Limnanthes douglasii* var. *sulphurea*	Limnanthaceae	Meadowfoam, Point Reyes	CA.
2	U	R1	*Limnanthes floccosa* ssp. *bellingeriana.*	Limnanthaceae	Meadowfoam, Bellinger's	CA, OR.
2	D	R1	*Limnanthes floccosa* ssp. *grandiflora*	Limnanthaceae	Meadowfoam, large-flowered	OR.
1	S	R1	*Limnanthes floccosa* ssp. *pumila*	Limnanthaceae	Meadowfoam, dwarf	OR.
2	D	R1	*Limnanthes gracilis* var. *gracilis*	Limnanthaceae		OR.
2	U	R1	*Limnanthes gracilis* var. *parishii*	Limnanthaceae	Meadowfoam, Parish's	CA.
2	U	R2	*Limosella pubiflora*	Scrophulariaceae	Mudwort, Chiricahua	AZ.
2	U	R1	*Linanthus concinnus*	Polemoniaceae	Linanthus,	CA.
2	U	R1	*Linanthus harknessii* ssp. *condensatus.*	Polemoniaceae	Linanthus, Plaskett Meadows	CA.
2	U	R1	*Linanthus killipii*	Polemoniaceae	Linanthus, Baldwin Lake	CA.
S	N	R1	*Linanthus maculatus*	*** see ***	*Gilia maculata*	
2	U	R1	*Linanthus nuttallii* ssp. *howellii*	Polemoniaceae	Linanthus, Mt. Tedoc	CA.
2	U	R1	*Linanthus orcuttii*	Polemoniaceae	Linanthus, Orcutt's	CA.
S	N	R1	*Linanthus orcuttii* ssp. *pacificus*	*** see ***	*Linanthus orcuttii*	
2	S	R4	*Lindera subcoriacea*	Lauraceae		AL, FL, GA, LA, MS, NC, NJ, SC, VA.
2	D	R4	*Linum arenicola*	Linaceae	Flax, sand	FL.
2	D	R4	*Linum carteri* var. *carteri*	Linaceae	Flax,	FL.
2	U	R4	*Linum carteri* var. *smallii*	Linaceae	Flax,	FL.
2	S	R4	*Linum macrocarpum*	Linaceae	Flax,	AL, MS.
2	U	R4	*Linum sulcatum* var. *harperi*	Linaceae		AL, FL, GA.
2	U	R4	*Linum westii*	Linaceae	Flax, West's	FL, GA.
2*	E	R1	*Lipochaeta degeneri*	Asteraceae	Nehe, small-leaved	HI.
S	N	R1	*Lipochaeta deltoidea*	*** see ***	*Lipochaeta fauriei*	
S	N	R1	*Lipochaeta dubia*	*** see ***	*Lipochaeta tenuis*	
S	N	R1	*Lipochaeta exigua*	*** see ***	*Lipochaeta micrantha*	
PE	U	R1	*Lipochaeta fauriei*	Asteraceae	Nehe, Faurie	HI.
S	N	R1	*Lipochaeta forbesii* var. *forbesii*	*** see ***	*Lipochaeta rockii*	
3C	N	R1	*Lipochaeta heterophylla* var. *heterophylla.*	Asteraceae		HI.
S	N	R1	*Lipochaeta heterophylla* var. *malvacea.*	*** see ***	*Lipochaeta rockii*	
S	N	R1	*Lipochaeta heterophylla* var. *molokaiensis.*	*** see ***	*Lipochaeta heterophylla* var. *heterophylla.*	
S	N	R1	*Lipochaeta kahoolawensis*	*** see ***	*Lipochaeta rockii*	
S	N	R1	*Lipochaeta lobata* var. *albescens*	*** see ***	*Lipochaeta lobata* var. *lobata*	
S	N	R1	*Lipochaeta lobata* var. *aprevalliana*	*** see ***	*Lipochaeta lobata* var. *lobata*	
S	N	R1	*Lipochaeta lobata* var. *grossedentata*	*** see ***	*Lipochaeta lobata* var. *lobata*	

Status		Lead Region	Scientific name	Family	Common name	Historic range
Category	Trend					
S	N	R1	*Lipochaeta lobata* var. *hastulata*	*** see ***	*Lipochaeta lobata* var. *lobata*	
S	N	R1	*Lipochaeta lobata* var. *hastulatoides*	*** see ***	*Lipochaeta lobata* var. *lobata*	
3C	N	R1	*Lipochaeta lobata* var. *lobata*	Asteraceae	Nehe, lobate	HI.
S	N	R1	*Lipochaeta lobata* var. *makenensis*	*** see ***	*Lipochaeta rockii*	
S	N	R1	*Lipochaeta lobata* var. *maunaloensis*	*** see ***	*Lipochaeta rockii*	
PE	I	R1	*Lipochaeta micrantha*	Asteraceae		HI.
S	N	R1	*Lipochaeta minuscula*	*** see ***	*Lipochaeta tenuis*	
3C	N	R1	*Lipochaeta rockii*	Asteraceae	Nehe, Rock's	HI.
S	N	R1	*Lipochaeta rockii* var. *dissecta*	*** see ***	*Lipochaeta rockii*	
S	N	R1	*Lipochaeta rockii* var. *subovata*	*** see ***	*Lipochaeta rockii*	
S	N	R1	*Lipochaeta scabra*	*** see ***	*Lipochaeta rockii*	
S	N	R1	*Lipochaeta succulenta* var. *angustata.*	*** see ***	*Lipochaeta succulenta* var. *succulenta.*	
3C	N	R1	*Lipochaeta succulenta* var. *succulenta.*	Asteraceae	Nehe,	HI.
S	N	R1	*Lipochaeta succulenta* var. *trifida*	*** see ***	*Lipochaeta rockii*	
2	U	R1	*Lipochaeta tenuis*	Asteraceae		HI.
S	N	R1	*Lipochaeta trilobata*	*** see ***	*Lipochaeta lobata* var. *lobata*	
PE	U	R1	*Lipochaeta waimeaensis*	Asteraceae		HI.
3C	N	R5	*Listera auriculata*	Orchidaceae	Twayblade, auricled	ME, MI, MN, NH, NY, VT, WI, Canada (Lab., N.B., Nfld., Ont., Que.).
1	D	R1	*Lithophragma maximum*	Saxifragaceae	Woodland star, San Clemente Island	CA.
S	N	R7	*Lithospermum drummondii*	*** see ***	*Mertensia drummondii*	
2	S	R4	*Litsea aestivalis*	Lauraceae	Pondspice	FL, GA, KY, LA, MD, NC, SC, TN, VA.
3C	N	R4	*Lobelia appendiculata* var. *gattingeri*	Campanulaceae		KY, TN.
2	U	R4	*Lobelia boykinii*	Campanulaceae	Lobelia, Boykin's	AL, DE, FL, GA, NC, NJ, SC.
2	U	R1	*Lobelia dunbariae*	Campanulaceae		HI.
S	N	R4	*Lobelia gattingeri*	*** see ***	*Lobelia appendiculata* var. *gattingeri*	
PE	U	R1	*Lobelia oahuensis*	Campanulaceae		HI.
3C	N	R6	*Lomatium attenuatum*	Apiaceae		WY.
2	U	R6	*Lomatium concinnum*	Apiaceae	Desert-parsley, adobe	CO.
2	U	R1	*Lomatium congdonii*	Apiaceae	Lomatium, Congdon's	CA.
1	D	R1	*Lomatium cookii*	Apiaceae	Lomatium, Cook's	OR.
1	S	R1	*Lomatium erythrocarpum*	Apiaceae	Desert-parsley, red-fruited	OR.
2	U	R6	*Lomatium graveolens* var. *clarkii*	Apiaceae	Desert-parsley,	UT.
1	S	R1	*Lomatium greenmanii*	Apiaceae	Desert-parsley, Greenman's	OR.
2	U	R1	*Lomatium insulare*	Apiaceae	Lomatium, San Nicolas Island	CA.
3C	N	R1	*Lomatium laevigatum*	Apiaceae		OR, WA.
2	U	R6	*Lomatium latilobum*	Apiaceae	Desert-parsley, Slickrock	CO, UT.
1	U	R1	*Lomatium shevockii*	Apiaceae	Lomatium, Owens Peak	CA.
2	U	R1	*Lomatium stebbinsii*	Apiaceae	Lomatium, Stebbins'	CA.
2	S	R1	*Lomatium suksdorfii*	Apiaceae	Desert-parsley, Suksdorf's	OR, WA.
2	S	R1	*Lomatium tuberosum*	Apiaceae	Desert-parsley, Hoover's	WA.
2	U	R4	*Lophocolea appalachiana*	Geocalycaceae		NC, TN.
1	U	R1	*Lotus argophyllus* var. *adsurgens*	Fabaceae	Hosackia, silver, San Clemente Island.	CA.
2	U	R1	*Lotus argophyllus* var. *niveus*	Fabaceae	Hosackia, silver, Santa Cruz Island	CA, Mexico.
2	U	R1	*Lotus crassifolius* var. *otayensis*	Fabaceae	Lotus, Otay	CA.
2	U	R1	*Lotus nuttallianus*	Fabaceae	Hosackia, prostrate	CA, Mexico (Baja California).
2	U	R4	*Lotus purshianus* var. *helleri*	Fabaceae		GA, NC, SC, VA.
2	U	R1	*Lotus rubriflorus*	Fabaceae	Lotus, red-flowered	CA.
1	S	R1	*Luina serpentina*	Asteraceae		OR.
1	U	R4	*Lunania buchii*	Flacourtiaceae		PR, Hispanola.
S	N	R1	*Lupinus abortivus*	*** see ***	*Lupinus cusickii*	
2	U	R1	*Lupinus antoninus*	Fabaceae	Lupine, Anthony Peak	CA.
2	U	R1	*Lupinus arboreus* var. *eximius*	Fabaceae	Tree lupine, San Mateo	CA.
1	S	R1	*Lupinus aridus* ssp. *ashlandensis*	Fabaceae	Lupine, Ashland	OR.
S	N	R1	*Lupinus aridus* var. *abortivus*	*** see ***	*Lupinus cusickii*	
2	U	R1	*Lupinus biddlei*	Fabaceae	Lupine, Biddle's	OR.
2	U	R1	*Lupinus citrinus*	Fabaceae	Lupine, orange	CA.
1	U	R1	*Lupinus citrinus* var. *deflexus*	Fabaceae	Lupine, Mariposa	CA.
2	U	R1	*Lupinus constancei*	Fabaceae	Lupine, The Lassics	CA.
2	U	R6	*Lupinus crassus*	Fabaceae		CO.
2	D	R1	*Lupinus cusickii*	Fabaceae	Lupine, Cusick's	ID, OR, WA.
S	N	R1	*Lupinus cusickii* ssp. *abortivus*	*** see ***	*Lupinus cusickii*	
S	N	R1	*Lupinus dedeckerae*	*** see ***	*Lupinus padre-crowleyi*	

Status		Lead Region	Scientific name	Family	Common name	Historic range
Category	Trend					
S	U	R1	*Lupinus deflexus*	*** see ***	*Lupinus citrinus* var. *deflexus*	CA.
2	U	R1	*Lupinus duranii*	Fabaceae	Lupine, Mono Lake	CA.
2	U	R1	*Lupinus excubitus* var. *medius*	Fabaceae	Bush lupine, Mountains Springs	CA.
S	N	R1	*Lupinus eximius*	*** see ***	*Lupinus arboreus* var. *eximius*	
2	D	R1	*Lupinus guadalupensis*	Fabaceae	Lupine, Guadalupe Island	CA, Mexico.
S	N	R1	*Lupinus humboldtiensis* (was sp. nov. /ined.).	*** see ***	*Lupinus constancei*	
2	U	R1	*Lupinus ludovicianus*	Fabaceae	Lupine, San Luis	CA.
2	U	R1	*Lupinus magnificus* var. *magnificus*	Fabaceae	Lupine, Panamint Mountains	CA.
2	U	R1	*Lupinus milo-bakeri*	Fabaceae	Lupine, Milo Baker's	CA.
1	U	R1	*Lupinus nipomensis*	Fabaceae	Lupine, Nipomo Mesa	CA.
2	U	R1	*Lupinus padre-crowleyi*	Fabaceae	Lupine, DeDecker's	CA.
2	U	R1	*Lupinus spectabilis*	Fabaceae	Lupine, shaggy-hair	CA.
2	D	R1	*Lupinus sulphureus* var. *kincaidii*	Fabacaeae	Lupine, Willamette Valley	OR, WA.
2	U	R4	*Lupinus westianus*	Fabaceae	Lupine, Gulfcoast	FL.
S	N	R2	*Lycium berlandieri*	*** see ***	*Lycium puberulum* var. *berlandieri*	
3C	N	R2	*Lycium puberulum* var. *berlandieri*	Solanaceae	Wolfberry, silver	TX.
2	U	R2	*Lycium texanum*	Solanaceae	Wolfberry, Texas	TX.
S	N	R1	*Lycopodium mannii*	*** see ***	*Huperzia manni*	
PE	U	R1	*Lycopodium nutans*	Lycopodiaceae	Ha'iwale	HI.
2	D	R6	*Lygodesmia doloresensis*	Asteraceae	Desert pink, Dolores	CO, UT.
2	U	R1	*Lyonothamnus floribundus* ssp. *aspleniifolius.*	Rosaceae	Ironwood, fern-leaved	CA.
2	U	R1	*Lyonothamnus floribundus* ssp. *floribundus.*	Rosaceae	Ironwood, Catalina	CA.
2	S	R1	*Lysimachia daphnoides*	Primulaceae		HI.
PE	U	R1	*Lysimachia filifolia*	Primulaceae		HI.
2	S	R4	*Lysimachia fraseri*	Primulaceae	Loosestrife,	AL, GA, IL, KY, NC, SC, TN.
2	S	R1	*Lysimachia kalalauensis*	Primulaceae		HI.
2	U	R1	*Lysimachia sp. a*	Primulaceae		HI.
2	U	R1	*Lysimachia ternifolia*	Primulaceae		HI.
2	D	R4	*Lythrum curtissii*	Lythraceae		FL, GA.
2	U	R4	*Lythrum flagellare*	Lythraceae		FL.
2	U	R4	*Macbridea caroliniana*	Lamiaceae		AL, FL, GA, NC, SC.
2	U	R1	*Machaeranthera asteroides* var. *lagunensis.*	Asteraceae	Aster, Laguna Mountains	CA.
2	U	R2	*Machaeranthera aurea*	Asteraceae	Machaeranthera, Houston	TX.
S	N	R1	*Machaeranthera cognata*	*** see ***	*Xylorhiza cognata*	
2	U	R2	*Machaeranthera gypsitherma*	Asteraceae		NM, Mexico.
2	U	R2	*Machaeranthera heterocarpa*	Asteraceae	Machearanthera, Welder	TX.
S	N	R6	*Machaeranthera kingii*	*** see ***	*Aster kingii* var. *kingii*	
3B	N	R1	*Machaeranthera laetevirens*	Asteraceae		ID, NV.
S	N	R1	*Machaeranthera lagunensis*	*** see ***	*Machaeranthera asteroides* var. *lagunensis.*	
S	N	R1	*Machaeranthera orcuttii*	*** see ***	*Xylorhiza orcuttii*	
2	U	R1	*Madia hallii*	Asteraceae	Madia, Hall's	CA.
2	U	R1	*Madia stebbinsii*	Asteraceae	Madia, Stebbins'	CA.
2	D	R4	*Magnolia ashei*	Magnoliaceae	Magnolia, Ashe's	FL.
S	N	R1	*Mahonia nervosa* var. *mendocinensis.*	*** see ***	*Berberis nervosa* var. *mendocinensis*	
S	N	R1	*Mahonia nevinii*	*** see ***	*Berberis nevinii*	
S	N	R1	*Mahonia pinnata* ssp. *insularis*	*** see ***	*Berberis pinnata* ssp. *insularis*	
1	S	R1	*Malacothamnus abbottii*	Malvaceae	Bush-mallow, Abbott's	CA.
2	U	R1	*Malacothamnus davidsonii*	Malvaceae	Bush-mallow, Davidson's	CA.
1	U	R1	*Malacothamnus fasciculatus* var. *nesioticus.*	Malvaceae	Bush-mallow, Santa Cruz Island	CA.
2*	U	R1	*Malacothamnus mendocinensis*	Malvaceae	Bush-mallow, Mendocino	CA.
2	U	R1	*Malacothamnus palmeri* var. *involucratus.*	Malvaceae	Bush-mallow, Carmel Valley	CA.
2	U	R1	*Malacothamnus palmeri* var. *luclanus.*	Malvaceae	Bush-mallow, Arroyo Seco	CA.
2	D	R1	*Malacothamnus parishii*	Malvaceae	Bush-mallow, Parish's	CA.
2	D	R1	*Malacothrix crispifolia*	Asteraceae		CA.
1	U	R1	*Malacothrix indecora*	Asteraceae	Malocothrix, Santa Cruz Island	CA.
2	D	R1	*Malacothrix intermedia*	Asteraceae		CA.
2	U	R1	*Malacothrix saxatilis* var. *arachnoidea.*	Asteraceae	Malacothrix, Carmel Valley	CA.
2	D	R1	*Malacothrix squalida*	Asteraceae	Malacothrix, island	CA.
2	U	R1	*Malaxis brachypoda*	Orchidaceae	Adder's-mouth	CA.
2	U	R4	*Malpighia infestissima*	Malpighiaceae	Stingingbush	VI.

Status		Lead Region	Scientific name	Family	Common name	Historic range
Category	Trend					
S	N	R4	*Malpighia pallens*	*** see ***	*Malpighia infestissima*	
3C	N	R3	*Malvastrum hispidum*	Malvaceae		AL, IL, KS, KY, MO, NE, TN.
2	U	R2	*Manfreda longiflora*	Liliaceae	Huaco, Runyon	TX.
S	N	R4	*Manisuris tuberculosa*	*** see ***	*Coelorachis tuberculosa*	
2	U	R4	*Mappia racemosa*	Icacinaceae		PR, Greater Antilles, Guatamala, Panama.
2	U	R2	*Margaranthus lemmonii*	Solanaceae	Globe berry, lemmon	AZ.
2	U	R1	*Marina orcuttii* var. *orcuttii*	Fabaceae	Marina, California	CA.
PE	U	R1	*Mariscus fauriei*	Cyperaceae		HI.
2	U	R1	*Mariscus kunthianus*	Cyperaceae		HI.
PE	D	R1	*Mariscus pennatiformis*	Cyperaceae		HI.
2*	E	R1	*Mariscus rockii*	Cyperaceae		HI.
2	U	R4	*Mariscus urbanii*	Cyperaceae		PR.
2	U	R4	*Marsdenia elliptica*	Asclepiadaceae		PR.
2	S	R5	*Marshallia grandiflora*	Asteraceae	Barbara's buttons, large-flowered	KY, MD, NC, PA, TN, WV.
2	U	R4	*Marshallia ramosa*	Asteraceae		FL, GA.
2	U	R4	*Matelea alabamensis*	Asclepiadaceae	Anglepod,	AL, FL, GA.
2	U	R4	*Matelea baldwyniana*	Asclepiadaceae	Anglepod,	FL, MO.
2	U	R4	*Matelea floridana*	Asclepiadaceae		FL.
2	U	R2	*Matelea radiata*	Asclepiadaceae	Anglepod (milkvine), Falfurrias	TX.
2	U	R2	*Matelea texensis*	Asclepiadaceae	Milkvine, Texas	TX.
S	N	R1	*Maurandya petrophila*	*** see ***	*Holmgrenanthe petrophila*	
2	U	R4	*Maytenus cymosa*	Celastraceae		PR, VI, British V.I.
2	U	R4	*Maytenus elongata*	Celastraceae	Cuero de sapo	PR.
3C	N	R4	*Maytenus ponceana*	Celastraceae	Cuero de sapo	PR.
2	U	R1	*Meconella oregana*	Fumariaceae		OR, WA.
2	D	R4	*Melanthera parvifolia*	Asteraceae		FL.
PE	E	R1	*Melicope adscendens*	Rutaceae	Alani	HI.
PE	E	R1	*Melicope balloui*	Rutaceae	Alani	HI.
2	U	R1	*Melicope christophersenii*	Rutaceae		HI.
2	U	R1	*Melicope cruciata*	Rutaceae		HI.
2*	E	R1	*Melicope degeneri*	Rutaceae		HI.
2	U	R1	*Melicope haleakalae*	Rutaceae		HI.
PE	U	R1	*Melicope haupuensis*	Rutaceae		HI.
PE	U	R1	*Melicope knudsenii*	Rutaceae		HI.
PE	U	R1	*Melicope lydgatei*	Rutaceae	Alani	HI.
2	U	R1	*Melicope macropus*	Rutaceae		HI.
2	U	R1	*Melicope munroi*	Rutaceae		HI.
2	U	R1	*Melicope nealae*	Rutaceae		HI.
PE	E	R1	*Melicope ovalis*	Rutaceae	Alani	HI.
PE	U	R1	*Melicope pallida*	Rutaceae	Alani	HI.
2	U	R1	*Melicope paniculata*	Rutaceae	Alani	HI.
2	U	R1	*Melicope puberula*	Rutaceae		HI.
PE	U	R1	*Melicope quadrangularis*	Rutaceae		HI.
2	U	R1	*Melicope wallauensis*	Rutaceae		HI.
2	U	R1	*Melicope zahlbruckneri*	Rutaceae		HI.
2	I	R6	*Mentzelia argillosa*	Loasaceae	Blazing-star, clay	CO, UT.
3C	N	R6	*Mentzelia densa*	Loasaceae	Stickleaf, Royal Gorge	CO.
2	D	R1	*Mentzelia mollis*	Loasaceae	Stickleaf, smooth	ID, NV, OR.
2	U	R6	*Mentzelia multicaulis* var. *labrina*	Loasaceae		UT.
2	S	R1	*Mentzelia packardiae*	Loasaceae	Stickleaf, Packard's	NV, OR.
2	U	R6	*Mentzelia shultziorum*	Loasaceae		UT.
2	U	R7	*Mertensia drummondii*	Boraginaceae	Bluebell, Drummond	AK, Canada (N.W.T., Yukon).
S	N	R7	*Mertensia lanceolata* var. *drummondii.*	*** see ***	*Mertensia drummondii*	
3B	N	R1	*Mertensia toyabensis*	Boraginaceae	Bluebells,	NV.
S	N	R4	*Miconia ottoschulzii*	*** see ***	*Graffenrieda ottoschulzii*	
2*	U	R5	*Micranthemum micranthemoides*	Scrophulariaceae	Micranthemum, Nuttall's	DC, DE, MD, NJ, NY, PA, VA.
2	U	R1	*Microseris decipiens*	Asteraceae	Microseris, Santa Cruz	CA.
S	N	R1	*Microseris detlingii* (was sp. nov. /ined.).	*** see ***	*Microseris laciniata* ssp. *detlingii*	
2	U	R1	*Microseris howellii*	Asteraceae		OR.
2	N	R1	*Microseris laciniata* ssp. *detlingii*	Asteraceae		OR.
2*	E	R1	*Mimulus brandegei*	Scrophulariaceae	Monkey-flower, Santa Cruz Island	CA.
3C	N	R1	*Mimulus clivicola*	Scrophulariaceae	Monkey-flower, bank	ID, OR, WA.
2	U	R1	*Mimulus exiguus*	Scrophulariaceae	Monkey-flower, San Bernardino Mountains.	CA.

Status		Lead Region	Scientific name	Family	Common name	Historic range
Category	Trend					
2	U	R1	*Mimulus filicaulis*	Scrophulariaceae	Monkey-flower, Hetch Hetchy	CA.
2	U	R6	*Mimulus gemmiparus*	Scrophulariaceae	Monkey-flower, Weber	CO.
2	S	R1	*Mimulus hymenophyllus*	Scrophulariaceae		OR.
2	S	R1	*Mimulus jungermannioides*	Scrophulariaceae		OR, WA.
1	U	R1	*Mimulus mohavensis*	Scrophulariaceae	Monkey-flower, Mojave	CA.
2	S	R1	*Mimulus patulus*	Scrophulariaceae	Monkey-flower, stalk-leaved	ID, OR, WA.
2	U	R1	*Mimulus purpureus* var. *purpureus*	Scrophulariaceae	Monkey-flower, purple	CA.
2	S	R1	*Mimulus pygmaeus*	Scrophulariaceae	Monkey-flower, Egg Lake	CA, OR.
2	S	R5	*Mimulus ringens* var. *colpophilus*	Scrophulariaceae	Monkey-flower, square-stemmed	ME, Canada.
1	U	R1	*Mimulus shevockii*	Scrophulariaceae	Monkey-flower, Kelso Creek	CA.
S	N	R1	*Mimulus* sp. nov. /ined. (Kern Co.)	*** see ***	*Mimulus shevockii*	
2*	E	R1	*Mimulus traskiae*	Scrophulariaceae	Monkey-flower, Santa Catalina	CA.
2	U	R1	*Mimulus washingtonensis* var. *washingtonensis.*	Scrophulariaceae	Monkey-flower, Washington	OR, WA.
2*	E	R1	*Mimulus whipplei*	Scrophulariaceae	Monkey-flower, Whipple's	CA.
2	U	R1	*Minuartia decumbens*	Caryophyllaceae	Sandwort, The Lassics	CA.
2	D	R4	*Minuartia godfreyi*	Caryophyllaceae		AL, AR, FL, NC, SC, TN.
2	U	R5	*Minuartia marcescens*	Caryophyllaceae		VT, Canada.
2	U	R2	*Mirabilis collina*	Nyctaginaceae	Four-o'clock, sandhill	TX.
2	U	R6	*Mirabilis rotundifolia*	Nyctaginaceae	Four-o'clock, roundleaf	CO.
1	U	R4	*Mitracarpus maxwelliae*	Rubiaceae		PR.
2	U	R4	*Mitracarpus polycladus*	Rubiaceae		PR.
2	U	R4	*Mnium carolinianum*	Mniaceae	Mnium, Carolina	GA, NC, SC, TN.
2	D	R5	*Monarda fistulosa* var. *brevis*	Lamiaceae	Horse-mint,	WV.
2	U	R1	*Monardella crispa*	Lamiaceae	Monardella, crisp	CA.
3B	N	R1	*Monardella diaboli* (was sp. nov. /ined.).	Lamiaceae		CA.
2	U	R1	*Monardella douglasii* ssp. *venosa*	Lamiaceae	Monardella, veiny	CA.
2	U	R1	*Monardella fructescens*	Lamiaceae	Monardella, San Luis Obispo	CA.
2*	E	R1	*Monardella leucocephala*	Lamiaceae	Monardella, Merced	CA.
2	U	R1	*Monardella linoides* ssp. *oblonga*	Lamiaceae	Monardella, flax-like	CA.
2	D	R1	*Monardella linoides* ssp. *viminea*	Lamiaceae	Monardella, willowy	CA.
2	U	R1	*Monardella nana* ssp. *leptosiphon*	Lamiaceae	Monardella, San Felipe	CA.
2*	E	R1	*Monardella pringlei*	Lamiaceae	Monardella, Pringle	CA.
2	U	R1	*Monardella robisonii*	Lamiaceae	Monardella, Robison's	CA.
S	N	R1	*Monardella undulata* var. *fructescens*	*** see ***	*Monardella fructescens*	
2	U	R4	*Monotropa brittonii*	Ericaceae		FL.
2	U	R4	*Monotropsis odorata*	Ericaceae		AL, GA, KY, MD, NC, TN, VA, WV.
2	D	R4	*Monotropsis reynoldsiae*	Ericaceae	Pinesap, sweet	FL.
2	D	R4	*Monotropsis reynoldsiae*	Ericaceae	Pinesap, sweet	FL.
2	U	R1	*Montia howellii*	Portulacaceae	Montia Howell's	CA, WA, Canada (B.C.).
2	D	R1	*Muilla clevelandii*	Liliaceae	Goldenstar, San Diego	CA, Mexico (Baja California).
PE	U	R1	*Munroidendron racemosum*	Araliaceae		HI.
S	N	R1	*Munzothamnus blairii*	*** see ***	*Stephanomeria blairii*	
3C	N	R6	*Musineon lineare*	Apiaceae		ID, UT.
2	D	R1	*Myosurus minimus* ssp. *apus*	Ranunculaceae	Mousetail, little	CA, OR.
PE	U	R4	*Myrcia paganii*	Myrtaceae	Ausu	PR.
2	U	R4	*Myrcianthes fragrans* var. *simpsonii*	Myrtaceae	Stopper, Simpson	FL.
2	U	R4	*Myriophyllum laxum*	Haloragaceae		AL, FL, GA, NC, SC.
2	U	R1	*Myrsine juddii*	Myrsinaceae		HI.
2	U	R1	*Myrsine linearifolia*	Myrsinaceae		HI.
2	U	R1	*Myrsine vaccinioides*	Myrsinaceae		HI.
2*	U	R6	*Najas caespitosa*	Najadaceae	Naiad, Fish Lake	UT.
2	U	R4	*Najas filifolia*	Najadaceae		FL, GA.
S	N	R6	*Najas flexilis* ssp. *caespitosa*	*** see ***	*Najas caespitosa*	
3C	N	R3	*Napaea dioica*	Malvaceae		IA, IL, IN, OH, MN, WI.
1	S	R5	*Narthecium americanum*	Liliaceae		DE, NJ, NC, SC.
S	N	R5	*Narthecium ossifragum* var. *americanum.*	*** see ***	*Narthecium americanum*	
S	N	R1	*Nasturtium gambelii*	*** see ***	*Rorippa gambelii*	
1	D	R1	*Navarretia fossalis*	Polemoniaceae	Navarretia, prostrate (=no-named)	CA, Mexico (Baja California).
1	U	R1	*Navarretia leucocephala* ssp. *pauciflora.*	Polemoniaceae	Navarretia, few-flowered	CA.
S	N	R1	*Navarretia pauciflora*	*** see ***	*Navarretia leucocephala* ssp. *pauciflora.*	

Status		Lead Region	Scientific name	Family	Common name	Historic range
Category	Trend					
1	U	R1	*Navarretia plieantha*	Polemoniaceae	Navarretia, many-flowered	CA.
1	D	R1	*Navarretia setiloba*	Polemoniaceae	Navarretia, Piute Mountains	CA.
2	U	R1	*Nemacladus twisselmannii*	Campanulaceae	Nemacladus, Twisselmann's	CA.
2	D	R4	*Nemastylis floridana*	Iridaceae	Ixia, fall-flowering	FL.
S	N	R2	*Neolloydia erectocentra* var. *acunensis.*	*** see ***	*Echinomastus erectocentrus* var. *acunensis.*	
S	N	R2	*Neolloydia erectocentra* var. *erectocentra.*	*** see ***	*Echinomastus erectocentrus* var. *erectocentrus.*	
PT	D	R1	*Neostapfia colusana*	Poaceae	Grass, Colusa	CA.
S	N	R1	*Neowawraea phyllanthoides*	*** see ***	*Flueggea neowawraea*	
S	N	R2	*Nephropetalum pringlei*	*** see ***	*Ayenia limitaris*	
S	N	R1	*Neraudia cookii*	*** see ***	*Neraudia ovata*	
S	N	R1	*Neraudia kahoolawensis*	*** see ***	*Neraudia sericea*	
2	U	R1	*Neraudia ovata*	Urticaceae	Ma'aloa, Big Island	HI.
PE	U	R1	*Neraudia sericea*	Urticaceae		HI.
3C	N	R4	*Nestronia umbellula*	Santalaceae		AL, GA, MS, NC, SC, TN, VA.
2	S	R4	*Neviusia alabamensis*	Rosaceae		AL, AR, GA, MO, MS, TN.
2	U	R2	*Nolina arenicola*	Liliaceae	Sacahuista, sand	TX.
2	D	R4	*Nolina atopocarpa*	Liliaceae	Bear-grass,	FL.
1	U	R1	*Nolina interrata*	Liliaceae	Bear-grass, Dehesa	CA, Mexico.
2	U	R1	*Nolina* sp. nov. /ined.	Liliaceae	Bear-grass, chaparral	CA.
PE	U	R1	*Nothocestrum breviflorum*	Solanaceae	'Aiea	HI.
PE	U	R1	*Nothocestrum peltatum*	Solanaceae	'Aiea	HI.
2	U	R2	*Notholaena lemmonii*	Polypodiaceae	Fern, cloak, Lemmon	AZ, Mexico.
2	U	R4	*Nuphar luteum* ssp. *uivaceum*	Nymphaeaceae		FL.
2	U	R4	*Nyssa ursina*	Nyssaceae	Gum, bear	FL.
PE	U	R1	*Ochrosia kilaueaensis*	Apocynaceae	Holei	HI.
S	N	R1	*Oenothera caespitosa* var. *psammophila.*	*** see ***	*Oenothera psammophila*	
S	N	R1	*Oenothera hookeri* ssp. *wolfii*	*** see ***	*Oenothera wolfii*	
2*	U	R6	*Oenothera kleinii*	Onagraceae	Evening-primrose, Klein's	CO.
S	N	R1	*Oenothera megalantha*	*** see ***	*Camissonia megalantha*	
2	U	R2	*Oenothera organensis*	Onagraceae	Evening-primrose, Organ Mountain	NM.
2	U	R4	*Oenothera pilosella* ssp. *sessilis*	Onagraceae	Evening-primrose,	AR, LA, TX.
1	S	R1	*Oenothera psammophila*	Onagraceae	Evening-primrose,	ID.
S	N	R4	*Oenothera sessilis*	*** see ***	*Oenothera pilosella* ssp. *sessilis*	
1	U	R1	*Oenothera wolfii*	Onagraceae	Evening-primrose, Wolf's	CA, OR.
3C	N	R4	*Oncidium carthagenense*	Orchidaceae	Dancing-lady, Coot Bay	FL, Central America, Mexico, South America (not presently known in FL).
S	N	R6	*Oonopsis monocephala*	*** see ***	*Haplopappus fremontii* ssp. *monocephalus.*	
2	U	R4	*Operculina triquetra*	Convolvulaceae		VI.
1	I	R1	*Ophioglossum concinnum*	Ophioglossaceae	Adder's-tongue,	HI.
2	D	R2	*Opuntia arenaria*	Cactaceae	Prickly-pear, sand	NM, TX, Mexico.
2	U	R2	*Opuntia aureispina*	Cactaceae	Prickly-pear, golden-spined	TX.
2	U	R1	*Opuntia basilaris* var. *brachyclada*	Cactaceae	Beavertail cactus, short-jointed	CA.
2	U	R2	*Opuntia engelmannii* var. *flexospina*	Cactaceae	Prickly-pear, marble-seeded, few-spined.	TX.
2	U	R6	*Opuntia heacockul*	Cactaceae		CO.
2	U	R2	*Opuntia imbricata* var. *argentea*	Cactaceae	Cholla, silver	TX.
3C	N	R2	*Opuntia lindheimeri* var. *linguiformis*	Cactaceae	Prickly-pear, cow-tongue	TX.
2	U	R1	*Opuntia munzii*	Cactaceae	Cholla, Munz	CA.
2	D	R1	*Opuntia parryi* var. *serpentina*	Cactaceae	Cholla, snake	CA, Mexico (Baja California).
2	D	R4	*Opuntia spinosissima*	Cactaceae		FL, Jamaica.
S	N	R2	*Opuntia strigil* var. *flexospina*	*** see ***	*Opuntia engelmannii* var. *flexospina*	TX.
2	D	R2	*Opuntia viridiflora*	Cactaceae	Cholla, Santa Fe	NM.
1	U	R1	*Opuntia whipplei* var. *multigeniculata*	Cactaceae		NV.
3B	N	R1	*Opuntia wigginsii*	Cactaceae	Cholla, Wiggins'	AZ, CA.
3A	N	R4	*Orbexilum macrophyllum*	Fabaceae	Scurfpea, bigleaf	IN, KY.
S	N	R1	*Orcuttia californica* var. *inequalis*	*** see ***	*Orcuttia inequalis*	
S	N	R1	*Orcuttia californica* var. *viscida*	*** see ***	*Orcuttia viscida*	
S	N	R1	*Orcuttia greenei*	*** see ***	*Tuctoria greenei*	
PE	U	R1	*Orcuttia inequalis*	Poaceae	Orcutt grass, San Joaquin	CA.
PE	D	R1	*Orcuttia pilosa*	Poaceae	Orcutt grass, hairy (=pilose)	CA.
PT	D	R1	*Orcuttia tenuis*	Poaceae	Orcutt grass, slender	CA.

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Category	Trend					
PE	D	R1	*Orcuttia viscida*	Poaceae	Orcutt grass, Sacramento	CA.
2	U	R6	*Oreoxis trotteri*	Apiaceae		UT.
1	U	R1	*Orobanche parishii* ssp. *brachyloba*	Orobanchaceae	Broomrape, short-lobed	CA.
2	U	R1	*Orobanche valida* ssp. *valida*	Orobanchaceae	Broomrape, Rock Creek	CA.
S	S	R1	*Orthocarpus campestris* var. *succulentus.*	*** see ***	*Castilleja campestris* ssp. *suculenta*	CA.
S	N	R1	*Orthocarpus castillejoides* var. *humboldtiensis.*	*** see ***	*Castilleja ambigua* ssp. *humboldtiensis.*	CA.
S	N	R1	*Orthocarpus floribundus*	*** see ***	*Triphysaria floribunda*	CA.
S	N	R1	*Orthocarpus lasiorhynchus*	*** see ***	*Castilleja lasiorhyncha*	CA.
3A	N	R1	*Orthocarpus pachystachyus*	Scrophulariaceae	Orthocarpus, Shasta	CA.
S	N	R1	*Orthocarpus succulentus*	*** see ***	*Castilleja campestris* ssp. *succulentus.*	
2	U	R4	*Orthotrichum keeverae*	Orthotrichaceae	Bristle-moss, Keever's	NC.
2	U	R1	*Oryctes nevadensis*	Solanaceae	Oryctes, Nevada	CA, NV.
2	U	R6	*Oryzopsis contracta*	Poaceae		CO, WY.
S	N	R6	*Oryzopsis hymenoides* var. *contracta*	*** see ***	*Oryzopsis contracta*	
S	N	R4	*Osmia borinquensis*	*** see ***	*Eupatorium borinquense*	
2	U	R2	*Osmorhiza mexicana* ssp. *bipatriata*	Apiaceae	Sweet-cicely, Livermore	TX, Mexico.
2	U	R2	*Ostrya chisosensis*	Betulaceae	Hop hornbeam, Big Bend	TX.
S	N	R6	*Oxybaphus rotundifolius*	*** see ***	*Mirabilis rotundifolia*	
2	U	R4	*Oxypolis ternata*	Apiaceae		FL, GA, NC, SC.
2	U	R1	*Oxytheca parishii* var. *ciengensis*	Polygonaceae	Oxytheca, Cienega Seca	CA.
PE	U	R1	*Oxytheca parishii* var. *goodmaniana*	Polygonaceae	Oxytheca, Cushenbury	CA.
3C	N	R5	*Oxytropis campestris* var. *johannensis.*	Fabaceae		ME, Canada.
2	U	R1	*Oxytropis campestris* var. *wanapum*	Fabaceae		WA.
S	N	R5	*Oxytropis johannensis*	*** see ***	*Oxytropis campestris* var. *johannensis.*	
2	U	R7	*Oxytropis sordida* ssp. *barnebyana*	Fabaceae		AK.
S	N	R3	*Pachistima canbyi*	*** see ***	*Paxistima canbyi*	
2	D	R1	*Palafoxia arida* var. *gigantea*	Asteraceae	Spanishneedle, giant	AZ, CA.
S	N	R1	*Palafoxia linearis* var. *gigantea*	*** see ***	*Palafoxia arida* var. *gigantea*	
2	D	R4	*Panicum abscissum*	Poaceae	Grass, cutthroat	FL.
2	S	R5	*Panicum hirstii*	Poaceae	Panic grass, Hirst's	DE, GA, NC, NJ.
2	U	R1	*Panicum niihauense*	Poaceae	Panic grass, Niihau	HI.
2	U	R4	*Panicum nudicaule*	Poaceae		AL, FL, MS.
2	U	R4	*Panicum pinetorum*	Poaceae		FL.
2	U	R4	*Panicum stevensianum*	Poaceae		PR, Cuba.
S	N	R1	*Panicum thermale*	*** see ***	*Dichanthelium lanuginosum* var. *thermale.*	
2	U	R6	*Papaver pygmaeum*	Papaveraceae		MT, Canada (Alberta, B.C.)
2	U	R4	*Parnassia caroliniana*	Saxifragaceae	Grass-of-parnassus, Carolina	AL, FL, NC, SC.
2	U	R1	*Paronychia ahartii*	Caryophyllaceae	Whitlow-wort, Ahart's	CA.
1	U	R2	*Paronychia congesta*	Caryophyllaceae	Whitlow-wort, bushy	TX.
2	U	R2	*Paronychia maccartii*	Caryophyllaceae	Whitlow-wort, McCart's	TX.
2	D	R5	*Paronychia virginica* var. *virginica*	Caryophyllaceae	Nailwort, silvery	DC, MD, VA, WV.
2	U	R2	*Paronychia wilkinsonii*	Caryophyllaceae	Whitlow-wort, Wilkinson's	TX, Mexico.
3C	N	R6	*Parrya rydbergii*	Brassicaceae	Parrya, Rydberg	UT.
2	U	R4	*Parthenium radfordii*	Asteraceae	Wild-quinine, wavyleaf	NC, SC.
2	U	R6	*Parthenium tetraneuris*	Asteraceae	Feverfew, Arkansas River	CO.
1	U	R1	*Parvisedum leiocarpum*	Crassulaceae	Stonecrop, Lake County	CA.
2	U	R4	*Passiflora berteroana*	Passifloraceae		PR, Hispaniola.
2	U	R4	*Passiflora bilobata*	Passifloraceae		PR, Hispaniola.
2	U	R3	*Paxistima canbyi*	Celastraceae		KY, MD, NC, OH, PA, TN, VA, WV.
2	U	R2	*Pectis imberbis*	Asteraceae		AZ, Mexico.
2	U	R1	*Pedicularis dudleyi*	Scrophulariaceae	Lousewort, Dudley's	CA.
2	U	R1	*Pedicularis semibarbata* var. *charlestonensis.*	Scrophulariaceae		NV.
2	U	R2	*Pediocactus papyracanthus*	Cactaceae	Cactus, paper-spined	AZ, NM, TX.
1	U	R2	*Pediocactus paradinei*	Cactaceae	Cactus, pincushion, Kaibab	AZ.
1	U	R2	*Pediocactus peeblesianus* var. *fickeiseniae.*	Cactaceae	Cactus, pincushion, Fickeisen	AZ.
1	U	R6	*Pediocactus winkleri*	Cactaceae		UT.
2	U	R6	*Pediomelum aromaticum* var. *tuhyi*	Fabaceae		UT.
2	U	R1	*Pediomelum castoreum*	Fabaceae	Scurf-pea,	AZ, CA, NV, UT.
2	U	R6	*Pediomelum epipsilum*	Fabaceae	Scurf-pea,	AZ, UT.
2	U	R2	*Pediomelum humile*	Fabaceae	Scurf-pea, Rydberg's	TX, Mexico.
2	U	R6	*Pediomelum pariensis*	Fabaceae		UT.

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Category	Trend					
2	D	R2	*Pediomelum pentaphyllum*	Fabaceae	Scurf-pea, three-nerved	NM, TX, Mexico.
S	N	R2	*Pediomelum trinervatum*	*** see ***	*Pediomelum pentaphyllum*	
S	N	R1	*Pelea balloui*	*** see ***	*Melicope balloui*	
S	N	R1	*Pelea christophersenii*	*** see ***	*Melicope christophersenii*	
S	N	R1	*Pelea degeneri*	*** see ***	*Melicope degeneri*	
S	N	R1	*Pelea descendens*	*** see ***	*Melicope lydgatei*	
S	N	R1	*Pelea haupuensis*	*** see ***	*Melicope haupuensis*	
S	N	R1	*Pelea kauaensis*	*** see ***	*Melicope christophersenii*	
S	N	R1	*Pelea knudsenii*	*** see ***	*Melicope knudsenii*	
S	N	R1	*Pelea leveillei*	*** see ***	*Melicope pallida*	
S	N	R1	*Pelea lydgatei*	*** see ***	*Melicope lydgatei*	
S	N	R1	*Pelea macropus*	*** see ***	*Melicope macropus*	
S	N	R1	*Pelea multiflora*	*** see ***	*Melicope knudsenii*	
S	N	R1	*Pelea munroi*	*** see ***	*Melicope munroi*	
S	N	R1	*Pelea nealae*	*** see ***	*Melicope nealae*	
S	N	R1	*Pelea ovalis*	*** see ***	*Melicope ovalis*	
S	N	R1	*Pelea pallida*	*** see ***	*Melicope pallida*	
S	N	R1	*Pelea paniculata*	*** see ***	*Melicope paniculata*	
S	N	R1	*Pelea quadrangularis*	*** see ***	*Melicope quadrangularis*	
S	N	R1	*Pelea reflexa*	*** see ***	*Melicope reflexa*	
S	N	R1	*Pelea storeyana*	*** see ***	*Melicope christophersenii*	
S	N	R1	*Pelea tomentosa*	*** see ***	*Melicope knudsenii*	
S	N	R1	*Pelea zahlbruckneri*	*** see ***	*Melicope zahlbruckneri*	
S	N	R2	*Peniocereus greggii*	*** see ***	*Cereus greggii (not* var. *transmontanus).*	
3C	N	R6	*Penstemon absarokensis*	Scrophulariaceae	Beardtongue, Absaroka	WY.
2	U	R6	*Penstemon acaulis*	Scrophulariaceae	Beardtongue, stemless	UT, WY.
2	U	R2	*Penstemon alamosensis*	Scrophulariaceae	Beardtongue, Alamo	NM, TX.
S	N	R6	*Penstemon albifluvis*	*** see ***	*Penstemon scariosus* var. *albifluvis* .	
2	U	R1	*Penstemon albomarginatus*	Scrophulariaceae	Penstemon, white-margined	AZ, CA, NV.
2	U	R6	*Penstemon ammophilum*	Scrophulariaceae		UT.
2	U	R6	*Penstemon angustifolius* var. *dulcis*	Scrophulariaceae	Beardtongue,	UT.
2	U	R1	*Penstemon arenarius*	Scrophulariaceae		NV.
3C	N	R6	*Penstemon atwoodii*	Scrophulariaceae		UT.
2	S	R1	*Penstemon barrettiae*	Scrophulariaceae		OR, WA.
2	U	R1	*Penstemon bicolor* ssp. *bicolor*	Scrophulariaceae		NV.
2	U	R1	*Penstemon bicolor* ssp. *roseus*	Scrophulariaceae		AZ, NV.
2	U	R6	*Penstemon bracteatus*	Scrophulariaceae	Beardtongue, Red Canyon	UT.
2	U	R6	*Penstemon caryi*	Scrophulariaceae	Beardtongue, Cary	MT, WY.
2	U	R2	*Penstemon clutei*	Scrophulariaceae	Beardtongue,	AZ.
2	U	R6	*Penstemon compactus*	Scrophulariaceae	Beardtongue, cache	ID, UT.
2	U	R6	*Penstemon concinnus*	Scrophulariaceae	Beardtongue, Tunnel Springs	NV, UT.
2	U	R6	*Penstemon crandallii* var. *atractus*	Scrophulariaceae		UT.
2	U	R3	*Penstemon deamii*	Scrophulariaceae	Beardtongue,	IN.
2	U	R6	*Penstemon debilis*	Scrophulariaceae	Beardtongue, Parachute	CO.
3C	N	R6	*Penstemon degeneri*	Scrophulariaceae	Beardtongue, Degener	CO.
1	U	R2	*Penstemon discolor*	Scrophulariaceae	Beardtongue, Catalina	AZ.
2	U	R2	*Penstemon distans*	Scrophulariaceae	Beardtongue, Mt. Trumbull	AZ.
2	U	R1	*Penstemon filiformis*	Scrophulariaceae	Penstemon, thread-leaved	CA.
2	U	R1	*Penstemon floribundus*	Scrophulariaceae		NV.
2	U	R6	*Penstemon flowersii*	Scrophulariaceae		UT.
2	U	R1	*Penstemon fruticiformis* var. *amargosae.*	Scrophulariaceae	Penstemon, Amargosa	CA, NV.
2	U	R6	*Penstemon gibbensii*	Scrophulariaceae	Beardtongue, Gibbens	CO, UT, WY.
2	S	R1	*Penstemon glaucinus*	Scrophulariaceae	Beardtongue,	OR.
2	U	R6	*Penstemon goodrichii*	Scrophulariaceae		UT.
1	U	R6	*Penstemon grahamii*	Scrophulariaceae	Beardtongue, Graham	CO, UT.
2	U	R6	*Penstemon harringtonii*	Scrophulariaceae	Beardtongue, Harrington	CO.
2	S	R1	*Penstemon idahoensis*	Scrophulariaceae	Penstemon, Idaho	ID, UT.
2	D	R1	*Penstemon lemhiensis*	Scrophulariaceae	Beardtongue, Lemhi	ID, MT.
2*	U	R6	*Penstemon leptanthus*	Scrophulariaceae		UT.
2	U	R6	*Penstemon mensarum*	Scrophulariaceae	Beardtongue, tiger	CO.
2	U	R6	*Penstemon nanus*	Scrophulariaceae	Beardtongue, low	UT.
2	U	R6	*Penstemon navajoa*	Scrophulariaceae		UT.
2	U	R1	*Penstemon pahutensis*	Scrophulariaceae	Beardtongue,	NV.
2*	U	R6	*Penstemon parviflorus*	Scrophulariaceae		CO.
2	U	R6	*Penstemon parvus*	Scrophulariaceae	Beardtongue, small	UT.
2	S	R1	*Penstemon peckii*	Scrophulariaceae		OR.
2	U	R1	*Penstemon personatus*	Scrophulariaceae	Beardtongue, closed-lip	CA.
2	U	R6	*Penstemon pinorum*	Scrophulariaceae	Beardtongue,	UT.
2	U	R1	*Penstemon pudicus*	Scrophulariaceae		NV.

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Category	Trend					
2	U	R6	*Penstemon retrorsus*	Scrophulariaceae	Beardtongue,	CO.
1	U	R6	*Penstemon scariosus* var. *albifluvis*	Scrophulariaceae	Beardtongue, White River	CO, UT.
S	N	R6	*Penstemon* sp. nov. /ined.(Randlett, Uintah Co.).	*** see ***	*Penstemon flowersii*	
2	U	R1	*Penstemon stephensii*	Scrophulariaceae	Beardtongue, Stephens'	CA.
2	U	R6	*Penstemon tidestromii*	Scrophulariaceae	Beardtongue, Tidestrom	UT.
3C	N	R6	*Penstemon uintahensis*	Scrophulariaceae	Beardtongue, Uintah	UT.
2	D	R6	*Penstemon wardii*	Scrophulariaceae	Beardtongue, Ward	UT.
PE	U	R1	*Pentachaeta bellidiflora*	Asteraceae	Pentachaeta, white-rayed	CA.
1	U	R1	*Pentachaeta exilis* ssp. *aeolica*	Asteraceae	Pentachaeta, slender	CA.
PE	D	R1	*Pentachaeta lyonii*	Asteraceae	Pentachaeta, Lyon's	CA.
2*	E	R1	*Peperomia degeneri*	Piperaceae		HI.
S	N	R1	*Peperomia kulensis*	*** see ***	*Peperomia subpetiolata*	
2	U	R4	*Peperomia megalopoda*	Piperaceae		PR.
3C	N	R4	*Peperomia myrtifolia*	Piperaceae		PR, VI, British V.I., Lesser Antilles.
2	U	R1	*Peperomia rockii*	Piperaceae		HI.
2	U	R1	*Peperomia subpetiolata*	Piperaceae		HI.
2	D	R1	*Perideridia erythrorhiza*	Apiaceae	Yampah, red-root	OR.
2	U	R1	*Perideridia gairdneri* ssp. *gairdneri*	Apiaceae	Yampah, Gairdner's	CA.
3C	N	R2	*Peritylе ajoensis*	Asteraceae	Rock-daisy, Ajo	AZ.
2	U	R2	*Peritylе bisetosa* var. *bisetosa*	Asteraceae	Rock-daisy, two-bristle	TX, Mexico.
2	U	R2	*Peritylе bisetosa* var. *scalaris*	Asteraceae	Rock-daisy, stairstep two-bristle	TX.
2	U	R2	*Peritylе cernua*	Asteraceae	Rock-daisy, nodding	NM.
3C	N	R2	*Peritylе cochisensis*	Asteraceae	Rock-daisy, Chiricahua	AZ.
2	U	R2	*Peritylе huecoensis*	Asteraceae	Rock-daisy, Hueco	TX.
2	U	R1	*Peritylе inyoensis*	Asteraceae	Laphamia, Inyo	CA.
2	U	R2	*Peritylе saxicola*	Asteraceae	Rock-daisy, Fish Creek	AZ.
2	U	R6	*Peritylе specuicola*	Asteraceae		UT.
2	U	R1	*Peritylе villosa*	Asteraceae	Laphamia, Hanaupah	CA.
2	U	R2	*Peritylе vitreomontana*	Asteraceae	Rock-daisy, Glass Mountain	TX.
2	U	R2	*Peritylе warnockii*	Asteraceae	Rock-daisy, river	TX.
2	U	R1	*Petalonyx thurberi* ssp. *gilmanii*	Loasaceae	Sandpaperplant, Death Valley	CA.
S	N	R2	*Petalostemum reverchonii*	*** see ***	*Dalea reverchonii*	
S	N	R2	*Petalostemum sabinale*	*** see ***	*Dalea sabinalis*	
1	S	R1	*Petrophytum cinerascens*	Rosaceae	Rockmat, chelan	WA.
S	N	R1	*Peucedanum kauaiense*	*** see ***	*Peucedanum sandwicense*	
PE	I	R1	*Peucedanum sandwicense*	Apiaceae	Makou	HI.
2*	U	R1	*Phacelia amabilis*	Hydrophyllaceae	Phacelia, Saline Valley	CA.
2	S	R1	*Phacelia argentea*	Hydrophyllaceae	Phacelia, sand dune	CA, OR.
2	U	R1	*Phacelia beatleyae*	Hydrophyllaceae	Phacelia, Beatley	NV.
2	U	R1	*Phacelia ciliata* var. *opaca*	Hydrophyllaceae	Phacelia, Merced	CA.
2*	E	R1	*Phacelia cinerea*	Hydrophyllaceae	Phacelia, ashy	CA.
2	U	R1	*Phacelia cookei*	Hydrophyllaceae	Phacelia, Cooke's	CA.
2	U	R1	*Phacelia dalesiana*	Hydrophyllaceae	Phacelia, Trinity	CA.
S	N	R1	*Phacelia divaricata* var. *insularis*	*** see ***	*Phacelia insularis* var. *insularis*	
2	D	R1	*Phacelia floribunda*	Hydrophyllaceae	Phacelia, southern island	CA.
2	U	R1	*Phacelia greenei*	Hydrophyllaceae	Phacelia, Scott Valley	CA.
2	S	R1	*Phacelia inconspicua*	Hydrophyllaceae		ID, NV.
2	U	R1	*Phacelia insularis* var. *continentis*	Hydrophyllaceae	Phacelia, northcoast	CA.
1	U	R1	*Phacelia insularis* var. *insularis*	Hydrophyllaceae	Phacelia, northern island	CA.
2	U	R1	*Phacelia lenta*	Hydrophyllaceae	Phacelia, sticky	WA.
2	U	R1	*Phacelia minutissima*	Hydrophyllaceae	Phacelia,	ID, NV, OR.
2	U	R1	*Phacelia monoensis*	Hydrophyllaceae	Phacelia, Mono	CA, NV.
2	U	R1	*Phacelia nashiana*	Hydrophyllaceae	Phacelia, Charlotte's	CA.
2	U	R1	*Phacelia novenmillensis*	Hydrophyllaceae	Phacelia, Nine Mile Canyon	CA.
2	U	R2	*Phacelia pallida*	Hydrophyllaceae	Phacelia, pale	TX, Mexico.
2	U	R1	*Phacelia parishii*	Hydrophyllaceae	Phacelia, Parish's	CA, NV.
2	U	R1	*Phacelia phacelioides*	Hydrophyllaceae	Phacelia, Mt. Diablo	CA.
2	U	R2	*Phacelia serrata*	Hydrophyllaceae	Phacelia, cinder	AZ, NM.
2	U	R1	*Phacelia stebbinsii*	Hydrophyllaceae	Phacelia, Stebbins'	CA.
2	U	R1	*Phacelia suaveolens* ssp. *keckii*	Hydrophyllaceae	Phacelia, Santiago Peak	CA.
1	U	R6	*Phacelia submutica*	Hydrophyllaceae	Phacelia,	CO.
2	U	R6	*Phacelia utahensis*	Hydrophyllaceae	Phacelia, Utah	UT.
2	U	R2	*Phacelia welshii*	Hydrophyllaceae	Phacelia, Welsh	AZ.
2	U	R2	*Phaseolus supinus*	Fabaceae	Bean, supine	AZ, Mexico.
2	U	R4	*Phialanthus myrtilloides*	Rubiaceae		PR, Bahamas, Cuba, Jamaica.
2	U	R2	*Philadelphus ernestii*	Saxifragaceae	Mock orange, canyon	TX.
2	U	R3	*Phlox bifida* ssp. *stellaria*	Polemoniaceae	Phlox, cleft,	AR, IL, IN, KY, MO, TN.

Status		Lead Region	Scientific name	Family	Common name	Historic range
Category	Trend					
2	U	R1	*Phlox dolichantha*	Polemoniaceae	Phlox, Bear Valley	CA.
1	S	R1	*Phlox hirsuta*	Polemoniaceae	Phlox, Yreka	CA.
1	D	R1	*Phlox idahonis*	Polemoniaceae	Phlox, Clearwater	ID.
2	U	R6	*Phlox pungens*	Polemoniaceae	Phlox,	WY.
S	N	R6	*Phlox* sp. nov. /ined. (WY)	*** see ***	*Phlox pungens*	
2	U	R1	*Pholisma sonorae*	Lennoaceae	Sandfood	AZ, CA, Mexico (Baja California, Sonora).
2	U	R2	*Phyllanthus ericoides*	Euphorbiaceae	Leaf-flower, heather	TX, Mexico.
2	D	R4	*Phyllanthus pentaphyllus* ssp. *floridanus.*	Euphorbiaceae		FL.
2	U	R1	*Phyllostegia bracteata*	Lamiaceae		HI.
S	N	R1	*Phyllostegia brevidens* var. *longipes*	*** see ***	*Phyllostegia warshaueri*	
2	U	R1	*Phyllostegia helleri*	Lamiaceae		HI.
S	N	R1	*Phyllostegia helleri* var. *imminuta*	*** see ***	*Phyllostegia imminuta*	
2*	E	R1	*Phyllostegia imminuta*	Lamiaceae		HI.
S	N	R1	*Phyllostegia macrophylla* var. *velutina.*	*** see ***	*Phyllostegia velutina*	
S	N	R1	*Phyllostegia mollis* var. *micrantha*	*** see ***	*Phyllostegia imminuta*	
2	U	R1	*Phyllostegia racemosa*	Lamiaceae		HI.
2	U	R1	*Phyllostegia velutina*	Lamiaceae		HI.
PE	U	R1	*Phyllostegia waimeae*	Lamiaceae		HI.
2	U	R1	*Phyllostegia warshaueri*	Lamiaceae		HI.
S	N	R1	*Physaria alpestris* var. *lyrata*	*** see ***	*Physaria didymocarpa* var. *lyrata*	
2	U	R6	*Physaria bellii*	Brassicaceae		CO.
2	D	R1	*Physaria didymocarpa* var. *lyrata*	Brassicaceae		ID.
2	U	R6	*Physaria dornii*	Brassicaceae		WY.
2	U	R6	*Physaria eburniflora*	Brassicaceae		WY.
2	U	R6	*Physaria integrifolia* var. *monticola*	Brassicaceae	Twinpod,	WY.
2	U	R6	*Physaria saximontana* var. *saximontana.*	Brassicaceae	Twinpod,	WY.
2	U	R2	*Physostegia correllii*	Lamiaceae	False dragon-head, Correll's	LA, TX, Mexico.
3C	N	R4	*Physostegia leptophylla*	Lamiaceae		FL, GA, NC, SC, VA.
2	S	R4	*Physostegia longisepala*	Lamiaceae		LA, TX.
2	U	R4	*Pilea leptophylla*	Urticaceae		PR.
2	U	R4	*Pilea multicaulis*	Urticaceae		PR.
2	U	R4	*Pilea richardii*	Urticaceae		PR, VI.
2	S	R4	*Pinguicula planifolia*	Lentibulariaceae	Butterwort, Chapman's	AL, FL, MS.
2	U	R1	*Pinus contorta* ssp. *bolanderi*	Pinaceae	Pine, Bolander's beach	CA.
2	U	R1	*Pinus radiata*	Pinaceae	Pine, Monterey	CA.
2	U	R1	*Pinus torreyana* ssp. *insularis*	Pinaceae	Pine, Torrey, Island	CA.
2	D	R1	*Pinus torreyana* ssp. *torreyana*	Pinaceae	Pine, Torrey, Del Mar	CA.
1	D	R1	*Piperia yadonii*	Orchidaceae	Piperia, Yadon's	CA.
2	U	R1	*Pisonia wagneriana*	Nyctaginaceae		HI.
2	S	R1	*Pittosporum napaliense*	Pittosporaceae		HI.
2	U	R4	*Pityopsis flexuosa*	Asteraceae		FL.
2*	U	R1	*Plagiobothrys diffusus*	Boraginaceae	Popcornflower, San Francisco	CA.
2	U	R1	*Plagiobothrys figuratus* var. *corallicarpus/ined.*	Boraginaceae		OR.
3A	N	R1	*Plagiobothrys glaber*	Boraginaceae	Allocarya, glabrous	CA.
2	U	R1	*Plagiobothrys glyptocarpus* var. *modestus.*	Boraginaceae	Allocarya, Cedar Crest	CA.
1	D	R1	*Plagiobothrys hirtus*	Boraginaceae	Popcornflower,	OR.
S	N	R1	*Plagiobothrys hirtus* var. *corallicarpus.*	*** see ***	*Plagiobothrys figuratus* var. *corallicarpus.*	
S	N	R1	*Plagiobothrys hirtus* var. *hirtus*	*** see ***	*Plagiobothrys hirtus*	
3A	N	R1	*Plagiobothrys hystriculus*	Boraginaceae	Allocarya, bearded	CA.
3A	E	R1	*Plagiobothrys lamprocarpus*	Boraginaceae	Popcornflower,	OR.
2*	U	R1	*Plagiobothrys mollis* var. *vestitus*	Boraginaceae	Popcornflower, Petaluma	CA.
1	U	R1	*Plagiobothrys strictus*	Boraginaceae	Allocarya, Calistoga	CA.
2	U	R1	*Plagiobothrys uncinatus*	Boraginaceae	Popcornflower, Salinas Valley	CA.
2	U	R4	*Plagiochila caducicloba*	Plagiochilaceae		GA, NC, SC, TN.
2	U	R4	*Plagiochila columbiana*	Plagiochilaceae		DC, NC, VA.
2	U	R4	*Plagiochila echinata*	Plagiochilaceae		NC, SC, TN.
2	U	R4	*Plagiochila sharpii*	Plagiochilaceae		GA, NC, SC, TN.
2	U	R4	*Plagiochila sullivantii*	Plagiochilaceae		NC, SC, TN, VA, WV.
2	U	R4	*Plagiochila virginica* var. *caroliniana*	Plagiochilaceae		NC, SC, TN, VA.
2	U	R4	*Plagiochila virginica* var. *euryphylla*	Plagiochilaceae		NC.
PE	U	R1	*Plantago hawaiensis*	Plantiginaceae	Laukahi kuahiwi	HI.

Status		Lead Region	Scientific name	Family	Common name	Historic range
Category	Trend					
PE	U	R1	*Plantago princeps*	Plantaginaceae	Laukahi kuahiwi	HI.
S	N	R1	*Plantago princeps* var. *acaulis*	*** see ***	*Plantago princeps*	
S	N	R1	*Plantago princeps* var. *denticulata*	*** see ***	*Plantago princeps*	
S	N	R1	*Plantago princeps* var. *elata*	*** see ***	*Plantago princeps*	
S	N	R1	*Plantago princeps* var. *laxiflola*	*** see ***	*Plantago princeps*	
S	N	R1	*Plantago princeps* var. *queleniana*	*** see ***	*Plantago princeps*	
2	U	R4	*Plantago sparsiflora*	Plantaginaceae	Plantain, pineland	FL, GA, NC, SC.
2	I	R1	*Platanthera holochila*	Orchidaceae		HI.
2	D	R4	*Platanthera integrilabia*	Orchidaceae		AL, GA, KY, MS, NC, SC, TN.
2	U	R1	*Platydesma cornuta*	Rutaceae		HI.
2	U	R1	*Platydesma remyi*	Rutaceae	Pilokea, Remy	HI.
2	S	R1	*Platydesma rostrata*	Rutaceae		HI.
2	U	R1	*Platystemon californicus* var. *ciliatus*	Papaveraceae	Cream cups, Santa Barbara Island	CA.
1	U	R4	*Pleodendron macranthum*	Canellaceae	Chupagallo (chupacallos)	PR.
2	U	R1	*Pleomele hawaiiensis*	Liliaceae		HI.
2	U	R1	*Pleuropogon hooverianus*	Poaceae	Semaphore grass, northcoast	CA.
1	S	R1	*Pleuropogon oregonus*	Poaceae	Semaphore grass, Oregon	OR.
1	U	R1	*Poa atropurpurea*	Poaceae	Bluegrass, San Bernadino	CA.
3B	N	R1	*Poa fibrata*	Poaceae	Bluegrass, Lassen County	CA.
3B	N	R2	*Poa involuta*	Poaceae	Bluegrass, Big Bend	TX, Mexico.
PE	D	R1	*Poa mannii*	Poaceae	Bluegrass, Mann's	HI.
1	U	R1	*Poa napensis*	Poaceae	Bluegrass, Napa	CA.
S	N	R1	*Poa pachypholis*	*** see ***	*Poa unilateralis*	
2	U	R3	*Poa paludigena*	Poaceae	Bluegrass, bog	IA, IL, IN, MI, MN, NC, NY, OH, PA, VA, WI.
2	U	R2	*Poa strictiramea*	Poaceae	Bluegrass,	TX, Mexico.
3B	N	R1	*Poa unilateralis*	Poaceae	Bluegrass, sea cliff	WA.
2	U	R7	*Podistera yukonensis*	Apiaceae		AK, Canada (Yukon).
2	U	R1	*Pogogyne clareana*	Lamiaceae	Pogogyne, Santa Lucia	CA.
2	U	R3	*Polemonium occidentale* var. *lacustre.*	Polemoniaceae	Jacob's ladder,	MN, WI.
2	U	R2	*Polemonium pauciflorum* ssp. *hinckleyi.*	Polemoniaceae	Jacob's ladder, Hinckley's	AZ, TX.
1	D	R1	*Polemonium pectinatum*	Polemoniaceae		WA.
S	N	R2	*Pollanthes runyonii*	*** see ***	*Manfreda longiflora*	
1	U	R1	*Polyctenium williamsiae*	Brassicaceae	Combleaf	NV.
2	U	R4	*Polygala boykinii* var. *sparsifolia*	Polygalaceae		FL.
2	U	R2	*Polygala maravillasensis*	Polygalaceae	Milkwort, Maravillas	TX.
2	U	R2	*Polygala rimulicola* var. *mescalerorum.*	Polygalaceae	Milkwort, Mescalero	NM.
2	U	R4	*Polygonella macrophylla*	Polygonaceae	Jointweed, large-leaved	AL, FL.
2	U	R1	*Polygonum marinense*	Polygonaceae	Knotweed, Marin	CA.
2	S	R4	*Polymnia cossatotensis* (was sp. nov. /ined.).	Asteraceae	Leaf-cup, cossatot	AR.
2	U	R4	*Porella appalachiana*	Porellaceae		NC, SC.
2	U	R1	*Porophyllum pygmaeum*	Asteraceae		NV.
S	N	R1	*Portulaca hawaiiensis*	*** see ***	*Portulaca villosa*	
2	S	R1	*Portulaca molokiniensis*	Portulacaceae		HI.
PE	S	R1	*Portulaca sclerocarpa*	Portulacaceae	Po'e (=lhi-makole)	HI.
2	S	R1	*Portulaca villosa*	Portulacaceae		HI.
2	U	R3	*Potamogeton confervoides*	Potamogetonaceae.	Pondweed,	MA, ME, MI, NC, NH, NJ, NY, PA, SC, VT, WI, Canada.
2	U	R4	*Potamogeton floridanus*	Potamogetonaceae.		FL.
3B	N	R5	*Potamogeton ogdenii*	Potamogetonaceae.	Pondweed,	MA, NY, VT.
2	U	R6	*Potentilla angelliae*	Rosaceae		UT.
1	U	R1	*Potentilla basaltica*	Rosaceae	Cinquefoil, Soldier Meadows	NV.
2	U	R6	*Potentilla cottamii*	Rosaceae		NV, UT.
2	U	R6	*Potentilla effusa* var. *rupincola*	Rosaceae	Cinquefoil, Front Range	CO.
1	U	R1	*Potentilla hickmanii*	Rosaceae	Cinquefoil, Hickman's	CA.
S	N	R1	*Potentilla hickmanii* var. *uliginosa* /ined..	*** see ***	*Potentilla hickmanii*	
2*	E	R1	*Potentilla multijuga*	Rosaceae	Cinquefoil, Ballona	CA.
S	N	R1	*Potentilla patellifera*	*** see ***	*Ivesia patellifera*	
S	N	R6	*Potentilla rupincola*	*** see ***	*Potentilla effusa* var. *rupincola*	

Status		Lead Region	Scientific name	Family	Common name	Historic range
Category	Trend					
S	N	R1	*Potentilla uliginosa*	*** see ***	*Potentilla hickmanii*	
2	U	R4	*Pouteria hotteana*	Sapotaceae		PR, Cuba, Hispanola.
2	U	R4	*Prenanthes barbata*	Asteraceae	Rattlesnake root, barbed	AL, AR, GA, KY, LA, TN, TX.
2	S	R5	*Prenanthes boottii*	Asteraceae	Rattlesnake root, Boott's	ME, NH, NY, VT.
2	D	R1	*Primula alcalina*	Primulaceae		ID, MT.
2	U	R1	*Primula capillaris*	Primulaceae	Primrose,	NV.
2	U	R6	*Primula domensis*	Primulaceae		UT.
2	U	R2	*Primula hunnewellii*	Primulaceae	Primrose, North Rim	AZ.
2	U	R1	*Primula nevadensis*	Primulaceae	Primrose,	NV.
2	U	R7	*Primula tschuktschorum*	Primulaceae		AK, U.S.S.R.
PE	U	R1	*Pritchardia affinis*	Arecaceae	Loulu	HI.
PE	U	R1	*Pritchardia aymer-robinsonii*	Arecaceae	Wahane (=Hawane or lo'ulu)	HI.
2	S	R1	*Pritchardia hardyi*	Arecaceae		HI.
2	U	R1	*Pritchardia napaliensis*	Arecaceae		HI.
PE	U	R1	*Pritchardia remota*	Arecaceae		HI.
2	U	R1	*Pritchardia schattaueri*	Arecaceae		HI.
2	U	R1	*Pritchardia viscosa*	Arecaceae		HI.
3C	N	R2	*Proatriplex pleiantha*	Chenopodiaceae		CO, NM, UT.
3C	N	R2	*Proboscidea sabulosa*	Martyniaceae	Unicorn plant, dune	NM, TX.
2	U	R2	*Proboscidea spicata*	Martyniaceae	Unicorn plant, many-flowered	TX.
2	D	R5	*Prunus alleghaniensis*	Rosaceae	Plum, Alleghany	CT, MD, MI, NJ, PA, VA, WV.
2	U	R3	*Prunus alleghaniensis* var. *davisii*	Rosaceae		MI.
S	N	R5	*Prunus gravesii*	*** see ***	*Prunus maritima* var. *gravesii*	
3B	N	R5	*Prunus maritima* var. *gravesii*	Rosaceae	Plum, beach, Grave's	CT.
PE	U	R1	*Pseudobahia bahiifolia*	Asteraceae	Sunburst, Hartweg's golden	CA.
PE	D	R1	*Pseudobahia peirsonii*	Asteraceae	Sunburst, San Joaquin adobe	CA.
2	U	R4	*Psidium sintenisii*	Myrtaceae	Hoja menuda	PR.
2	U	R4	*Psiguria cookiana*	Cucurbitaceae	Algodoncillo	PR.
S	N	R6	*Psoralea epipsila*	*** see ***	*Pediomelum epipsilum*	
2*	U	R4	*Psoralea macrophylla*	Fabaceae	Scurf-pea,	NC.
S	N	R6	*Psoralea pariensis*	*** see ***	*Pediomelum pariensis*	
S	N	R2	*Psoralea rydbergii*	*** see ***	*Pediomelum humile*	
S	N	R4	*Psoralea stipulata*	*** see ***	*Orbexilum macrophyllum*	
2	U	R6	*Psorothamnus polyadenius* var. *jonesii.*	Fabaceae		UT.
2	U	R2	*Psorothamnus thompsonae* var. *whitingii.*	Fabaceae		AZ, UT.
2	U	R1	*Psychotria hobdyi*	Rubiaceae		HI.
PE	U	R1	*Pteralyxia kauaiensis*	Apocynaceae	Pteralyxia, Kauai	HI.
S	N	R4	*Pterigynandrum sharpii*	*** see ***	*Leptothymenium sharpii*	NC, TN.
PE	S	R1	*Pteris lidgatei*	Adiantaceae		HI.
2	U	R4	*Pteroglossaspis ecristata*	Orchidaceae	Eulophia	FL, GA, LA, MS, NC, SC, Cuba.
2	U	R6	*Ptilagrostis mongholica* ssp. *porteri*	Poaceae	Needle grass, Porter's	CO.
S	N	R6	*Ptilagrostis porteri*	*** see ***	*Ptilagrostis mongholica* ssp. *porteri*	
1	U	R1	*Puccinellia howellii*	Poaceae	Alkali grass, Howell's	CA.
1	D	R2	*Puccinellia parishii*	Poaceae	Alkali grass, Parish's	AZ, CA, MT, NM.
S	N	R1	*Pyrrocoma liatriformis*	*** see ***	*Haplopappus liatriformis*	
S	N	R1	*Pyrrocoma radiatus*	*** see ***	*Haplopappus radiatus*	
2	D	R1	*Pyrrocoma uniflora* var. *gossypina*	Asteraceae	Pyrrocoma, Bear Valley	CA.
2	D	R4	*Pyxidanthera barbulata* var. *brevifolia.*	Diapensiaceae	Pixie-moss, Weil's (sandhill)	NC, SC.
S	N	R4	*Pyxidanthera brevifolia*	*** see ***	*Pyxidanthera barbulata* var. *brevifolia.*	
2	U	R2	*Quercus boyntonii*	Fagaceae	Oak, Boynton's	AL, TX.
2	U	R1	*Quercus dumosa*	Fagaceae	Oak, Nuttall's scrub	CA, Mexico.
2	U	R2	*Quercus graciliformis*	Fagaceae	Oak, slender	TX.
2	S	R4	*Quercus shumardii* var. *acerifolia*	Fagaceae	Oak, maple-leaf	AR.
2	U	R2	*Quercus tardifolia*	Fagaceae	Oak, Chisos Mountains	TX.
2	U	R1	*Railliardella pringlei*	Asteraceae	Railliardella, showy	CA.
S	N	R1	*Railliardia arborea*	*** see ***	*Dubautia arborea*	
S	N	R1	*Railliardia sherffiana*	*** see ***	*Dubautia sherffiana*	
2	U	R4	*Randia portoricensis*	Rubiaceae		PR.
2	D	R1	*Ranunculus austro-oreganus*	Ranunculaceae		OR.
2	U	R1	*Ranunculus hawaiensis*	Ranunculaceae		HI.
2	U	R1	*Ranunculus mauiensis*	Ranunculaceae		HI.
1	S	R1	*Ranunculus reconditus*	Ranunculaceae		OR, WA.
2	U	R4	*Rhexia aristosa*	Melastomataceae	Meadowbeauty, awned	AL, DE, GA, NC, NJ, SC.

Status		Lead Region	Scientific name	Family	Common name	Historic range
Category	Trend					
2	D	R4	*Rhexia parviflora*	Melastomataceae	Meadowbeauty,	AL, FL, GA.
2	D	R4	*Rhexia salicifolia*	Melastomataceae	Meadowbeauty, panhandle	AL, FL.
3C	N	R4	*Rhododendron prunifolium*	Ericaceae	Azalea, plumleaf	AL, GA.
S	N	R3	*Rhus aromatica* var. *arenaria*	*** see ***	*Rhus trilobata* var. *arenaria*	
2	U	R3	*Rhus trilobata* var. *arenaria*	Anacardiaceae	Sumac,	IL, IN, OH.
2	U	R1	*Rhynchospora californica*	Cyperaceae	Beaked-rush, California	CA.
2	S	R4	*Rhynchospora crinipes*	Cyperaceae	Beaked-rush, hairy-peduncled	AL, FL.
2	U	R4	*Rhynchospora culixa*	Cyperaceae		GA.
2*	U	R4	*Rhynchospora decurrens*	Cyperaceae		FL, GA, NC.
3C	N	R4	*Rhynchospora globularis* var. *saxicola.*	Cyperaceae		GA.
2*	U	R4	*Rhynchospora punctata*	Cyperaceae		FL, GA.
2	U	R4	*Rhynchospora thornei*	Cyperaceae	Beaked-rush, Thorne's	FL, GA, NC.
2	U	R1	*Ribes canthariforme*	Grossulariaceae	Currant, Moreno	CA.
2	U	R1	*Ribes divaricatum* var. *parishii*	Grossulariaceae	Gooseberry, Parish's	CA.
2	U	R1	*Ribes thacherianum*	Grossulariaceae	Gooseberry, Santa Cruz	CA.
2	D	R1	*Ribes tularensis*	Grossulariaceae	Gooseberry, Sequoia	CA.
PE	U	R1	*Rollandia crispa*	Campanulaceae		HI.
2	U	R6	*Rorippa calycina*	Brassicaceae		MT, ND, WY, Canada (N.W.T.).
S	N	R1	*Rorippa calycina* var. *columbiae*	*** see ***	*Rorippa columbiae*	
2*	U	R6	*Rorippa coloradensis*	Brassicaceae	Watercress, San Luis	CO.
2	U	R1	*Rorippa columbiae*	Brassicaceae	Yellow-cress, Columbia	CA, OR, WA.
1	S	R1	*Rorippa subumbellata*	Brassicaceae	Yellow-cress, Tahoe	CA, NV.
2	D	R1	*Rosa minutifolia*	Rosaceae	Rose, small-leaved	CA, Mexico.
2	U	R2	*Rosa stellata* ssp. *abyssa* (was var nov./ined.).	Rosaceae	Rose, Grand Canyon	AZ.
3C	N	R4	*Roystonea elata*	Arecaceae	Palm, royal, Florida	FL.
2	D	R1	*Rubus bartonianus*	Rosaceae		ID, OR.
2	U	R1	*Rubus glaucifolius* var. *ganderi*	Rosaceae	Raspberry, Cuyamaca	CA.
2	U	R1	*Rubus macraei*	Rosaceae		HI.
1	D	R1	*Rubus nigerrimus*	Rosaceae		WA.
2	I	R4	*Rubus whartoniae*	Rosaceae	Dewberry, Wharton's	DE, KY, PA, TN.
2	U	R4	*Rudbeckia heliopsidis*	Asteraceae		AL, GA, NC, SC, VA.
2	U	R4	*Rudbeckia nitida* var. *nitida*	Asteraceae	Coneflower, yellow	AL, FL, GA.
2	U	R2	*Rudbeckia scabrifolia*	Asteraceae	Coneflower, bog	LA, TX.
2	U	R4	*Rudbeckia triloba* var. *pinnatiloba*	Asteraceae		AL, FL, NC, VA.
2	U	R7	*Rumex krausei*	Polygonaceae	Sorrel,	AK, U.S.S.R.
1	U	R2	*Rumex orthoneurus*	Polygonaceae	Dock, Blumer	AZ.
2	U	R1	*Sagittaria sanfordii*	Alismataceae	Sagittaria, valley	CA.
PE	D	R2	*Salix arizonica*	Salicaceae	Willow, Arizona (=White Mountains willow).	AZ.
2	S	R4	*Salix floridana*	Salicaceae	Willow, Florida	FL, GA.
3C	N	R4	*Salpingostylis coelestinum* (=*Sphenostigma c.*).	Iridaceae	Ixia, Bartram's	FL.
2	U	R2	*Salvia amissa*	Lamiaceae	Sage, Aravaipa	AZ.
3C	N	R1	*Salvia brandegei*	Lamiaceae	Sage, Brandegee's	CA.
2	D	R2	*Salvia dorrii* ssp. *mearnsii*	Lamiaceae	Sage, Verde Valley	AZ.
2	U	R1	*Salvia dorrii* var. *clokeyi*	Lamiaceae		NV.
2	U	R1	*Salvia greatai*	Lamiaceae	Sage, Orocopia	CA.
2	U	R2	*Salvia penstemonoides*	Lamiaceae	Sage, big red	TX.
2	U	R1	*Sanicula kauaiensis*	Apiaceae		HI.
PE	U	R1	*Sanicula maritima*	Apiaceae	Sanicle, adobe	CA.
2	U	R1	*Sanicula sandwicensis*	Apiaceae		HI.
2	U	R1	*Sanicula saxatilis*	Apiaceae	Sanicle, rock	CA.
2	U	R1	*Sanicula tracyi*	Apiaceae	Sanicle, Tracy's	CA.
S	N	R4	*Sarracenia alabamensis* ssp. *wherryi*	*** see ***	*Sarracenia rubra* ssp. *wherryi*	
2	D	R4	*Sarracenia leucophylla*	Sarraceniaceae	Pitcher-plant,	AL, FL, GA, MS.
2	U	R4	*Sarracenia rubra* ssp. *wherryi*	Sarraceniaceae	Pitcher-plant,	AL, MS.
2	U	R1	*Saxifraga bryophora* var. *tobiasiae*	Saxifragaceae		ID.
2	U	R5	*Saxifraga caroliniana*	Saxifragaceae	Saxifrage, Gray's	GA, NC, TN, VA, WV.
2	S	R1	*Saxifraga hitchcockii*	Saxifragaceae	Saxifrage, Saddle Mountain	OR.
S	N	R1	*Saxifraga occidentalis* var. *latipetiolata.*	*** see ***	*Saxifraga hitchcockii*	
2	U	R1	*Schiedea hookeri*	Caryophyllaceae	Ma'oli'oli	HI.
2	S	R1	*Schiedea membranacea*	Caryophyllaceae		HI.
2	U	R1	*Schiedea menziesii*	Caryophyllaceae		HI.
S	N	R1	*Schiedea menziesii* var. *spergulacea*	*** see ***	*Schiedea menziesii*	
2	U	R1	*Schiedea nuttallii*	Caryophyllaceae		HI.

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Category	Trend					
2	U	R1	*Schiedea salicaria*	Caryophyllaceae	Ma'oli'oli	HI.
PE	U	R1	*Schiedea spergulina* var. *leiopoda*	Caryophyllaceae		HI.
1	U	R1	*Schiedea spergulina* var. *spergulina*	Caryophyllaceae	Ma'oli'oli	HI.
PE	S	R1	*Schiedea verticillata*	Caryophyllaceae		HI.
2	D	R4	*Schizachyrium niveum*	Poaceae		FL.
S	N	R1	*Schizostege lidgatei*	*** see ***	*Pteris lidgatei*	
2	U	R4	*Schlotheimia lancifolia*	Orthotrichaceae	Moss, highlands	NC.
S	N	R1	*Schoenolirion bracteosum*	*** see ***	*Hastingsia bracteosa*	
2	U	R4	*Schrankia portoricensis*	Fabaceae	Zarzarilla	PR.
2	U	R4	*Scirpus flaccidifolius*	Cyperaceae	Bulrush, reclining	NC, VA.
2	U	R3	*Scirpus hallii*	Cyperaceae	Bullrush,	AL, GA, IA, IL, IN, KS, KY, MA, MI, MO, NE, OK, SC, TX, WI.
2	S	R5	*Scirpus longii*	Cyperaceae	Bulrush, Long's	CT, MA, ME, NH, NJ, NY, RI, Canada (N.S.).
2	U	R1	*Sclerocactus blainei*	Cactaceae	Fishhook cactus, Blaine's	NV.
2	U	R6	*Sclerocactus contortus*	Cactaceae		CO, NM.
2	U	R1	*Sclerocactus schleseri*	Cactaceae	Fishhook cactus, Schleser's	NV.
2	U	R1	*Scrophularia atrata*	Scrophulariaceae	Figwort, black-flowered	CA.
S	N	R2	*Scrophularia coccinea*	*** see ***	*Scrophularia macrantha*	
2	U	R2	*Scrophularia laevis*	Scrophulariaceae	Figwort, Organ Mountain	NM.
1	U	R2	*Scrophularia macrantha*	Scrophulariaceae	Figwort,	NM.
2	U	R1	*Scrophularia villosa*	Scrophulariaceae	Figwort, Santa Catalina	CA.
2	U	R2	*Scutellaria laevis*	Lamiaceae	Skullcap, smooth-stem	TX.
2	U	R4	*Scutellaria ocmulgee*	Lamiaceae	Skullcap,	GA.
2	U	R5	*Scutellaria ovata* ssp. *pseudoarguta*	Lamiaceae	Skullcap, heart-leaved,	VA, WV.
3C	N	R3	*Scutellaria saxatilis*	Lamiaceae		DE, GA, IN, KY, MO, NC, OH, PA, TN, VA, WV.
2	S	R4	*Scutellaria thieretii*	Lamiaceae	Skullcap, Thieret's	LA, TX.
1	U	R1	*Sedum eastwoodiae*	Crassulaceae	Stonecrop, Red Mountain	CA.
S	N	R1	*Sedum laxum* ssp. *eastwoodiae*	*** see ***	*Sedum eastwoodiae*	
2	U	R1	*Sedum moranii*	Crassulaceae	Stonecrop, Reid's	OR.
2	S	R4	*Sedum nevii*	Crassulaceae	Stonecrop, Nevius'	AL, GA, TN.
2	S	R1	*Sedum oblanceolatum*	Crassulaceae	Stonecrop, Applegate	CA, OR.
S	N	R1	*Sedum obtusatum* ssp. *paradisum*	*** see ***	*Sedum paradisum*	
2	U	R1	*Sedum paradisum*	Crassulaceae	Stonecrop, Canyon Creek	CA.
2*	U	R1	*Sedum pinetorum*	Crassulaceae	Stonecrop, Pine City	CA.
3C	N	R4	*Sedum pusillum*	Crassulaceae		GA, NC, SC.
2	U	R1	*Sedum radiatum* ssp. *depauperatum*	Crassulaceae	Stonecrop, star-fruited, small	CA, OR.
2	U	R2	*Sedum robertsianum*	Crassulaceae	Stonecrop, Robert's	TX.
3C	N	R6	*Selaginella utahensis*	Selaginellaceae		NV, UT.
2	U	R1	*Senecio bernardinus*	Asteraceae	Butterweed, San Bernardino	CA.
1	S	R1	*Senecio ertterae*	Asteraceae	Ragwort, Ertter's	OR.
2	U	R1	*Senecio ganderi*	Asteraceae	Butterweed, Gander	CA.
2	U	R1	*Senecio hesperius*	Asteraceae		OR.
1	S	R2	*Senecio huachucanus*	Asteraceae	Groundsel, Huachuca	AZ, Mexico.
2	S	R1	*Senecio layneae*	Asteraceae	Butterweed, Layne's	CA.
2	U	R4	*Senecio millefolium*	Asteraceae	Ragwort, divided-leaf	GA, NC, SC.
2	U	R2	*Senecio quaerens*	Asteraceae		AZ, NM.
2	U	R2	*Senecio spellenbergii*	Asteraceae	Groundsel, Spellenberg's	NM.
2	U	R2	*Senna ripleyana*	Fabaceae	Senna, Ripley's	TX, Mexico.
S	N	R1	*Sesbania arborea*	*** see ***	*Sesbania tomentosa*	
S	N	R1	*Sesbania hawaiensis*	*** see ***	*Sesbania tomentosa*	
S	N	R1	*Sesbania hobdyi*	*** see ***	*Sesbania tomentosa*	
S	N	R1	*Sesbania molokaiensis*	*** see ***	*Sesbania tomentosa*	
PE	D	R1	*Sesbania tomentosa*	Fabaceae	'Ohai	HI.
S	N	R1	*Sesbania tomentosa* var. *molokaiensis.*	*** see ***	*Sesbania tomentosa*	
2	U	R2	*Sesuvium trianthemoides*	Aizoaceae	Sea-purslane, roughseed	TX.
2	S	R4	*Shortia galacifolia*	Diapensiaceae	Oconee-bells	GA, NC, SC.
2	U	R4	*Shortia galacifolia* var. *brevistyla*	Diapensiaceae	Oconee-bells, short-styled	NC.
2	S	R6	*Shoshonea pulvinata*	Apiaceae		MT, WY.
1	D	R1	*Sibara filifolia*	Brassicaceae	Rock-cress, island	CA.
2	U	R1	*Sicyos alba*	Cucurbitaceae		HI.
2	U	R1	*Sicyos cucumerinus*	Cucurbitaceae		HI.
2	U	R1	*Sicyos macrophyllus*	Cucurbitaceae		HI.
S	N	R4	*Sida eggersii*	*** see ***	*Abutilon virginianum*	
2*	U	R5	*Sida inflexa*	Malvaceae		VA.

Status		Lead Region	Scientific name	Family	Common name	Historic range
Category	Trend					
1	D	R1	*Sidalcea covillei*	Malvaceae	Checkermallow, Owens Valley	CA.
2	U	R1	*Sidalcea hickmanii* ssp. *anomala*	Malvaceae	Sidalcea, Cuesta Pass	CA.
1	D	R1	*Sidalcea hickmanii* ssp. *parishii*	Malvaceae	Sidalcea, Parish's	CA.
2	U	R1	*Sidalcea hickmanii* ssp. *viridis*	Malvaceae	Checkermallow, Marin	CA.
1	U	R1	*Sidalcea keckii*	Malvaceae	Sidalcea, Keck's	CA.
2	D	R1	*Sidalcea malvaeflora* ssp. *patula*	Malvaceae	Checkermallow,	CA, OR.
1	U	R1	*Sidalcea oregana* ssp. *valida*	Malvaceae	Checkermallow, Kenwood Marsh	CA.
1	U	R1	*Sidalcea oregana* var. *calva*	Malvaceae		WA.
2	U	R1	*Sidalcea robusta*	Malvaceae	Sidalcea, Butte County	CA.
3B	N	R1	*Sidalcea setosa*	Malvaceae		CA, OR.
1	U	R1	*Sidalcea stipularis*	Malvaceae	Checkerbloom, Scadden Flat	CA.
1	U	R1	*Silene campanulata* ssp. *campanulata.*	Caryophyllaceae	Campion, Red Mountain	CA.
2	U	R1	*Silene clokeyi*	Caryophyllaceae		NV.
2	D	R1	*Silene douglasii* var. *oraria*	Caryophyllaceae	Catchfly, cascade head	OR.
PE	U	R1	*Silene hawaiiensis*	Caryophyllaceae		HI.
2	U	R1	*Silene marmorensis*	Caryophyllaceae	Catchfly, Marble Mountain	CA.
2	U	R1	*Silene nachlingerae*	Caryophyllaceae	Catchfly, Jan's	NV.
2	U	R1	*Silene occidentalis* ssp. *longistipitata*	Caryophyllaceae	Catchfly, Butte County	CA.
2	S	R4	*Silene ovata*	Caryophyllaceae		AL, AR, GA, KY, MS, NC, SC, TN, VA.
2	U	R6	*Silene petersonii*	Caryophyllaceae	Catchfly, plateau	UT.
S	N	R6	*Silene petersonii* var. *petersonii*	*** see ***	*Silene petersonii*	
2	U	R2	*Silene rectiramea*	Caryophyllaceae	Catchfly, Grand Canyon	AZ.
3C	N	R3	*Silene regia*	Caryophyllaceae	Catchfly, royal	AL, AR, GA, IL, IN, KS, KY, MO, OH, OK.
2	S	R1	*Silene seelyi*	Caryophyllaceae		WA.
2	D	R1	*Silene spaldingii*	Caryophyllaceae	Silene, Spalding's	ID, MT, OR, WA.
2	I	R2	*Silene subciliata*	Caryophyllaceae	Catchfly, scarlet	LA, TX.
2	U	R1	*Silene verecunda* ssp. *verecunda*	Caryophyllaceae	Campion, Mission Dolores	CA.
2	U	R5	*Silene virginica* var. *robusta*	Caryophyllaceae	Catchfly,	WV.
2	U	R4	*Silphium brachiatum*	Asteraceae	Rosinweed,	AL, TN.
2	U	R4	*Silphium confertifolium*	Asteraceae		AL.
2	U	R6	*Sisyrinchium pallidum*	Iridaceae	Grass, pale blue-eyed	CO, WY.
2	S	R1	*Sisyrinchium sarmentosum*	Iridaceae		OR, WA.
2*	U	R4	*Sium floridanum*	Apiaceae	Water-parsnip, Florida	AL, FL.
2	U	R7	*Smelowskia pyriformis*	Brassicaceae		AK.
2*	U	R4	*Smilax leptanthera*	Liliaceae		GA.
2*	E	R4	*Solanum carolinense* var. *hirsutum*	Solanaceae	Horse-nettle,	GA.
2*	U	R4	*Solanum conocarpum*	Solanaceae		VI.
S	N	R1	*Solanum haleakalaense*	*** see ***	*Solanum incompletum*	
S	N	R1	*Solanum hillebrandii*	*** see ***	*Solanum sandwicense*	
PE	U	R1	*Solanum incompletum*	Solanaceae	Popolo, ke mai or Popolo, thorny	HI.
S	N	R1	*Solanum kauaiense*	*** see ***	*Solanum sandwicense*	
2	U	R4	*Solanum mucronatum*	Solanaceae		PR, VI.
PE	U	R1	*Solanum sandwicense*	Solanaceae		HI.
2	U	R1	*Solanum tenuilobatum*	Solanaceae	Nightshade, narrow-leaved	CA, Mexico.
3C	N	R4	*Solidago ouachitensis*	Asteraceae		AR, OK.
2*	U	R4	*Solidago plumosa*	Asteraceae	Goldenrod,	NC.
2*	U	R4	*Solidago porteri*	Asteraceae	Goldenrod, Porter's	GA.
2	U	R4	*Solidago pulchra*	Asteraceae	Goldenrod, Carolina	NC.
2	U	R3	*Solidago sphathulata* var. *gillmanii*	Asteraceae		IN, MI, WI.
2	S	R4	*Solidago verna*	Asteraceae	Goldenrod, spring-flowering	NC, SC.
3C	N	R2	*Sophora gypsophila* var. *guadalupensis.*	Fabaceae	Mescal bean, Guadalupe Mountains	NM, TX.
2	S	R1	*Sophora leachiana*	Fabaceae		OR.
PE	I	R1	*Spermolepis hawaiiensis*	Apiaceae	None	HI.
S	N	R3	*Sphaeralcea angusta*	*** see ***	*Malvastrum hispidum*	
2	U	R1	*Sphaeralcea caespitosa*	Malvaceae	Globe-mallow, Jones'	NV, UT.
2	U	R6	*Sphaeralcea janeae*	Malvaceae		UT.
2	U	R6	*Sphaeralcea psoraloides*	Malvaceae		UT.
2	U	R1	*Sphaeralcea rusbyi* ssp. *eremicola*	Malvaceae	Desert-mallow, Rusby's	CA.
1	U	R1	*Sphaeromeria compacta*	Asteraceae	Tansy,	NV.
2	U	R6	*Sphaeromeria ruthiae*	Asteraceae	Tansy, Zion	UT.
2	D	R6	*Sphaeromeria simplex*	Asteraceae	False sagebrush, Laramie	WY.
2	U	R4	*Sphenolobopsis pearsoni*	Cephaloziellaceae		NC, TN, Norway, United Kingdom.
S	N	R4	*Sphenostigma coelestinum*	*** see ***	*Salpingostylis coelestinum*	
2	U	R4	*Spigelia loganioides*	Loganiaceae	Pinkroot,	FL.

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Category	Trend					
1	D	R2	*Spiranthes delitescens*	Orchidaceae	Ladies'-tresses, Madrean	AZ.
2	D	R1	*Spiranthes infernalis*	Orchidaceae	Ladies'-tresses, Ash Meadows	NV.
2	S	R4	*Spiranthes lanceolata* var. *paludicola*	Orchidaceae	Ladies'-tresses,	FL.
2	D	R4	*Spiranthes polyantha*	Orchidaceae	Ladies'-tresses,	FL, Bahamas, Dominican Republic, Guatemala, Mexico.
S	N	R3	*Sporobolus neglectus* var. *ozarkanus*	*** see ***	*Sporobolus ozarkanus*	
3C	N	R3	*Sporobolus ozarkanus*	Poaceae	Grass, bald	AL, IL, IN, KY, LA, MO, MS, OK, TN, TX, Canada.
2	U	R4	*Sporobolus teretifolius*	Poaceae	Dropseed, wireleaf	GA, NC, SC.
2	U	R4	*Stachys hyssopifolia* var. *lythroides*	Lamiaceae	Hedge-nettle, Tallahassee	FL.
S	N	R4	*Stachys lythroides*	*** see ***	*Stachys hyssopifolia* var. *lythroides*	
S	N	R4	*Stellaria fontinalis*	*** see ***	*Arenaria fontinalis*	
S	N	R1	*Stenogyne calaminthoides* var. *oxyodonata.*	*** see ***	*Stenogyne oxygona*	
2	U	R1	*Stenogyne cranwelliae*	Lamiaceae		HI.
2*	E	R1	*Stenogyne haliakalae*	Lamiaceae	Stenogyne, haleakala	HI.
2	U	R1	*Stenogyne oxygona*	Lamiaceae		HI.
2	U	R1	*Stephanomeria blairii*	Asteraceae	Munzothamnus, Blair's	CA.
2	D	R4	*Stillingia sylvatica* ssp. *tenuis*	Euphorbiaceae		FL.
PE	D	R1	*Streptanthus albidus* ssp. *albidus*	Brassicaceae	Jewelflower, Metcalf Canyon	CA.
1	U	R1	*Streptanthus albidus* ssp. *peramoenus.*	Brassicaceae	Jewelflower, most beautiful (=uncommon).	CA.
2	U	R1	*Streptanthus batrachopus*	Brassicaceae	Jewelflower, Tamalpais	CA.
1	U	R1	*Streptanthus brachiatus* ssp. *brachiatus.*	Brassicaceae	Streptanthus, Contact Mine	CA.
1	D	R1	*Streptanthus brachiatus* ssp. *hoffmanii.*	Brassicaceae	Jewelflower, Freed's	CA.
2	U	R2	*Streptanthus bracteatus*	Brassicaceae	Twistflower, bracted	TX.
2	U	R1	*Streptanthus callistus*	Brassicaceae	Jewelflower, Mt. Hamilton	CA.
2	U	R1	*Streptanthus cordatus* var. *piutensis*	Brassicaceae	Jewelflower, Piute Mountains	CA.
2	U	R2	*Streptanthus cutleri*	Brassicaceae	Twistflower, Cutler's	TX, Mexico.
2	U	R1	*Streptanthus glandulosus* var. *hoffmanii.*	Brassicaceae	Jewelflower, secund	CA.
2	U	R1	*Streptanthus hispidus*	Brassicaceae	Jewelflower, Mt. Diablo	CA.
2	U	R1	*Streptanthus insignis* ssp. *lyonii*	Brassicaceae	Jewelflower, Auburua Ranch	CA.
2	U	R2	*Streptanthus lemmonii*	Brassicaceae	Jewelflower, Lemmon's	AZ.
1	U	R1	*Streptanthus morrisonii* ssp. *elatus*	Brassicaceae	Jewelflower, Three Peaks	CA.
1	U	R1	*Streptanthus morrisonii* ssp. *hirtiflorus.*	Brassicaceae	Jewelflower, Dorr's Cabin	CA.
2	U	R1	*Streptanthus morrisonii* ssp. *kruckebergii.*	Brassicaceae	Jewelflower, Kruckeberg's	CA.
2	U	R1	*Streptanthus morrisonii* ssp. *morrisonii.*	Brassicaceae	Jewelflower, Morrison's	CA.
PE	U	R1	*Streptanthus niger*	Brassicaceae	Jewelflower, Tiburon	CA.
2	U	R1	*Streptanthus oliganthus*	Brassicaceae	Jewelflower, Masonic Mountain	CA, NV.
2	U	R1	*Streptanthus* sp. nov. /ined. (Shasta Co.).	Brassicaceae	Jewelflower, Pit River	CA.
2	U	R2	*Streptanthus sparsiflorus*	Brassicaceae	Jewelflower, few-flowered	NM, TX.
2	U	R2	*Streptanthus squamiformis*	Brassicaceae	Jewelflower,	AR, OK.
2	U	R1	*Stroganowia tiehmii*	Brassicaceae	Stroganowia, Tiehm's	NV.
2	D	R5	*Stylisma pickeringii (formerly var.pickeringii).*	Convolvulaceae	Morning-glory, Pickering's	AL, GA, MS, NC, NJ, SC.
2	U	R1	*Stylocline citroleum*	Asteraceae		CA.
2	U	R1	*Stylocline masonii*	Asteraceae		CA.
2	U	R2	*Styrax youngae*	Styracaceae	Snowbell, Young's	TX, Mexico.
PE	U	R1	*Suaeda californica*	Chenopodiaceae	Seablite, California	CA.
2	U	R2	*Suaeda duripes*	Chenopodiaceae	Seepweed, hardtoe	TX.
2	U	R5	*Suaeda rolandii*	Chenopodiaceae		NJ, NY, Canada.
2	U	R1	*Sulcaria isidiisera*	Alectoriaceae	Lichen, splitting yarn	CA.
2	U	R6	*Sullivantia hapemanii*	Saxifragaceae		MT, WY.
S	N	R4	*Sullivantia ohionis*	*** see ***	*Sullivantia sullivantii*	
2	S	R1	*Sullivantia oregana*	Saxifragaceae		OR, WA.
S	N	R4	*Sullivantia renifolia*	*** see ***	*Sullivantia sullivantii*	
3C	N	R4	*Sullivantia sullivantii*	Saxifragaceae	Sullivantia,	IA, IN, KY, MN, MO, OH, VA, WI.
S	N	R6	*Swertia coloradensis*	*** see ***	*Frasera coloradensis*	
2	U	R2	*Symphoricarpos guadalupensis*	Caprifoliaceae	Snowberry, McKittrick	TX.
1	U	R1	*Synthyris ranunculina*	Scrophulariaceae	Kittentails,	NV.

Status		Lead Region	Scientific name	Family	Common name	Historic range
Category	Trend					
3C	N	R4	*Talinum calcaricum*	Portulacaceae	Fameflower, limestone	AL, KY, TN.
2	U	R2	*Talinum humile*	Portulacaceae	Fameflower, Pinos Altos	AZ, NM, Mexico.
2	U	R2	*Talinum marginatum*	Portulacaceae	Fameflower, Tepic	AZ, Mexico.
2	U	R3	*Talinum rugospermum*	Portulacaceae	Fameflower, rough-seeded	IA, IL, IN, KS, MN, NE, TX, WI.
2	U	R6	*Talinum thompsonii*	Portulacaceae		UT.
2	U	R2	*Talinum validulum*	Portulacaceae	Fameflower, Tusayan	AZ.
S	N	R1	*Tanacetum compactum*	*** see ***	*Sphaeromeria compacta*	
S	N	R6	*Tanacetum simplex*	*** see ***	*Sphaeromeria simplex*	
1	U	R1	*Taraxacum californicum*	Asteraceae	Dandelion, California	CA.
2	U	R7	*Taraxacum carneocoloratum*	Asteraceae		AK, Canada (Yukon).
2	U	R1	*Tauschia hooveri*	Apiaceae	Tauschia, Hoover's	WA.
2	U	R1	*Tauschia howellii*	Apiaceae	Tauschia, Howell's	CA, OR.
2	S	R4	*Taxus floridana*	Taxaceae	Yew, Florida	FL.
2	U	R4	*Tectaria amesiana*	Aspleniaceae		FL, Bahamas.
2	U	R4	*Tectaria coriandrifolia*	Aspleniaceae	Fern, hairy halberd	FL, Bahamas, Cuba, Jamaica.
2	D	R1	*Teloschistes villosus*	Teloschistaceae		CA, Mexico.
2	D	R4	*Tephrosia angustissima*	Fabaceae		FL.
2	U	R4	*Tephrosia mohrii*	Fabaceae	Hoary-pea, pineland	AL, FL, GA.
2	U	R1	*Tetracoccus dioicus*	Euphorbiaceae	Tetracoccus, Parry's	CA, Mexico.
PE	U	R1	*Tetramolopium arenarium*	Asteraceae		HI.
PE	U	R1	*Tetramolopium capillare*	Asteraceae	Pamakani	HI.
2	U	R1	*Tetramolopium consanguineum* ssp. *leptophyllum.*	Asteraceae		HI.
2	U	R1	*Tetramolopium humile* var. *sublaeve*	Asteraceae		HI.
PE	D	R1	*Tetraplasandra gymnocarpa*	Araliaceae	'Ohe'ohe	HI.
S	N	R1	*Tetraplasandra gymnocarpa* var. *pupukeensis.*	*** see ***	*Tetraplasandra gymnocarpa*	
2	D	R1	*Texosporium sancti-jacobi*	Cypheliaceae	Lichen,	CA, ID, OR.
2	U	R2	*Thalictrum arkansanum*	Ranunculaceae		AR, OK, TX.
2	U	R4	*Thalictrum mirabile*	Ranunculaceae		AL, KY, TN.
2	U	R4	*Thalictrum subrotundum*	Ranunculaceae		AL, FL, GA, SC.
2	U	R2	*Thalictrum texanum*	Ranunculaceae	Meadowrue, Houston	TX.
2	U	R2	*Thalictrum texanum*	Ranunculaceae		TX.
2	U	R6	*Thelesperma caespitosum*	Asteraceae		WY.
2	D	R6	*Thelesperma pubescens*	Asteraceae		WY.
2	U	R6	*Thelesperma subnudum* var. *alpinum.*	Asteraceae		UT.
2	U	R2	*Thelocactus bicolor* var. *flavidispinus*	Cactaceae		TX, Mexico.
2	U	R1	*Thelypodium eucosmum*	Brassicaceae		OR.
1	D	R1	*Thelypodium howellii* var. *spectabilis*	Brassicaceae		OR.
2	S	R1	*Thelypodium repandum*	Brassicaceae	Thelypody, Jaeger's	ID.
2	U	R2	*Thelypodium tenue*	Brassicaceae	Thelypody, Fresno Creek	TX.
2	U	R1	*Thelypteris boydiae*	Thelypteridaceae		HI.
2	U	R4	*Thelypteris hastata* var. *heterodoxa*	Thelypteridaceae		PR.
2	U	R1	*Thermopsis macrophylla* var. *agnina*	Fabaceae	False-lupine, Santa Barbara	CA.
2	U	R1	*Thermopsis macrophylla* var. *semota*	Fabaceae	False-lupine, velvety	CA.
2*	D	R3	*Thismia americana*	Burmanniaceae		IL.
1	D	R1	*Thlaspi montanum* var. *californicum*	Brassicaceae	Penny-cress, Kneeland Prairie	CA.
1	U	R1	*Thysanocarpus conchuliferus*	Brassicaceae	Fringepod, Santa Cruz Island	CA.
2	U	R2	*Tillandsia baileyi*	Bromeliaceae	Ballmoss, Bailey's	TX, Mexico.
2	U	R4	*Tillandsia lineatispica*	Bromeliaceae	Pinon	PR, VI.
2	U	R4	*Tofieldia glabra*	Liliaceae	Bog-asphodel, smooth	GA, NC, SC.
2	U	R1	*Tofieldia glutinosa* ssp. *absona*	Liliaceae		ID.
2	U	R3	*Tomanthera auriculata*	Scrophulariaceae	False-foxglove, auriculate	AR, IL, IN, KS, MD, MI, MN, MO, MS, OH, OK, PA, SC, TN, TX, VA, WI, WV.
2*	E	R4	*Tomanthera caddoensis*	Scrophulariaceae	False-foxglove, Caddo purple	LA.
2	U	R4	*Tomanthera pseudaphylla*	Scrophulariaceae	False-foxglove, Shinner's	AL, MS, TN.
2	U	R3	*Tomanthera skinneriana*	Scrophulariaceae	False-foxglove, purple	IA, IL, IN, KS, KY, LA, MI, MO, OH, WI.
2	U	R4	*Tortula ammonsiana*	Pottiaceae	Tortula, Ammon's	NC, TN, WV.
2	U	R1	*Torulinium odoratum* ssp. *auriculatum.*	Cyperaceae		HI.
2	U	R6	*Townsendia jonesii* var. *lutea*	Asteraceae	Townsendia,	UT.
2	U	R1	*Townsendia jonesii* var. *tumulosa*	Asteraceae		NV.

Status		Lead Region	Scientific name	Family	Common name	Historic range
Category	Trend					
2	U	R2	*Townsendia* sp. nov. /ined.	Asteraceae	Townsendia, gypsum	NM.
2	U	R6	*Townsendia* sp. nov. /ined.	Asteraceae		WY.
2	S	R4	*Tradescantia ozarkana*	Commelinaceae		AR, MO, OK.
2	D	R4	*Tragia saxicola*	Euphorbiaceae		FL.
2	U	R1	*Trematolobelia grandifolia*	Campanulaceae		HI.
2	U	R1	*Trematolobelia singularis*	Campanulaceae		HI.
S	N	R1	*Trematolobelia wimmeri*	*** see ***	*Trematolobelia grandifolia*	
1	U	R1	*Trichostema austromontanum* ssp. *compactum.*	Lamiaceae	Bluecurls, Hidden Lake	CA.
2	U	R4	*Trichostema* sp. nov. /ined.	Lamiaceae	Blue curls, undescribed species	NC, SC.
2*	U	R1	*Trifolium amoenum*	Fabaceae	Clover, showy Indian	CA.
2	U	R6	*Trifolium andersonii* var. *friscanum*	Fabaceae		UT.
2	U	R1	*Trifolium andinum* var. *podocephalum.*	Fabaceae		NV.
2	S	R6	*Trifolium barnebyi*	Fabaceae		WY.
2	U	R1	*Trifolium bolanderi*	Fabaceae	Clover, parasol	CA.
2	S	R5	*Trifolium calcaricum* (was sp. nov. /ined.).	Fabaceae	Clover,	TN, VA.
2	D	R1	*Trifolium leibergii*	Fabaceae		OR, NV.
S	N	R2	*Trifolium longipes* var. *neurophyllum*	*** see ***	*Trifolium neurophyllum*	
2	U	R1	*Trifolium macilentum* var. *rollinsii*	Fabaceae	Clover,	NV.
2	U	R2	*Trifolium neurophyllum*	Fabaceae	Clover,	AZ, NM.
2	S	R1	*Trifolium owyheense*	Fabaceae	Clover, Owyhee	ID, OR.
1	U	R1	*Trifolium polyodon*	Fabaceae	Clover, Pacific Grove	CA.
1	U	R1	*Trifolium thompsonii*	Fabaceae	Clover, Thompson's	WA.
1	U	R1	*Trifolium trichocalyx*	Fabaceae	Clover, Del Monte	CA.
2	U	R5	*Triglochin gaspense*	Juncaginaceae	Arrow-grass, Gaspe Peninsula	ME, Canada (N.B., Nfld., P.E.I., Que.)
2	U	R5	*Trillium pusillum* var. *monticulum*	Liliaceae		VA, WV.
2	U	R4	*Trillium pusillum* var. *ozarkanum*	Liliaceae	Trillium, least, Ozark	AR, KY, MO, OK, TN.
2	U	R4	*Trillium pusillum* var. *pusillum*	Liliaceae		AL, KY, MS, NC, SC, TN.
2	U	R2	*Trillium pusillum* var. *texanum*	Liliaceae	Trillium, Texas	AR, LA, TX.
2	D	R5	*Trillium pusillum* var. *virginianum*	Liliaceae	Trillium, least, Virginia	MD, NC, VA.
S	N	R2	*Trillium texanum*	*** see ***	*Trillium pusillum* var. *texanum*	
2	U	R4	*Triphora craigheadii*	Orchidaceae	Nodding-caps, Craighead's	FL.
2*	U	R4	*Triphora latifolia*	Orchidaceae	Nodding-caps,	FL.
2	U	R4	*Triphora rickettii*	Orchidaceae	Nodding-caps,	FL.
2	U	R1	*Triphysaria floribunda*	Scrophulariaceae	Owl's-clover, San Francisco	CA.
2	U	R4	*Tripsacum floridanum*	Poaceae	Gama grass,	FL.
3B	N	R6	*Trisetum orthochaetum*	Poaceae		MT.
2	U	R1	*Triteleia clementina*	Liliaceae	Brodiaea, San Clemente Island	CA.
2*	U	R1	*Tropidocarpum capparideum*	Brassicaceae	Tropidocarpum, caper-fruited	CA.
PE	D	R1	*Tuctoria greenei*	Poaceae	Orcutt grass, Greene's	CA.
S	N	R1	*Urostachys nutans*	*** see ***	*Lycopodium nutans*	
3C	N	R2	*Urtica chamaedryoides*	Urticaceae		AL, AR, FL, GA, KS, KY, LA, MA, MO, MS, OH, OK, SC, TN, TX, WV, Mexico.
2	U	R4	*Vaccinium hirsutum*	Ericaceae	Berry, wooly	GA, NC, TN.
2	S	R4	*Vaccinium sempervirens*	Ericaceae	Huckleberry, Raynor's	SC.
3C	N	R2	*Valeriana texana*	Valerianaceae	Valerian, Guadalupe	NM, TX.
2	U	R2	*Valerianella texana*	Valerianaceae	Cornsalad, Edwards' Plateau	TX.
2	U	R2	*Vauquelinia californica* ssp. *pauciflora.*	Rosaceae	Rosewood, limestone	AZ, NM, Mexico.
S	N	R2	*Vauquelinia pauciflora*	*** see ***	*Vauquelinia californica* ssp. *pauciflora.*	
1	U	R1	*Verbena californica*	Verbenaceae	Vervain, Red Hills	CA.
2	D	R4	*Verbena maritima*	Verbenaceae		FL.
2*	U	R5	*Verbena riparia*	Verbenaceae		NC, VA.
2	D	R4	*Verbena tampensis*	Verbenaceae	Vervain,	FL.
2	U	R4	*Verbesina chapmannii*	Asteraceae	Crownbeard, Chapman's	FL.
1	D	R1	*Verbesina dissita*	Asteraceae	Crownbeard, big-leaved	CA, Mexico.
2	U	R4	*Verbesina heterophylla*	Asteraceae		FL.
2	U	R4	*Vernonia borinquensis*	Asteraceae		PR.
2	U	R4	*Viburnum bracteatum*	Caprifoliaceae	Arrowwood,	AL, GA, TN.
2	U	R4	*Vicia ocalensis*	Fabaceae	Vetch, Ocala	FL.
PE	D	R1	*Vigna o-wahuensis*	Fabaceae		HI.
S	N	R1	*Vigna sandwicensis*	*** see ***	*Vigna o-wahuensis*	

Status		Lead Region	Scientific name	Family	Common name	Historic range
Category	Trend					
S	N	R4	*Vincetoxicum alabamense*	*** see ***	*Matelea alabamensis*	
2	U	R6	*Viola franksmithii*	Violaceae	Violet, Frank Smith's	UT.
2	U	R2	*Viola guadalupensis*	Violaceae	Violet, Guadalupe Mountain	TX.
2	I	R1	*Viola kauaiensis* var. *wahiawaensis*	Violaceae		HI.
S	N	R1	*Viola lanceolata* ssp. *occidentalis*	*** see ***	*Viola primulifolia* ssp. *occidentalis*	
2	U	R6	*Viola lithion*	Violaceae		NV, UT.
3C	N	R3	*Viola novae-angliae*	Violaceae	Violet, New England	ME, MI, MN, NY, WI, Canada (Man., N.B., Ont.).
2	U	R1	*Viola oahuensis*	Violaceae		HI.
2	D	R1	*Viola primulifolia* ssp. *occidentalis*	Violaceae	Violet, western bog	CA, OR.
3C	N	R4	*Waldsteinia lobata*	Rosaceae		GA, SC.
2	U	R1	*Wikstroemia skottsbergiana*	Thymelaeaceae		HI.
2	U	R1	*Wikstroemia villosa*	Thymelaeaceae		HI.
2	U	R1	*Wilkstroemia bicornuta*	Thymelaeaceae		HI.
2	U	R3	*Woodsia oregana* var. *cathcartiana*	Aspleniaceae	Woodsia, Oregon	MN, NY, WI, Canada.
2	U	R1	*Wyethia reticulata*	Asteraceae	Mule-ears, El Dorado	CA.
2	D	R1	*Xylorhiza cognata*	Asteraceae	Aster, Mecca	CA, Mexico (Baja California).
2*	U	R6	*Xylorhiza cronquistii*	Asteraceae		UT.
2	U	R1	*Xylorhiza orcuttii*	Asteraceae	Aster, Borrego (=Orcutt's aster)	CA, Mexico (Baja California).
2	U	R4	*Xyris drummondii*	Xyridaceae	Yellow-eyed grass, Drummond's	AL, FL, GA, LA, MS, TX.
2	U	R4	*Xyris isoetifolia*	Xyridaceae		FL.
2	U	R4	*Xyris longisepala*	Xyridaceae	Xyris, karst pond (=Yellow-eyed-grass, Kral's).	AL, FL.
2	U	R4	*Xyris scabrifolia*	Xyridaceae		AL, FL, GA, LA, MS, TX.
2	U	R6	*Yermo xanthocephalus*	Asteraceae		WY.
S	N	R1	*Zanthoxylum bluettianum*	*** see ***	*Zanthoxylum hawaiiense*	
2	U	R1	*Zanthoxylum dipetalum* var. *tomentosum.*	Rutaceae		HI.
PE	U	R1	*Zanthoxylum hawaiiense*	Rutaceae	A'e (=hea'e)	HI.
1	U	R2	*Zanthoxylum parvum*	Rutaceae	Tickle-tongue, Shinner's	TX.
2	U	R4	*Zizia latifolia*	Apiaceae		FL, GA.

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Thursday
September 30, 1993

Part V

Department of Housing and Urban Development

Office of the Assistant Secretary

Section 8 Set-Aside for Homeless Veterans With Severe Psychiatric or Substance Abuse Disorders; Notice of Funding Availability

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Assistant Secretary for Public and Indian Housing

[Docket No. N–93–3666; FR–3557–N–01]

Notice of Funding Availability (NOFA) for Fiscal Year 1993, for the Section 8 Set-Aside for Homeless Veterans With Severe Psychiatric or Substance Abuse Disorders

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, HUD.

ACTION: Notice of funding availability (NOFA) for Fiscal Year (FY) 1993.

SUMMARY: This notice announces the availability of $19.1 million in FY 1993 budget authority (approximately 750 units) for a national competition established by the Department of Housing and Urban Development (HUD) and the Department of Veterans Affairs (VA) to award funding under the section 8 rental voucher program for homeless veterans with severe psychiatric or substance abuse disorders. This notice invites public housing agencies and Indian housing authorities, hereinafter collectively referred to as housing agencies (HAs), in conjunction with eligible VA Medical Centers (see Attachment 7) to submit applications.

This NOFA contains information for the applicants regarding the allocation of rental voucher budget authority, the application process, including the application requirements and the deadline for filing applications: the selection criteria; and the application rating, ranking, and selection process.

DATES: The due date for submission of applications in response to this NOFA is November 15, 1993. Application forms may be obtained from the local HUD Field Office/Indian Programs Office. Applications must be received in the local HUD Field Office/Indian Programs Office on the due date by 3 p.m. local time. The local Field Offices/ Indian Programs Offices are the official place of receipt for all applications. At the time, or immediately following the submission of the application to the Field Office/Indian Programs Office, the HA also must submit a copy of the application for funding under this NOFA to the following address: U.S. Department of Housing and Urban Development, Mr. Gerald J. Benoit, Director, Operations Branch, Rental Assistance Division, room 4220, 451 Seventh Street, SW., Washington, DC 20410.

The above-stated application deadline for submission of completed applications to the Field Offices/Indian Programs Offices is firm as to date and hour. In the interest of fairness to all competing HAs, the Department will treat as ineligible for consideration any application that is not received before the application deadline. Applicants should take this practice into account and make early submission of their materials to avoid any risk of loss of eligibility brought about by unanticipated delays or other delivery-related problem. HUD will not accept applications submitted via facsimile (FAX) transmission.

FOR FURTHER INFORMATION CONTACT: Gerald J. Benoit, Director, Operations Branch, Rental Assistance Division, Office of Assisted Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–8000, telephone number (202) 708–0477. Hearing or speech-impaired individuals may call HUD's TDD number (202) 708–4594. (These telephone numbers are not toll-free).

SUPPLEMENTARY INFORMATION:

Paperwork Reduction Act Statement

The information collection requirements contained in this notice have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1980. OMB has approved the section 8 information collection requirements under the assigned control number 2577–0169.

I. Purpose and Substantive Description

(A) Background

The HUD-Veterans Affairs Supportive Housing (HUD–VASH) program for homeless veterans with severe psychiatric or substance abuse disorders is a national initiative of HUD and the VA. Under this initiative, VA ongoing case management, health and other supportive services will be made available for the term of the Section 8 funding at selected sites to the participants in the HUD–VASH program. The VA services and HUD rental assistance will support community-based initiatives to provide rental assistance, and comprehensive health, and other supportive services to homeless veterans suffering from complex, often chronic, health, mental health and substance abuse problems. The supportive services will be delivered in conjunction with permanent, affordable housing.

The goal of the HUD–VASH initiative is to show that appropriate health and other supportive services combined with decent, safe, sanitary, and affordable housing, can help homeless veterans with severe psychiatric or substance abuse disorders lead healthy, productive lives in the community, and avoid becoming homeless. This initiative also promotes the expansion of permanent housing options for these individuals.

The HUD–VASH initiative is an expansion of previous demonstration programs on behalf of homeless veterans or mentally ill persons, including the VA's Homeless Chronically Mentally Ill (HCMI) and Domiciliary Care for the Homeless Veterans (DCHV) programs and the HUD/Robert Wood Johnson Program for the Chronically Mentally Ill as well as the Supportive Housing Demonstration Program (SHD) under the Stewart B. McKinney Act.

The HUD–VASH initiative combines Section 8 rental voucher assistance provided by HUD to selected HAs with case management and clinical services provided by VA at its medical centers. Under this initiative, VA will identify homeless veterans with severe psychiatric or substance abuse disorders through outreach efforts. The selected veterans will receive treatment and be medically stabilized, prior to issuance of the rental assistance. The VA will work with HA staff to help veterans locate suitable private market rental units where the veterans can be assisted under the rental assistance program. VA will continue to provide case management services, outpatient health services, hospitalization and other assistance on a regular basis, as needed. Veterans involved in this program will continue in the prescribed treatment programs after they have leased units under the rental assistance program.

This announcement invites HAs who currently administer a housing program in areas where eligible VA sites are located to submit applications for rental voucher funding under this initiative. The application process differs from the FY 1992 funding competition since the HAs and VA Medical Centers must submit joint applications and compete for funding under the selection criteria set forth in this NOFA. The rating of Selection Criteria 2, 3, 4, and 6 will be based on information available from the VA Northeast Program Evaluation Center and includes data regularly submitted by VA Medical Centers in the annual Progress Reports for the Health Care for Homeless Veterans (HCHV) and the Domiciliary Care for Homeless Veterans (DCHV) programs.

(B) Allocation Amounts

Of the amounts made available by the VA, HUD-Independent Agencies Appropriations Act for FY 1993, up to $19.1 million of budget authority for the

rental voucher program is set-aside for the HUD–VASH program. This amount will support approximately 750 rental vouchers. Each HA may apply for funding for at least 25 rental vouchers but not more than 50 rental vouchers.

The amounts allocated under this NOFA will be awarded under a national competition based on demonstrated need for such assistance.

(C) Eligibility

The eligible VA Medical Centers are listed in Attachment 7 to this NOFA. The eligible HAs are those which are currently administering a Section 8 rental assistance program within the locality in which the VA Medical Center is located.

(D) Family Self-Sufficiency Program

Section 23 of the U.S. Housing Act of 1937 was amended by section 106 of the Housing and Community Development Act of 1992 and now requires that all PHAs receiving additional rental vouchers or certificates in FY 1993 must establish a family self-sufficiency (FSS) program. The program guidelines for the FSS program were published in the Federal Register on September 30, 1991 (56 FR 49592). The regulations for the FSS program were published on May 27, 1993 (58 FR 30858). Unless specifically excepted by HUD, any rental voucher or rental certificate funding reserved in FY 93 (except funding for renewals or amendments) will be used to establish the minimum size of a PHA's FSS program.

If a PHA received an incentive award for the FSS program in response to the NOFA published in the Federal Register on September 30, 1991 (56 FR 49612) and amended on January 3, 1992 (57 FR 312), the number of new units received in FY 93 will be added to the incentive awards received in FY 92 and this number will be the minimum size of the PHA's FSS program.

(E) Guidelines

The rental assistance provided under the HUD–VASH initiative will enable very low-income, homeless veterans with severe psychiatric or substance abuse disorders to live in decent, safe and sanitary housing. The amount of the rental assistance is generally the difference between the applicable payment standard of the HA for the appropriate size unit and 30 percent of the family's adjusted income. The rental assistance allows an individual to be assisted in a standard rental unit of his or her choice. If the individual subsequently moves to a different unit, the individual can continue to receive the rental assistance. Funding for five years of rental assistance will be provided by HUD to the HA in support of the HUD–VASH program. HAs and local VA Medical Centers will need to work together throughout the course of this initiative to achieve the objectives of the program.

(1) VA Medical Center Responsibilities

VA Medical Center responsibilities include:

(a) Screening of the homeless veterans on the HA's Section 8 waiting list to determine whether these veterans meet the HUD–VASH set-aside participation criteria established by the VA national office, and if there are an insufficient number of applicants on the HA waiting lists, referring homeless veterans to the HA;

(b) Providing treatment and supportive services to potential HUD–VASH participants prior to the HA issuance of rental assistance;

(c) Providing housing search assistance to HUD–VASH participants;

(d) Identifying the social service and medical needs of HUD–VASH participants and providing regular ongoing case management, outpatient health services, hospitalization and other supportive services as needed throughout the five-year term of the Section 8 funding; and

(e) Maintaining records and providing information for evaluation purposes, as required by HUD or the VA.

(2) Veteran Eligibility

In order to be eligible for rental assistance under this initiative, a veteran must:

(a) Have been contacted by the VA homeless program while living in a shelter or on the street;

(b) Have a severe psychiatric or substance abuse disorder; and

(c) Have received treatment and have been medically stabilized.

Preferences will be given to veterans who have been homeless for 30 days or more.

(3) HA Responsibilities

An HA's responsibilities include:

(a) Reviewing its Section 8 waiting list and identifying homeless veterans to be referred to the VA Medical Centers for a determination of whether the veterans meet the HUD–VASH participation criteria;

(b) Determining the section 8 eligibility of homeless veterans referred by the VA Medical Center;

(c) Amending its administrative plan and equal opportunity housing plan to provide for a preference for homeless veterans certified by the VA Medical Center for participation in the HUD–VASH program in a number equal to the number of rental vouchers provided under this NOFA;

(d) Maintaining records and providing information for evaluation purposes, as required by HUD or VA; and

(e) Administering the section 8 rental assistance programs in accordance with HUD regulations and requirements.

(4) Section 8 Rental Voucher Assistance

The HUD–VASH initiative provides assistance under the section 8 rental voucher program. HAs must administer this demonstration program in accordance with HUD's regulations governing the section 8 rental voucher program, codified at 24 CFR part 887. The HA may issue a rental certificate to an individual selected to participate in the HUD–VASH initiative if the individual requests a rental certificate and the HA has one available. If Section 8 assistance for a participant under this demonstration is terminated, the rental assistance must be reissued to another eligible veteran during the five-year term of the ACC for the rental vouchers provided under this demonstration.

II. Application Process

(A) Selection Criteria/Ranking Factors

To provide each applicant HA and VA Medical Center with a fair and equitable opportunity to receive an award of rental vouchers for the HUD–VASH program during FY 1993, HUD will use the six selection criteria listed below to rate all applications found acceptable for further processing.

(1) Selection Criterion 1: HA Administrative Capability (25 points)

(a) *Description:* Overall HA administrative capability in the Rental Voucher, Rental Certificate, and Moderate Rehabilitation Programs, as evidenced by factors such as leasing rates and correct administration of housing quality standards (HQS), portability of rental vouchers and rental certificates, compliance with Fair Housing and Equal Opportunity program requirements, assistance payment computation, and rent reasonableness requirements, is either excellent or good. For purposes of this NOFA, an HA administering a Rental Voucher, Rental Certificate, or Moderate Rehabilitation Program will not be rated on the administration of its public housing program or Indian housing program. If an HA is not administering a Rental Voucher, Rental Certificate, or Moderate Rehabilitation Program, the Field Office/Indian Programs Office will rate HA administration of the public housing program or Indian housing program.

(b) *Rating:* 14–25 points. Field Office/Indian Programs Office rates overall HA administration of the Rental Voucher, Rental Certificate, and Moderate Rehabilitation Programs (or public housing programs/Indian housing program) as excellent; there are no serious outstanding management review, fair housing and equal opportunity monitoring review, or Inspector General audit findings (unless Office of Inspector General recommendation has been appealed by Field Office/Indian Programs Office or Regional Office); the HA is complying with the portability requirements under the rental voucher and rental certificate programs; not more than 15 percent of the units inspected by the Field Office/Indian Programs Office during the last management review failed to meet housing quality standards (HQS) or the Field Office/Indian Programs Office is aware of actions taken by the HA to improve its inspection procedures; and the leasing rate for rental vouchers and rental certificates (or occupancy rate for public housing units/Indian housing units) under Annual Contributions Contract (ACC) for one year or more was at least 95 percent as of September 30, 1992, unless Field Office/Indian Programs Office documents that September 30, 1992, report was not reflective of HA performance;

1–13 points. Field Office/Indian Programs Office rates overall HA administration of the Rental Voucher, Rental Certificate, and Moderate Rehabilitation Programs (or public housing programs/Indian housing programs) as good; any management review, fair housing and equal opportunity monitoring review, or Inspector General audit findings are being satisfactorily addressed; the Field Office/Indian Programs Office is aware of some problems with HA administration of portability (e.g., not responding to billing promptly); not more than 25 percent of the units inspected by the Field Office/Indian Programs Office during the last management review failed to meet HQS or the Field Office/Indian Programs Office is aware of actions taken by the HA to improve its inspection procedures; and the leasing rate for rental vouchers and rental certificates (or occupancy rate for public housing units/Indian housing units) under ACC for one year or more was at least 85 percent as of September 30, 1992, unless the Field Office/Indian Programs Office documents that the September 30, 1992, report is not reflective of HA performance.

0 points. If neither of the above statements apply, assign 0 points.

(2) Selection Criterion 2: Appropriateness of Population Served by VA Medical Center (10 Points)

(a) *Description:* The VA Medical Center has shown its ability to target specialized homeless program resources for veterans who are homeless (i.e., living in homeless shelters or outdoors at the time of initial program assessment).

(b) *Rating:* (10) points. The proportion of homeless veterans served by the applicant Medical Center is in the higher twenty-fifth percentile for all program sites as rated by the VA's North East Program Evaluation Center (NEPEC).

5 points. The proportion of homeless veterans served by the applicant Medical Center is in the higher fiftieth percentile for all program sites as rated by the NEPEC.

0 points. If neither of the above statements apply, assign 0 points.

(3) Selection Criterion 3: Outreach Efforts of the VA Medical Center (10 Points)

(a) *Description:* The VA Medical Center has adhered to the program principles as evidenced by outreach efforts in the homeless programs it currently administers.

(b) *Rating:* 10 points. The proportion of homeless veterans served who were contacted through outreach at healthcare for homeless veterans (HCHV) sites or entered the program from the community at domiciliary care for homeless veterans (DCHV) sites is in the higher twenty-fiftieth percentile for all program sites as rated by the NEPEC.

5 points. The proportion of homeless veterans served who were contacted through outreach (at HCHV sites) or entered the program from the community (at DCHV sites) is in the higher fiftieth percentile for all program sites as rated by the NEPEC.

0 points. If neither of the statements apply, assign 0 points.

(4) Selection Criterion 4: Success Rate of Treatment by VA Medical Center's Specialized Homeless Program (10 Points)

(a) *Description:* The VA Medical Center has a proportion of veterans served in a specialized homeless program which had arrangements for housing and employment at the time of discharge from contract residential care or domiciliary care.

(b) *Rating:* 10 points. The number of homeless veterans served in a specialized homeless program is in the higher twenty-fifth percentile for all program sites as rated by the North East Program Evaluation Center (NEPEC).

5 points. The number of homeless veterans served in a specialized homeless program is in the higher fiftieth percentile for all program sites as rated by the NEPEC.

0 points. If neither of the above statements apply, assign 0 points.

(5) Selection Criterion 5: The Extent of the VA Medical Center's Integration of Homeless Programs With Other Community Programs for the Homeless (15 Points)

(a) *Description:* The application must include a description of the VA Medical Center's efforts to integrate its efforts with homeless veterans with other community programs for the homeless.

(b) *Rating:* 15 points. The application shows the VA Medical Center's commitment of resources to the Access to Community Care and Effective Supportive Services (ACCESS) program, or a comparable multi-service integration initiative on behalf of the homeless.

8 points. The application shows the VA Medical Center's involvement in service integration through membership in local coalitions of homeless service providers and attendance of meetings of such groups, but the Center has not committed resources to the groups.

0 points. The application shows that the VA Medical Center does not cooperate with service integration activities or resource exchange.

(6) Selection Criterion 6: Need for Specialized Services for Homeless Veterans (15 Points)

(a) *Description:* The number of homeless veterans in the area of the VA Medical Center warrants additional resources to address the demand for services.

(b) *Rating:* 15 points. The number of homeless veterans who were screened by outreach clinicians of the VA Medical Center's specialized program for homeless veterans during FY 1992 was in the top twenty-fifth percentile of all program sites as rated by the NEPEC.

8 points. The number of homeless veterans who were screened by outreach clinicians of the VA Medical Center's specialized program for homeless veterans during FY 1992 was in the top fiftieth percentile of all program sites as rated by the NEPEC.

0 points. If neither of the above statements apply, assign 0 points.

(B) Unacceptable Applications

To be eligible for processing, an application must be received by the Field Office/Indian Programs Office no later than the application submission deadline date and time specified in this

notice. The Field Office/Indian Programs Office will screen all applications and notify HAs of technical deficiencies by letter. Allowable corrections relate only to technical items, as determined by HUD, which do not improve the substantive quality of the application relative to the ranking factors.

All HAs must submit corrections within 14 calendar days from the date of HUD's letter notifying the applicant of any technical deficiency. Information received after 3 p.m. local time on the fourteenth calendar day of the correction period will not be accepted and the application will be rejected as being incomplete.

All HAs are encouraged to review the "Checklist for Technical Requirements" provided in Section IV of this NOFA. The checklist identifies all technical requirements needed for application processing. An HA application that does not comply with the requirements of 24 CFR 887.55(b) and this notice, including the drug-free workplace certification, the anti-lobbying certification disclosure requirements, and the Single Audit Act certification, after the expiration of the 14-day cure period will be rejected from processing.

(a) After the 14-calendar day cure period, if any, the field office will disapprove HA applications that it determines are not acceptable for processing (refer to Attachment 2, Checklist of Technical Requirements, of this NOFA). The Field Office/Indian Programs Office notification of rejection letter must state the basis for the decision.

(b) Applications that fall into any of the following categories will not be processed:

(i) The Department of Justice has brought a civil rights suit against the applicant HA and the suit is pending;

(ii) There are outstanding findings of noncompliance with civil rights statutes, Executive Orders, or regulations as a result of formal administrative proceedings, or the Secretary has issued a charge against the applicant under the Fair Housing Act, unless the applicant is operating under a conciliation or compliance agreement designed to correct the areas of noncompliance;

(iii) There has been an adjudication of a civil rights violation in a civil action brought against the HA by a private individual, unless the HA is operating in compliance with court order, or implementing a HUD approved resident selection and assignment plan or compliance agreement designed to correct the areas of noncompliance.

(iv) HUD has deferred application processing under Title VI of the Civil Rights Act of 1964, the Attorney General's Guidelines (28 CFR 50.3) and the Title VI regulations (24 CFR 1.8), or under section 504 of the Rehabilitation Act of 1973, as amended, and the section 504 regulations (24 CFR 8.57), or under The Americans with Disabilities Act of 1990.

(v) The HA has serious, unaddressed, outstanding Inspector General audit findings or fair housing and equal opportunity monitoring review findings or Field Office/Indian Programs Office management review findings for one or more of its rental certificate, rental voucher, or moderate rehabilitation programs, or, in the case of an HA that is not currently administering a Rental Voucher, Rental Certificate, or Moderate Rehabilitation Program, for its Public Housing Program or Indian Housing Program.

(vi) The leasing rate for rental certificates and rental vouchers under ACC for at least one year is less than 75 percent.

(vii) The HA is involved in litigation and HUD determines that the litigation may seriously impede the ability of the HA to administer an additional increment of rental vouchers.

(viii) The HA is not in compliance with the Single Audit Act (31 U.S.C. 7501–7507), OMB Circular No. A–128 and HUD's implementing regulations at 24 CFR part 44, or OMB Circular No. A–133, as applicable.

(C) Application Processing

The HUD Field Office/Indian Programs Office and the Regional Office of Public Housing are responsible for rating the applications for Selection Criterion 1: HA Administrative Capability, and HUD Headquarters is responsible for rating, ranking and selecting of applications which will receive assistance under the HUD–VASH Program. The Field Office/Indian Programs Office will initially screen all applications, using the "Checklist for Technical Requirements" listed in Section III of this NOFA as a guide to determine if an application is complete.

(D) Selection Process

After the Field Office/Indian Programs Office has screened HA applications and disapproved any applications unacceptable for further processing (See Section II of this NOFA), the Field Office/Indian Programs Office will review and rate all approvable applications for Selection Criterion 1, HA Administrative Capability only, utilizing the point assignments listed in this NOFA. All scored applications and rating sheets in each Field Office/Indian Programs Office will be sent to the Regional Office.

In order to ensure that rating is consistent among the Field Offices/ Indian Programs Office within its region, the Regional Office of Public Housing will review and re-rate these applications for Selection Criterion 1: HA Administrative Capability, utilizing the same selection criteria and point assignments listed in this NOFA.

The Regional Office of Public Housing must send to HUD Headquarters the Field Office/Indian Programs Office rating sheet, and the Regional Office rating sheets. HUD Headquarters and the Department of Veterans Affairs will review and rate these applications for Selection Criteria 2 through 6, utilizing the point assignments listed in this NOFA. Headquarters will select the highest rated applications until the rental voucher funds are insufficient to fund the next highest rated application(s).

When remaining rental voucher funds are insufficient to fund the next highest scoring application(s) in full, HUD Headquarters may fund that application(s) to the extent of the number of rental vouchers available. Applicants that do not wish to have the size of their programs reduced may indicate in their applications that they do not wish to be considered for a reduced award of funds. HUD Headquarters will skip over these applicants if assigning the remaining funding would result in a reduced funding level.

(D) Local Government Comments

Field Office/Indian Programs Office will obtain section 213 comments, in accordance with 24 CFR part 791, subpart C, from the unit of general local government or Indian tribe. Comments submitted by the unit of general local government or Indian tribe must be considered before an application can be approved.

For purposes of expediting the application process, the HA should encourage the chief executive officer of the unit of general local government or Indian tribe to submit a letter with the HA application commenting on the HA application in accordance with Section 213. Since HUD cannot approve an application until the 30-day comment period is closed, the Section 213 letter should not only comment on the application, but also state that HUD may consider the letter to be the final comments and that no additional comments will be forthcoming from the unit of general local government.

III. Checklist of Application Submission Requirements

(A) Application Requirements

All items in Section III of this NOFA must be included in the application submitted to the HUD Field Office/ Indian Programs Office. The application may include an explanation of how the application meets, or will meet, the selection criteria listed in this NOFA.

(1) Letter From VA Medical Center

The application must include a letter from the VA Medical Center stating that the HA's jurisdiction to operate a rental voucher program, as identified by the HA to the Medical Center, is within the catchment area of the VA Medical Center to operate homeless programs.

(2) Narrative on VA Medical Center's Homeless Program

The applicants must describe the VA Medical Center's efforts to integrate its work with homeless veterans with other community programs for the homeless. Commitment of resources to Access to Community Care and Effective Supportive Services (ACCESS) program is an example of the multi-service integration initiatives which the Medical Center must describe.

(B) Forms and Certification Statements

Form HUD–52515 may be obtained from the local HUD Field Office/Indian Programs Office. To assist HAs, the following are attached to this notice: Form HUD 52515 [Attachment 1]; text for the Certification for a Drug-Free Workplace [Attachment 3]; text for the Certification Regarding Lobbying [Attachment 4]; if applicable, Disclosure of Lobbying Activities (SF–LLL) [Attachment 5]; and the text for the Certification Regarding the Single Audit Act [Attachment 6].

The following describes basic forms and certifications required to be submitted with the application:

(1) Form HUD–52515

An Application for Existing Housing, Form HUD–52515, must be completed in accordance with the rental voucher program regulations. A copy of Form HUD–52515 is attached to this notice [Attachment 1], and can also be obtained from the local HUD Field Office/Indian Programs Office.

(2) Certification Regarding Drug-Free Workplace

The Drug-Free Workplace Act of 1988 requires grantees of Federal agencies to certify that they will provide a drug-free workplace. Thus, each HA must certify (even though it has done so previously) that it will comply with the drug-free workplace requirements in accordance with CFR part 24, subpart F (see Attachment 3).

(3) Certification Regarding Lobbying

Section 319 of the Department of the Interior Appropriations Act, Public Law 101–121, approved October 23, 1989 (31 U.S.C. 1352) (the "Byrd Amendment") generally prohibits recipients of Federal contracts, grants, and loans from using appropriated funds for lobbying the Executive or Legislative Branches of the Federal Government in connection with a specific contract, grant, or loan. The Department's regulations on these restrictions on lobbying are codified at 24 CFR part 87. To comply with 24 CFR 87.110, any HA submitting an application under this announcement for more than $100,000 of budget authority must submit a certification and, if applicable, a Disclosure of Lobbying Activities (SF–LLL). To assist HAs, the text for the Certification Regarding Lobbying [Attachment 4] and "Disclosure Form to Report Lobbying" (SF–LLL) [Attachment 5] are attached to this announcement.

(4) Single Audit Act Certification

The HA must submit the Single Audit Act Certification [Attachment 6] in accordance with the Single Audit Act, and HUD's regulations at 24 CFR part 44.

IV. Corrections to Deficient Applications

To be eligible for processing, an application must be received by the Field Office/Indian Programs Office no later than the application submission deadline date and time specified in the NOFA. The Field Office/Indian Programs Office will initially screen all applications and notify HAs of technical deficiencies by letter. Field Office/ Indian Programs Office notification of HAs must be uniform.

The purpose of this process is to assist an applicant in completing a ratable proposal and not to provide for an applicant to improve substantively its application once it has been submitted. The following is a list of items that may be submitted by an HA during the technical correction period. This list is intended to be a complete list and only these items may be requested or submitted after the application submission deadline date.

Certifications for:

—Drug-Free Work Place
—Lobbying Certification Form
—Disclosure of Lobbying Activities, SF—LLL
—Compliance with Single Audit Act

All HAs must submit corrections within 14 calendar days from the date of HUD's letter notifying the applicant of any such deficiency. Information received after 3 p.m. local time on the fourteenth day of the correction period will not be accepted and the application will be rejected on the basis of being incomplete. All HAs are encouraged to review the initial screening checklist provided in Attachment 2 of the notice. The checklist identifies all technical requirements needed for application processing.

V. Other Matters

(A) Environmental Impact

A Finding of No Significant Impact with respect to the environment has been made in accordance with the Department's regulations at 24 CFR part 50, which implement section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332). The Finding is available for public inspection between 7:30 a.m. and 5:30 p.m. weekdays in the Office of the Rules Docket Clerk, Office of General Counsel, Department of Housing and Urban Development, room 10276, 451 Seventh Street, SW., Washington, DC 20410.

(B) Federalism Impact

The General Counsel, as the Designated Official under section 6(a) of Executive Order 12612, *Federalism*, has determined that this NOFA does not have substantial, direct effect on the States, on their political subdivisions, or on the relationship between the Federal government and the States, or on the distribution of power or responsibilities among the various levels of government, because this NOFA would not substantially alter the established roles of HUD, the States and local governments, including HAs.

(C) Impact on the Family

The General Counsel, as the Designated Official under Executive Order 12606, the Family, has determined that this notice does not have potential for significant impact on family formation, maintenance, and general well-being within the meaning of the Executive Order and, thus, is not subject to review under the Order. This is a funding notice and does not alter program requirements concerning family eligibility.

(D) Accountability in the Provision of HUD Assistance

HUD has promulgated a final rule to implement section 102 of the Department of Housing and Urban Development Reform Act of 1989 (HUD Reform Act). The final rule is codified

at 24 CFR part 12. Section 102 contains a number of provisions that are designed to ensure greater accountability and integrity in the provision of certain types of assistance administered by HUD. On January 16, 1992, HUD published at 57 FR 1942, additional information that gave the public (including applicants for, and recipients of, HUD assistance) further information on the implementation of section 102. The documentation, public access, and disclosure requirements of section 102 are applicable to assistance awarded under this NOFA as follows:

(1) Documentation and Public Access

HUD will ensure that documentation and other information regarding each application submitted pursuant to this NOFA are sufficient to indicate the basis upon which assistance was provided or denied. This material, including any letters of support, will be made available for public inspection for a five-year period beginning not less than 30 days after the award of the assistance. Material will be made available in accordance with the Freedom of Information Act (5 U.S.C. 552) and HUD's implementing regulations at 24 CFR part 15. In addition, HUD will include the recipients of assistance pursuant to this NOFA in its quarterly **Federal Register** notice of all recipients of HUD assistance awarded on a competitive basis. (See 24 CFR 12.14(a) and 12.16(b), and the notice published in the **Federal Register** on January 16, 1992 (57 FR 1942), for further information on these requirements.)

(2) Disclosures

HUD will make available to the public for five years all applicant disclosure reports (HUD Form 2880) submitted in connection with this NOFA. Update reports (also Form 2880) will be made available along with the applicant disclosure reports, but in no case for a period less than three years. All reports—both applicant disclosures and updates—will be made available in accordance with the Freedom of Information Act (5 U.S.C. 552) and HUD's implementing regulations at 24 CFR part 15. (See 24 CFR subpart C, and the notice published in the **Federal Register** on January 16, 1992 (57 FR 1942), for further information on these disclosure requirements.)

(E) Prohibition Against Lobbying Activities

The use of funds awarded under this NOFA is subject to the disclosure requirements and prohibitions of section 319 of the Department of Interior and Related Agencies Appropriations Act for Fiscal Year 1990 (31 U.S.C. 1352) (the "Byrd Amendment") and the implementing regulations at 24 CFR part 87. These authorities prohibit recipients of Federal contracts, grants, or loans from using appropriated funds for lobbying the Executive or Legislative Branches of the Federal Government in connection with a specific contract, grant, or loan. The prohibition also covers the awarding of contracts, grants, cooperative agreements, or loans unless the recipient has made an acceptable certification regarding lobbying. Under 24 CFR part 87, applicants, recipients, and subrecipients of assistance exceeding $100,000 must certify that no Federal funds have been or will be spent on lobbying activities in connection with the assistance.

(F) Prohibition Against Lobbying of HUD Personnel

Section 13 of the Department of Housing and Urban Development Act (42 U.S.C. 3537b) contains two provisions dealing with efforts to influence HUD's decisions with respect to financial assistance. The first imposes disclosure requirements on those who are typically involved in these efforts—those who pay others to influence the award of assistance or the taking of a management action by the Department *and* those who are paid to provide the influence. The second restricts the payment of fees to those who are paid to influence the award of HUD assistance, if the fees are tied to the number of housing units received or are based on the amount of assistance received, or if they are contingent upon the receipt of assistance.

HUD's regulation implementing section 13 is codified at 24 CFR part 86. If readers are involved in any efforts to influence the Department in these ways, they are urged to read the final rule, particularly the examples contained in Appendix A of the rule. Appendix A of this rule contains examples of activities covered by this rule.

Any questions concerning the rule should be directed to the Office of Ethics, room 2158, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington DC 20410. Telephone: (202) 708–3815 (voice/TDD). This is not a toll-free number. Forms necessary for compliance with the rule may be obtained from the local HUD office.

(G) Prohibition Against Advance Information on Funding Decisions

Section 103 of the HUD Reform Act proscribes the communication of certain information by HUD employees to persons not authorized to receive that information during the selection process for the award of assistance. HUD's regulation implementing section 103 is codified at 24 CFR part 4, and was recently amended by an interim rule published in the **Federal Register** on August 4, 1992 (57 FR 34246). In accordance with the requirements of section 103, HUD employees involved in the review of applications and in the making of funding decisions are restrained by 24 CFR part 4 from providing advance information to any person (other than an authorized employee of HUD) concerning funding decisions, or from otherwise giving any applicant an unfair competitive advantage. Persons who apply for assistance in this competition should confine their inquiries to the subject areas permitted by 24 CFR part 4. Applicants who have questions should contact the HUD Office of Ethics (202) 708–3815 (voice/TDD). (This is not a toll-free number.)

Dated: September 24, 1993.

Joseph Shuldiner,

Assistant Secretary for Public and Indian Housing.

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Application for Existing Housing

Section 8 Housing Assistance Payments Program

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

Attachment 1

Send the original and two copies of this application form and attachments to the local HUD Field Office

OMB Approval No. 2577-0169 (exp.9/30/95)

Public reporting burden for this collection of information is estimated to average 0.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Reports Management Officer, Office of Information Policies and Systems, U.S. Department of Housing and Urban Development, Washington, D.C. 20410-3600 and to the Office of Management and Budget, Paperwork Reduction Project (2577-0169), Washington, D.C. 20503. Do not send the completed form to either of these addresses.

Name of the Public Housing Agency (PHA) requesting housing assistance payments:

Application/Project No. (HUD use only)

Mailing Address of the PHA

Requested housing assistance payments are for :
How many Certificates? How many Vouchers?

Signature of PHA Officer authorized to sign this application

X

Have you submitted prior applications: No Yes
. . . for Section 8 Certificates? ☐ ☐
. . . for Section 8 Housing Vouchers? ☐ ☐

Title of PHA Officer authorized to sign this application

Phone Number

Date of Application

Legal Area of Operation (area in which the PHA determines that it may legally enter into Contracts)

A. Primary Area(s) from which families to be assisted will be drawn.

Locality (city, town, etc.)	County	Congressional District	Units

B. Proposed Assisted Dwelling Units

Housing Program	Number of Dwelling Units by Bedroom Count: Elderly, Handicapped, Disabled: Efficiency	1-BR	2-BR	Non-Elderly: 1-BR	2-BR	3-BR	4-BR	5-BR	6+BR	Total Dwelling Units
Certificates										
Housing Vouchers										

C. Need for Housing Assistance. Demonstrate that the project requested in this application is consistent with the applicable Housing Assistance Plan including the goals for meeting the housing needs of Lower-Income Families or, in the absence of such a Plan, that the proposed project is responsive to the condition of the housing stock in the community and the housing assistance needs of Lower-Income Families (including the elderly, handicapped and disabled, large families and those displaced or to be displaced) residing in or expected to reside in the community. (If additional space is needed, add separate pages.)

D. Qualification as a Public Housing Agency. Demonstrate that the applicant qualifies as a Public Housing Agency and is legally qualified and authorized to carry out the project applied for in this application. (check " the appropriate boxes)	Submitted with this application	Previously submitted
1. The relevant enabling legislation		
2. Any rules and regulations adopted or to be adopted by the agency to govern its operations		
3. A supporting opinion from the Public Housing Agency Counsel		

Retain this record for the term of the ACC.
Previous editions are obsolete

form HUD-52515 (7/88)
ref. handbook 7420.3

E. Financial and Administrative Capability. Describe the experience of the PHA in administering housing or other programs and provide other information which evidences present or potential management capability for the proposed program.

F. Housing Quality Standards. Provide a statement that the Housing Quality Standards to be used in the operation of the program will be as set forth in the program regulation or that variations in the Acceptability Criteria are proposed. In the latter case, each proposed variation shall be specified and justified.

G. Leasing Schedule. Provide a proposed schedule specifying the number of units to be leased by the end of each three-month period.

H. Average Monthly Adjusted Income (Housing Vouchers Only)

Efficiency	1-BR	2-BR	3-BR	4-BR	5-BR	6+BR

I. Attachments. The following additional items must be submitted either with the application or after application approval, but no later than with the PHA executed ACC.

	Submitted with this application	To be submitted	Previously submitted
1. Equal Opportunity Housing Plan			
2. Equal Opportunity Certifications, Form HUD-916			
3. Estimates of Required Annual Contributions, forms HUD-52672 and HUD-52673			
4. Administrative Plan			
5. Proposed Schedule of Allowances for Utilities and Other Services, form HUD-52667, with a justification of the amounts proposed			

HUD Field Office Recommendations

Recommendation of Appropriate Reviewing Office	Signature and Title	Date

Attachment 2

Checklist for Technical Requirements.

The following checklist specifies the required information which must be submitted in the joint application. It is recommended, but not required, that the application contain a narrative explaining how the application meets the selection criteria.

Initial Screening Checklist

HA		
Yes	No	
☐	☐	1. The application contains a cover letter stating the total number of rental vouchers requested in the application and indicates whether the applicant is willing to accept a reduced number and the minimum number of units the applicant is willing to accept.
☐	☐	2. The application includes form HUD 52515 and the average adjusted monthly income (see section H of HUD 52515) by bedroom size for which the HA has submitted an application.
☐	☐	3. The application demonstrates that the applicant qualifies as an HA and is legally qualified and authorized to participate in the rental assistance programs for the area in which the program is to be carried out. Such demonstration includes (i) the relevant enabling legislation, (ii) any rules and regulations adopted or to be adopted by the agency to govern its operations, and (iii) a supporting opinion from the agency counsel. If such documents are currently on file in the field office, they do not have to be resubmitted.
☐	☐	4. The application includes a statement that the housing quality standards to be used in the operation of the program will be as set forth in 24 CFR 887.251 or that variations in the Acceptability Criteria are proposed. In the latter case, each proposed variation shall be specified and justified.
☐	☐	5. The application contains the HA schedule of leasing which must provide for the expeditious leasing of units. In developing the schedule, an HA must specify the number of units that are expected to be leased at the end of each three-month interval. The schedule must project lease-up by eligible persons within twelve months or sooner after execution of the ACC by HUD.

Requirement for Drug-Free Workplace Certification, Anti-Lobbying Certification and Disclosure Statement, and Compliance with the Single Audit Act

HA		
Yes	No	
☐	☐	6. The application meets HUD's drug-free workplace requirement set out at 24 CFR part 24, subpart F. (The application contains an executed Certification for a Drug-Free Workplace [Attachment 3].)
☐	☐	7. The application meets HUD's regulations regarding anti-lobbying set out at 24 CFR part 87. The anti-lobbying requirements apply to applications that, if approved, would result in the HA obtaining more than $100,000 in budget authority. To comply, HAs must submit an Anti-Lobbying Certification [Attachment 4] and if warranted, a Disclosure of Lobbying Activities [Attachment 5].
☐	☐	8. The application meets the requirement that the applicant is in compliance with the Single Audit Act, OMB Circular No. A-128 and HUD's implementing regulations at 24 CFR 44; or OMB Circular No, A-133. To comply, HAs must submit a Single Audit Act Certification (Attachment 6). HAs who are not currently in compliance with the audit requirements will not be eligible for funding.
☐	☐	9. The application includes a letter that states the HA's jurisdiction, as identified to the VA Medical Center by the HA, to operate a rental voucher program is within the catchment area of the VA Medical Center.

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Attachment 3—Certification Regarding Drug-Free Workplace Requirements (From 24 CFR, Appendix C) Instructions for Certification

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.

2. The certification set out below is a material representation of fact upon which reliance was placed when the agency determined to award the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.

3. For grantees other than individuals, Alternate I applies.

4. For grantees who are individuals, Alternate II applies.

Alternate I

A. The grantee certifies that it will provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing a drug-free awareness program to inform employees about—

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will—

(1) Abide by the terms of the statement; and

(2) Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;

(e) Notifying the agency within ten days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction;

(f) Taking one of the following actions, within 30 days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted—

(1) Taking appropriate personnel action against such an employee, up to and including termination; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

B. The grantee shall insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code).

_____

_____

_____

Signed by: (Name, Title & Signature of Authorized HA Official).

_____

(Name & Title)

_____

(Signature & Date)

Alternate II

The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance in conducting any activity with the grant.

Signed by: (Name, Title & Signature of Authorized HA Official).

_____

(Name & Title)

_____

(Signature & Date)

Attachment 4—Certification Regarding Lobbying

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employer of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure Form to report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Signed by: (Name, Title & Signature of Authorized HA Official).

_____

(Name & Title)

_____

(Signature & Date)

BILLING CODE 4210-33-M

Disclosure of Lobbying Activities

Attachment 5

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse side for instructions and public burden disclosure.)

Approved by OMB
0348-0046

1. Type of Federal Action:
☐ a. contract
b. grant
c. cooperative agreement
d. loan
e. loan guarantee
f. loan insurance

2. Status of Federal Action:
☐ a. bid/offer/application
b. initial award
c. post-award

3. Report Type:
☐ a. initial filing
b. material change
For Material Change Only:
year _____ quarter _____
date of last report _____

4. Name and Address of Reporting Entity:
☐ Prime ☐ Subawardee Tier _____, if known:

Congressional District, if known:

5. If Reporting Entity in No. 4 is Subawardee, enter Name and Address of Prime:

Congressional District, if known:

6. Federal Department/Agency:

7. Federal Program Name/Description:

CFDA Number, if applicable: _____

8. Federal Action Number, if known:

9. Award Amount, if known:
$

10a. Name and Address of Lobbying Entity
(if individual, last name, first name, MI):

b. Individuals Performing Services (including address if different from No. 10a.)
(last name, first name, MI):

(attach Continuation Sheet(s) SF-LLL-A, if necessary)

11. Amount of Payment (check all that apply):
$_____ ☐ actual ☐ planned

12. Form of Payment (check all that apply):
☐ a. cash
☐ b. in-kind; specify: nature _____
value _____

13. Type of Payment (check all that apply):
☐ a. retainer
☐ b. one--time fee
☐ c. commission
☐ d. contingent fee
☐ e. deferred
☐ f. other; specify:

14. Brief Description of Services Performed or to be Performed and Date(s) of Service, including officer(s), employee(s), or Member(s) contacted, for Payment Indicated in Item 11:

(attach Continuation Sheet(s) SF-LLL-A, if necessary)

15. Continuation Sheet(s) SF-LLL-A attached: ☐ Yes ☐ No

16. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semiannually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Signature: _____

Print Name: _____

Title: _____

Telephone No.: _____ **Date:** _____

Federal Use Only:

Authorized for Local Reproduction
Standard Form-LLL

BILLING CODE 4210-33-C

Instructions for Completion of SF–LLL, Disclosure of Lobbying Activities

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of congress, or any employee of a Member of Congress in connection with a covered Federal action. Use the SF–LLL–A Continuation Sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.

2. Identify the status of the covered Federal action.

3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.

4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime of subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.

5. If the organization filing the report in item 4 checks "Subawardee", then enter the full name, address, city, state and zip code of the prime Federal recipient, include Congressional District, if known.

6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.

7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.

8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP–DE–90–001."

9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.

10. (a) Enter the full name, address, city, state and zip code of the lobbying entity engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10(a).

Enter Last Name, First Name, and Middle Initial (MI).

11. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (item 4) to the lobbying entity (item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.

12. Check the appropriate box(es). Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.

13. Check the appropriate box(es). Check all boxes that apply. If other, specify nature.

14. Provide a specific and detailed description of the services that the lobbyist has performed, or will be expected to perform, and the date(s) of any services rendered. Include all preparatory and related activity, not just time spent in actual contact with Federal officials. Identify the Federal official(s) or employee(s) contracted or the officer(s), employee(s), or Member(s) of Congress that were contacted.

15. Check whether or not a SF–LLL–A Continuation Sheet(s) is attached.

16. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

Public Reporting Burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348–0046), Washington, DC 20503.

Attachment 6—Certification Regarding Single Audit Act

The undersigned certifies that, to the best of his or her knowledge, the housing agency is currently in compliance with the audit requirements under the Single Audit Act (31 U.S.C. 7501–7507), OMB Circular No. A–128 and HUD's implementing regulations at 24 CFR part 44; or OMB Circular No. A-133 as applicable. This certification includes the period [insert dates audit covers] which covers the last audit conducted and submitted to HUD in accordance with these requirements, or the period for audit currently under contract.

Signed by: (Name, Title & Signature of Authorized HA Official.

(Name & Title)

(Signature & Date)

Attachment 7—List of Eligible VA Medical Centers

FY 1993 HUD–VASH Notice of Fund Availability

1. Allen Park, MI
2. Anchorage, AK
3. Albany, NY
4. American Lake, WA
5. Atlanta, GA
6. Augusta, GA
7. Bath, NY
8. Bay Pines, FL
9. Bedford, MA
10. Biloxi, MS
11. Birmingham, AL
12. Boston, MA
13. Bronx, NY
14. Brooklyn, NY
15. Buffalo, NY
16. Butler, PA
17. Canandaigua, NY
18. Cheyenne, WY
19. Cincinnati, OH
20. Cleveland, OH
21. Coatesville, PA
22. Dallas, TX
23. Dayton, OH
24. Denver, CO
25. Dublin, GA
26. Des Moines, IA
27. East Orange, NJ
28. Hampton, VA
29. Hines, IL (Chicago)
30. Hot Springs, SD
31. Houston, TX
32. Indianapolis, IN
33. Kansas City, MO
34. Leavenworth, KS
35. Lebanon, PA
36. Little Rock, AR
37. Loma Linda, CA
38. Long Beach, CA
39. Los Angeles, CA
40. Louisville, KY
41. Lyons, NJ
42. Martinsburg, WV
43. Miami, FL
44. Milwaukee, WI
45. Minneapolis, MN
46. Montrose, NY
47. Mountain Home, TN
48. Nashville, TN
49. New Orleans, LA
50. New York, NY
51. North Chicago, IL
52. Oklahoma City, OK
53. Palo Alto, CA
54. Perry Point, MD
55. Philadelphia, PA
56. Phoenix, AZ
57. Pittsburgh, PA
58. Portland, OR
59. Prescott, AZ
60. Roseburg, OR
61. Salt Lake City, UT
62. San Antonio, TX
63. San Diego, CA
64. San Francisco, CA
65. St. Louis, MO
66. Syracuse, NY
67. Tampa, FL

68. Tucson, AZ
69. Tuskegee, AL
70. Walla Walla, WA
71. Washington, DC
72. West Haven, CT
73. West Los Angeles, CA
74. White City, OR
75. Wilkes-Barre, PA
76. Lebanon, PA

[FR Doc. 93–24113 Filed 9–29–93; 8:45 am]

BILLING CODE 4210–33–M

federal register

Thursday
September 30, 1993

Part VI

The President

Presidential Determination No. 93–38—Extension of the Exercise of Certain Authorities Under the Trading With the Enemy Act

Federal Register
Vol. 58, No. 188
Thursday, September 30, 1993

Presidential Documents

Title 3—

The President

Presidential Determination No. 93–38 of September 13, 1993

Extension of the Exercise of Certain Authorities Under the Trading With the Enemy Act

Memorandum for the Secretary of State [and] the Secretary of the Treasury

Under section 101(b) of Public Law 95–223 (91 Stat. 1625; 50 U.S.C. App. 5(b) note), and a previous determination made by my predecessor on August 28, 1992 (57 FR 43125), the exercise of certain authorities under the Trading With the Enemy Act is scheduled to terminate on September 14, 1993.

I hereby determine that the extension for one year of the exercise of those authorities with respect to the applicable countries is in the national interest of the United States.

Therefore, pursuant to the authority vested in me by section 101(b) of Public Law 95–223, I extend for one year, until September 14, 1994, the exercise of those authorities with respect to countries affected by:

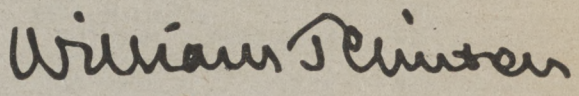
(1) the Foreign Assets Control Regulations, 31 CFR Part 500;

(2) the Transaction Control Regulations, 31 CFR Part 505;

(3) the Cuban Assets Control Regulations, 31 CFR Part 515; and

(4) the Foreign Funds Control Regulations, 31 CFR Part 520.

The Secretary of the Treasury is directed to publish this determination in the **Federal Register.**



THE WHITE HOUSE,
Washington, September 13, 1993.

[FR Doc. 93–24269
Filed 9–29–93; 10:24 am]
Billing code 4710–10–M

Reader Aids

Federal Register

Vol. 58, No. 188

Thursday, September 30, 1993

INFORMATION AND ASSISTANCE

Federal Register

Index, finding aids & general information	202–523–5227
Public inspection desk	523–5215
Corrections to published documents	523–5237
Document drafting information	523–3187
Machine readable documents	523–3447

Code of Federal Regulations

Index, finding aids & general information	523–5227
Printing schedules	523–3419

Laws

Public Laws Update Service (numbers, dates, etc.)	523–6641
Additional information	523–5230

Presidential Documents

Executive orders and proclamations	523–5230
Public Papers of the Presidents	523–5230
Weekly Compilation of Presidential Documents	523–5230

The United States Government Manual

General information	523–5230

Other Services

Data base and machine readable specifications	523–3447
Guide to Record Retention Requirements	523–3187
Legal staff	523–4534
Privacy Act Compilation	523–3187
Public Laws Update Service (PLUS)	523–6641
TDD for the hearing impaired	523–5229

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FEDERAL REGISTER PAGES AND DATES, SEPTEMBER

46073–46528.....1
46529–46758.....2
46759–47014.....3
47015–47198.....7
47199–47370.....8
47371–47618.....9
47619–47820.....10
47821–47982.....13
47983–48258.....14
48259–48444.....15
48445–48590.....16
48591–48774.....17
48775–48952.....20
48953–49174.....21
49175–49420.....22
49421–49900.....23
49901–50242.....24
50243–50506.....27
50507–50830.....28
50831–51006.....29
51007–51210.....30

CFR PARTS AFFECTED DURING SEPTEMBER

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.

3 CFR

Administrative Orders:

Memorandums:
August 11, 1993.....50831
August 11, 1993.....50833
September 11, 1993.....48583

Presidential Determinations:
No. 92–45 of August 28, 1992 (Continued by Presidential Determination No. 93–38 of September 13, 1993).....51209
No. 93–27 of June 24, 1993.....49175
No. 93–35 of August 30, 1993.....48259
No. 93–36 of August 30, 1993.....48261
No. 93–37 of September 2, 1993.....48263
No. 93–38 of September 13, 1993.....51209

Executive Orders:

December 12, 1917 (Revoked in part by PLO 6995) (2 EO's).....48458
4257 (Revoked in part by PLO 6996).....48458
6546 (Revoked by PLO 6989).....38083, 48545
11858 (Amended by EO 12860).....47201
12205 (See DOT notice of Sept. 28).....50626
12211 (See DOT notice of Sept. 28).....50626
12334 (Revoked by EO 12863).....48441
12537 (Revoked by EO 12863).....48441
12775 (See DOT rule of Sept. 2).....46540
12779 (See DOT rule of Sept. 2).....46540
12860.....47201
12863.....48441
12864.....48773
12865.....51005

Proclamations:

6587.....47199
6588.....47981
6589.....48585
6590.....48587
6591.....48589
6592.....48771
6593.....49173
6594.....49901
6595.....49903
6596.....50243
6597.....50245

5 CFR

530.....50247
575.....50247
831.....48265, 49177
837.....48265
841.....48265
842.....48265
844.....48265
846.....47821, 48265
870.....47823
871.....47823
872.....47823
873.....47823
890.....47823
Ch. XXVI.....47619

Proposed Rules:

2634.....46096

7 CFR

54.....48591
246.....47015
301.....49186
Ch. III.....47206
400.....47203
406.....46073
781.....48273
800.....49421
910.....50507
915.....46759
922.....50507
923.....50507
924.....50507
932.....48592
944.....48595
946.....47025
947.....46760, 47025
948.....47025
953.....47025
955.....47023
958.....47025
959.....50509
979.....50510
982.....47025
989.....47028, 48274
1002.....50511
1030.....48953
1075.....50511
1160.....46761
1220.....47983
1230.....47204
1786.....51007
1910.....48275
1924.....48275
1941.....48275
1943.....48275
1944.....48300

1945.....48275
1955.....48275
1962.....46074
1980.....48275
Proposed Rules:
52.....47071
68.....49248
319.....47074
1007.....47653
1046.....50526
1093.....47653
1094.....47653
1096.....47653
1108.....47653
1160.....46877
1405.....46886
1413.....46886
1710.....48800
1755.....46097, 46110
1773.....49442
1786.....48465
1944.....48330
1980.....46889

8 CFR

103.....50835
204.....48775, 50835
211.....48775
214.....49905
223.....48775
223a.....48775
235.....48775
245.....50835
251.....48775
252.....48775
264.....48775
274a.....48775
292.....49905
299.....48775, 49905
310.....49905
312.....49905
313.....49905
316.....48775, 49905
322.....49905
329.....49905
334.....48775, 49905
335.....49905
336.....49905
337.....49905
338.....49905
339.....49905
343b.....49905
499.....49905

9 CFR

Ch. I.....47206
51.....47984
78.....48445
94.....50250
96.....47029
113.....50251
317.....47624
381.....47624
Proposed Rules:
78.....47222, 50290
82.....46569, 50527
92.....47084, 48003, 50527
94.....47834, 50527
113.....47222
313.....47673

10 CFR

2.....50635
73.....48424
860.....47984
Proposed Rules:
2.....48004, 50858
20.....47676
72.....47222, 48004
171.....50859
430.....47326, 48800
766.....49445

11 CFR

Proposed Rules:
8.....51132

12 CFR

7.....46529
34.....46529
201.....50512
203.....50512
204.....50512
205.....50512
206.....50512
207.....50512
208.....47206, 50512
209.....50512
210.....50512
211.....46076, 47206, 50512
212.....50512
213.....50512
214.....50512
215.....50512
216.....50512
217.....50512
218.....50512
219.....50512
220.....50512
221.....50512
224.....50512
225.....47206, 50512
226.....50512
227.....50512
228.....50512
229.....50512
245.....50512
262.....47985
611.....48780
613.....48780
614.....48780
620.....48780
621.....48780
627.....48780
701.....50394
707.....50394
740.....50394
931.....47181
932.....47181
933.....47181, 50836
Proposed Rules:
3.....48206
208.....48206
215.....47400
303.....48979
325.....48206
620.....47836
931.....50867
935.....49446
936.....46569, 48946

13 CFR

107.....47031
120.....49422
121.....47371, 48954
122.....49422
Proposed Rules:
121.....46573, 47181, 48981

14 CFR

13.....50240
25.....46536, 47628
39.....46076, 46766, 46767, 46768, 46769, 46770, 46771, 46772, 47033, 47034, 47035, 47036, 47038, 47209, 47825, 47826, 47827, 47828, 47986, 49917, 50252, 50837, 50839, 50840, 50843
71.....46539, 47039, 47040, 47041, 47042, 47043, 47044, 47045, 47371, 47372, 47373, 47374, 47375, 47631, 47633, 47635, 47829, 47830, 48301, 48722, 48792, 49424, 50253, 50254, 50513, 50514, 51010
91.....48722, 48793
97.....47046, 47048, 48958, 48959
121.....46500
1215.....50515
Proposed Rules:
Ch. I.....46585, 47405, 47678
39.....46135, 46136, 46137, 46139, 46914, 46916, 46917, 47085, 47224, 47225, 47227, 47405, 47407, 47409, 47678, 47837, 47839, 48009, 48010, 48616, 48617, 48983, 48984, 48986, 48987, 48989, 49943, 49944, 49946, 50868, 50869, 50871
61.....48748
71.....46586, 47087, 47411, 47413, 47680, 48331, 49450, 49451, 50873
125.....49164
135.....49164
382.....47681

15 CFR

770.....47052
771.....47049, 47051, 47052
774.....47052
775.....47051, 47052
776.....47052
777.....47049
778.....47049
779.....47049, 47052
785.....47051, 47052
799.....47049, 47322, 48302
Proposed Rules:
295.....46919

16 CFR

435.....49096

17 CFR

270.....49425, 49919
Proposed Rules:
200.....50291
230.....50291
239.....50291
240.....49452
270.....50291
274.....50291

18 CFR

2.....47636
Proposed Rules:
2.....48994
Subchapter B.....48991

19 CFR

4.....50255
12.....49428
101.....49922
122.....49922
Proposed Rules:
174.....50300
175.....47413
201.....49452
284.....48332

20 CFR

228.....51024
237.....51024
360.....48597
416.....49431
Proposed Rules:
416.....49249

21 CFR

Ch. I.....48597
10.....49190
20.....48793, 48794
101.....49190
172.....48598
177.....48598
206.....47948
207.....47948
310.....46744, 46746, 46749, 49890
314.....47340, 47948
330.....47948
333.....49890
510.....47056, 47376
514.....51011
520.....47210
522.....47376
556.....47210
558.....47056, 47962
573.....47962
804.....46514
807.....46514
821.....48599
1308.....49923
Proposed Rules:
166.....50301
207.....46587
211.....47088
314.....47088
331.....49826
334.....46589
514.....47088
870.....46919
1306.....49453
1313.....49455

22 CFR

201.....48796
42.....48446, 48447
121.....47636
514.....48447
Proposed Rules:
41.....49456

24 CFR

25.....47377
86.....47056
91.....49156
201.....47319, 47377
203.....47319
234.....47319
Proposed Rules:
200.....48556
204.....48556
206.....48556
267.....48556
585.....49830

26 CFR

1.....46773, 46828, 46835, 47060, 47061, 47639, 47639, 47784, 49352

Proposed Rules:
1.....47013, 47089, 47090, 48801
48.....48801
601.....48802

27 CFR
24.....48424
47.....47831
Proposed Rules:
5.....46141
9.....49949

28 CFR
23.....48448
524.....50808
527.....47976
Proposed Rules:
58.....48472

29 CFR
4.....49192
2606.....48600
2617.....48600
2619.....48305, 50812
2676.....48306, 50812
Proposed Rules:
402.....49672
403.....49672
1605.....49456
1910.....47690
1915.....47690
1917.....47690
1918.....47690
1926.....47690
1928.....47690

30 CFR
250.....49924
913.....46845, 48961
914.....46857, 48963
934.....50257
935.....46861
944.....48600
946.....49928
948.....46676
Proposed Rules:
218.....50301
701.....49457, 50174
773.....49457
774.....49457
778.....49457
784.....50174
817.....50174
840.....48332
842.....48332
843.....48332, 49457
913.....47237, 48333
914.....48996
916.....50302
917.....48333
920.....48998
935.....48333

31 CFR
500.....47643
515.....47643
550.....47643
575.....47643
580.....46540, 47643
585.....47643

32 CFR
40.....47619
342.....48306
371.....48308
505.....51011
Proposed Rules:
199.....47692, 48473
706.....50259
855.....49951

33 CFR
100.....46078, 50260, 50261
117.....46080, 47067, 47068
156.....48434
161.....46081
165.....46078, 46082, 46083, 47069, 47987, 47988, 47989, 47990, 47991, 48967
323.....48424
328.....48424
334.....47788
Proposed Rules:
100.....47099
162.....46144
165.....50303
334.....47786

34 CFR
21.....47192
81.....51013
232.....46756
346.....49418
347.....49418
354.....49418
355.....49418
356.....49418
357.....49418
358.....49418
359.....49418
360.....49418
610.....50166
649.....47069
Proposed Rules:
607.....48478

36 CFR
1222.....49193
1230.....49193
Proposed Rules:
7.....48336
222.....48808
242.....46678
1253.....49251

37 CFR
1.....49432

38 CFR
3.....46865
21.....46865, 46866, 49196, 50844, 50845
47.....48455
Proposed Rules:
3.....46919, 48483, 50528
20.....47100
21.....50873
36.....49251, 49253, 50875

39 CFR
Proposed Rules:
111.....49402
265.....48808

40 CFR
9.....49354
52.....46541, 46867, 47211, 48309, 48312, 48315, 47379, 47383, 47385, 47391, 47831, 49434, 50262, 50266, 50269, 50271, 50516, 50517, 50846, 50848, 50850, 50851
63.....49354
73.....48318
80.....46508, 48968
81.....47391, 49931, 50271, 50275, 50851
110.....48424
112.....48424
116.....48424
117.....48424
122.....48424
180.....46084, 46087, 47214, 47215, 48320, 50853, 51013
185.....46087, 48456
186.....48322, 48322
228.....46544
230.....48424
232.....48424
271.....47216, 49932, 50854
272.....49199
281.....47217
300.....46087, 49200
401.....48424
455.....50638
712.....47647
716.....47647
Proposed Rules:
Ch. I.....47414, 48012
52.....47101, 47103, 47239, 47414, 47415, 47701, 47705, 47707, 47840, 48339, 48344, 48811, 48812, 48999, 49001, 49254, 49258, 49458, 49463, 49464, 49952, 49954, 49956, 50304, 50307, 50311, 50530, 50884, 50886, 51028
55.....48619
72.....50088
73.....50088
74.....50088
75.....50088
78.....50088
81.....49001, 49467, 49956
82.....50464
122.....47845
123.....46145, 47417, 47845
131.....47845
148.....48092
132.....47845
180.....46147, 46149, 49263, 49264, 49265, 49267, 50888, 51031
260.....48092
261.....48092
268.....48092
271.....48092
300.....50893
721.....50895, 50896
372.....46596, 47709
721.....46921, 48346, 48347, 48348, 49269, 49271
745.....46921

41 CFR
101–40.....48972
101–49.....46088
Proposed Rules:
105–57.....46596
201–20.....49005
201–39.....49005

42 CFR
412.....46270
413.....46270
433.....51130
435.....48611, 50635
436.....48611, 50635
440.....50635
485.....49934
493.....48323
Proposed Rules:
65.....50897
417.....46925
433.....49272
1001.....49008

43 CFR
2.....48973
3160.....47354
Proposed Rules:
4.....48814
1780.....48814
2720.....50536
4100.....48814
5450.....47241
5460.....47847
5510.....47847
8360.....46151
9230.....47847
9260.....47847
Public Land Orders:
6989.....48545
6995.....48458
6996.....48458
6997.....50518

44 CFR
3.....47218
65.....51015, 51016
67.....51018
206.....47992, 47994
353.....47996
Proposed Rules:
67.....51032

45 CFR
205.....49218
233.....49218
400.....46089
Proposed Rules:
301.....47417
305.....47417
607.....46597
608.....46600
1180.....48622
1207.....46602, 48424
1208.....46602, 48424

46 CFR
171.....47784
Proposed Rules:
10.....48572
12.....48572
586.....50521

47 CFR
2.....49220
21.....46547, 49220
22.....46547, 49220
32.....50287
43.....48323
61.....48323, 48756
64.....48752, 48756
65.....48756
69.....48756
73.....46090, 46550, 46551,

48323, 48324, 48325, 48326, 48614, 50287
76.....46718, 50856
94.....46547, 49220
95.....48459
97.....47218, 48459

Proposed Rules:
32.....49276
36.....48815
64.....48623
73.....46152, 46605, 48349, 48819, 49278, 50313
76.....46737

48 CFR

Ch. 18.....51136
232.....46091
252.....46091
522.....47398
552.....47398
814.....48973
833.....48973
836.....48973
852.....48973
1804.....51019
1807.....48974
1808.....47219
1832.....48614
1852.....47219, 51019
1853.....51019
2017.....47220
2052.....47220
2401.....49436
2402.....49436
2414.....49436
2415.....49436
2419.....49436
2452.....49436
3410.....51020

Proposed Rules:
207.....51033
209.....49958
215.....47242
225.....47243, 48484, 48545
237.....51033
242.....49958, 49960
252.....47243, 48484, 48545, 49958, 51033
253.....49958
1815.....47244
1831.....47244
1852.....47244

49 CFR

107.....46872, 50496
171.....47650, 50224, 50496
172.....47650, 50224, 50492, 50496
173.....47650, 50224, 50496
174.....47650, 50224
175.....50492, 50496
177.....50224, 50496
178.....50224, 50496
179.....47650, 50224
192.....48460
571.....46551, 46873
585.....46551
594.....51021

Proposed Rules:
27.....47681
173.....48485
174.....48485
180.....48485
393.....48624
552.....50314
554.....50314
571.....46928, 46938, 47426, 47427, 48350, 50732, 50738, 51034
572.....48350
573.....50314
576.....50314
577.....50314
1160.....48628
1162.....48628
1166.....48628
1312.....47104

50 CFR

17.....49242, 49244, 49467, 49870, 49875, 49880, 49881, 49935
20.....50188, 50211, 50702
217.....48797, 48975
222.....48326
227.....48326, 48797, 48975
285.....48464, 49437, 50523
605.....50288
611.....49438
625.....49937
651.....49940
661.....46093, 48001, 50523
663.....46094, 47651, 49941
672.....46095
675.....47221, 47833, 50289, 50856, 50857

Proposed Rules:
17.....46940, 47428, 47851, 48012, 48351, 49279, 49467, 49960, 51035, 51035, 51144
32.....48732, 49382
100.....46678
222.....47710, 49352
227.....46944, 47710, 49352
285.....46153
625.....47245
630.....46153
641.....48502
642.....47428
650.....46606
678.....46153

LIST OF PUBLIC LAWS

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's **List of Public Laws.**

Last List September 27, 1993



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