

Review Criteria

USIA will consider proposals based on the objectives stated in this RFP, as well as the following criteria:

1. **Quality of Program Idea:** Proposals should exhibit originality and relevance to USIA's mission, and demonstrate a clearly defined need.

2. **Institutional Ability/Capacity/Record:** Applicants should demonstrate the potential for program excellence by documenting previous successful programs. If an organization is a former USIA grant recipient, responsible fiscal management and full compliance with all reporting requirements for past USIA grants is essential.

3. **Project Personnel:** Thematic and logistical expertise should be relevant to the proposed program. Resumes included with the proposal should reflect this relevance.

4. **Program Planning:** A detailed work plan should provide time-lines for the accomplishment of each phase of the project and clearly demonstrate how the grantee institution will meet these deadlines. In addition, the work plan should indicate how it will accomplish project goals.

5. **Thematic Expertise:** Proposals should demonstrate the organization's expertise in the subject area.

6. **Cross-Cultural Expertise and Area Expertise:** Proposals should show evidence of sensitivity to historical, linguistic, and other cross-cultural factors, as well as relevant knowledge of the target area/country.

7. **Multiplier Effect/Follow-On Activities:** Proposed programs should strengthen long-term mutual understanding, facilitate sharing of information, and establish long-term institutional and individual relationships. Proposals should also reflect an institution's commitment to continued exchange activity beyond the term of the USIA grant.

8. **Cost-Effectiveness:** Overhead and administrative costs should be kept as low as possible. All other items proposed for USIA funding should be necessary and appropriate to achieve the program's objective.

9. **Cost-Sharing:** Proposals should maximize cost-sharing through other private sector support as well as direct funding contributions and/or in-kind support from the prospective grantee institution.

10. **Project Evaluation:** Proposals should include a plan to evaluate the activity's success. The applicant should include a draft of a questionnaire or other evaluation technique to demonstrate which evaluation method will be utilized.

Applicants will be expected to submit intermediate reports after each project component is concluded, or quarterly, whichever is less frequent.

Note: The terms and conditions published in this RFP are binding and may not be modified by any USIA representative. Explanatory information provided by USIA that contradicts published language will not be binding. Issuance of the RFP does not constitute an award commitment on the part of the U.S. Government. Awards cannot be made until funds have been fully appropriated by the U.S. Congress and allocated and committed through internal USIA procedures. Applicants will be notified of the results of the review process on or about June 1, 1994. Awarded grants will be subject to periodic reporting and evaluation requirements.

Dated: February 14, 1994.

Barry Fulton,

Acting Associate Director, Bureau of Educational and Cultural Affairs.

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BILLING CODE 8230-01-M

Exchange Programs Promoting Conflict Resolution in Africa, the Middle East, East Asia and American Republics (Public and Private Nonprofit Organizations in Support of International Educational and Cultural Activities)

AGENCY: United States Information Agency.

ACTION: Notice; request for proposals.

SUMMARY: The Office of Citizen Exchanges (E/P) of the Bureau of Educational and Cultural Affairs announces a competitive grants program for nonprofit organizations to develop initiative grant projects on the theme of conflict resolution for audiences in the following geographical areas: Africa (Sub-Saharan Africa and South Africa only), the Middle East (Israel, the West Bank, and Gaza only), East Asia and the Pacific (regionwide or subregions), and the American Republics (Nicaragua and Guatemala only). Note: USIA will not accept proposals designed for Europe or the NIS. USIA particularly is seeking projects which link American institutions and specialists with partners overseas. New and creative approaches to the issue of conflict resolution will be especially welcome.

Interested applicants are urged to read the complete Federal Register announcement before addressing inquiries to the Office or submitting their proposals. After the RFP deadline, the Office of Citizen Exchanges may not discuss this competition in any way

with applicants until the final decisions are made.

ANNOUNCEMENT NUMBER: This Announcement number is E/P-94-23. Please refer to the title given above and this number in all correspondence or telephone calls to USIA.

DATES: Deadline for Proposals: All copies must be received at the U.S. Information Agency by 5 p.m. Washington, DC, time on Friday, May 6, 1994. Faxed documents will not be accepted, nor will documents postmarked May 6, 1994, but received at a later date. It is the responsibility of each grant applicant to ensure that proposals are received by this deadline. Grant activity should begin after September 1, 1994.

ADDRESSES: The original and 14 copies of the completed application and required forms should be submitted by the deadline to: U.S. Information Agency; Ref: E/P-94-23; Office of Grants Management (E/XE); 301 Fourth Street, SW, room 336, Washington, DC 20547.

CONTACT FOR INFORMATION: Interested organization/institutions should contact the Office of Citizen Exchanges (E/P), room 224, USIA, 301 Fourth Street, SW., Washington, DC 20547, tel. (202) 619-5348, fax (202) 619-4350, to request detailed application packages which include all necessary forms and guidelines for preparing proposals, including specific budget preparation.

SUPPLEMENTARY INFORMATION:

Regional Conflict Resolution in Sub-Saharan Africa

USIA will accept proposals to conduct a two-way exchange program to encourage and support the development of conflict resolution capability in African regional or subregional institutions. The amount requested from USIA should not exceed \$125,000. For technical information, interested organizations may contact E/P Program Specialist Charlotte Peterson at (202) 619-5319.

Project Themes and Objectives

This project will encourage Africans to support conflict resolution within the region as an activity in the common interest of all, fostering stability and economic development in the region as a whole. The project should help strengthen relevant regional organizational capabilities, and the grantee is expected to work closely with an Africa-based multilateral organization interested in conflict resolution for this purpose. Together with that body and area U.S. Information Service (USIS) posts, the

grantee will identify key government, military and NGO leaders to participate in the exchanges; these participants should represent several African countries as well as the regional organization.

The project will include at least two phases: (1) A U.S. phase designed to introduce African participants to American specialists and approaches to local and international conflict resolution and (2) one or more visits of American specialists to Africa to conduct consultations, workshops or other activities with local counterparts.

The project should be designed to:

- Help develop resources and skills for conflict management/resolution in an Africa-based international or multilateral organization whose goals include management/resolution of conflicts in the region;
- Introduce African participants to principles of American pluralism and American institutions and modalities for peaceful management and resolution of differences among ethnic and interest groups;
- Emphasize U.S. commitment to peaceful resolution of conflicts at home and abroad;
- Arrange meetings of African participants with leading American authorities on international and regional conflict resolution theories and techniques;
- Provide opportunities for African participants to engage in substantive discussions with American specialists, with representatives of an African regional organization, and with one another on conflict resolution in the African area;
- Facilitate cross-disciplinary and cross-national networking among African participants to help form constituencies in support of multilateral efforts to prevent, manage, and resolve conflicts in Africa.

Conflict Resolution in South Africa

USIA will accept proposals for the development of an exchange program to support conflict resolution in South Africa. The amount requested from USIA should not exceed \$125,000. Applicants are encouraged to present their own creative program ideas within the general theme of conflict resolution in South Africa. For technical information, interested organizations may contact E/P Program Specialist Charlotte Peterson at (202) 619-5319.

Promoting Cooperation and Understanding Between Arab and Jewish Municipal Government Inside Israel

USIA will accept proposals for the development of a two-way exchange program to reduce tensions and increase cooperation between municipal governments in the Jewish and Arab sectors inside Israel. The amount requested from USIA should not exceed \$125,000. For technical information, interested organizations may contact E/P Program Specialist Charlotte Peterson at (202) 619-5319.

Background/Objectives

As Israelis and Palestinians work toward implementing the declaration of principles, the U.S. Mission in Israel is encouraging greater cooperation among Israeli-Arabs and Jews. This project will contribute to the overall peace process and resolution of conflict between the two ethnic groups by encouraging interaction and advancing successful Arab integration into Israeli society. Bringing mayors and municipal officials from both sides together with American counterparts, the program will enhance leadership skills, including the skills of negotiation and conflict resolution, and emphasize the economic and social benefits of increased intermunicipal cooperation.

The project should be designed to:

- Introduce Israeli Arab and Jewish mayors and municipal officials to models of local government administration and leadership in the U.S., including mechanisms for cooperation and dispute resolution between municipalities or regions;
- Provide for extensive dialogue between the Israeli participants and American counterparts on a range of issues, for example: How local governments accommodate the needs of various ethnic and other groups; modes of interaction between neighboring municipalities on economic development; leadership styles, and other issues of mutual interest.
- Introduce participants to theories and practice of conflict prevention and conflict resolution at the local level;
- Demonstrate pluralism in the United States and the interaction of interest groups representing various ethnic and other minorities;
- Provide opportunities for members of the group to discuss, among themselves and with American specialists, how American models might pertain to their situation at home.

Recommended Structural/Procedural Objectives

- At least one exchange visit in each direction. The U.S. visit might be organized as a study tour of at least three weeks' duration, allowing a group of 8-12 Jewish and Arab mayors and municipal officials to visit several U.S. cities.
- American participants should also travel to Israel for consultations, workshops or other activities with their local counterparts.
- Knowledge of English on the part of the participants from Israel will not be required.

Arbitration: Building Dispute Resolution Mechanisms in Palestinian Society

USIA will accept proposals designed to support the development of a two-way exchange program to assist Palestinian lawyers and legal institutions in establishing internationally credible dispute and conflict resolution mechanisms in the fields of commerce, labor, and civil matters. The amount requested from USIA should not exceed \$125,000. For technical information, interested organizations may contact E/P Program Specialist Charlotte Peterson at (202) 619-5319.

Background/Objectives

Palestinian society has traditionally depended on a dispute arbitration mechanism centered on prominent figures, such as clan or village leaders, to mediate and resolve commercial, social, and family disputes. While other Middle Eastern societies have moved beyond this traditional process of mediation—at least for resolution of commercial and legal disputes—Palestinians have, in the absence of a rational legal structure in the occupied territories, continued to rely almost exclusively on this informal, consensual process. As the peace process evolves toward Palestinian autonomy, it has become critical that Palestinians adopt internationally credible models of dispute resolution as a *sine qua non* for attracting the international investment essential to bolster Palestinian autonomy.

The project should be designed to:

- Familiarize Palestinian legal experts—many of whom are now working on the general outlines of a constitution and legal framework to govern the autonomous regions—with the types of arbitration organizations and mechanisms Americans rely on to resolve commercial, labor, and other disputes. This introduction should be

squarely placed within a framework of the judicial system in the United States.

- Promote cooperation between Palestinian and American experts in formulating and proposing specific dispute resolution mechanisms for the Palestinian autonomous regions.
- Provide, as a third exchange component, internships with an American arbitration group for a small group of Palestinians closely involved with the evolution of dispute resolution mechanisms within the autonomous authority, so that they might learn how arbitration mechanisms actually work in American society.

Recommended Structural/Procedural Objectives

- A visit to the United States, to take place as early as possible, for six to eight Palestinian legal experts to become familiar with arbitration organizations and conflict resolution mechanisms. A three-week program, with visits to at least three cities.
- Travel of three or four American legal experts involved in the first component of the exchange, to take place after a lapse of several months, to work for four to six weeks in Jerusalem, the West Bank, and Gaza with legal experts on formulating dispute resolution mechanisms for the Palestinian autonomous regions.
- Three Palestinians involved with the evolution of dispute mechanisms within the autonomous authority would travel to the United States for a one-semester internship with an American arbitration group.

American Republics (AR)—Nicaragua and Guatemala Only

USIA will accept separate proposals designed to support conflict resolution in Nicaragua and Guatemala. Proposals targeting other countries in the region will not be accepted. The amount requested from USIA should not exceed \$65,000 for Nicaragua or \$35,000 for Guatemala. For technical information, interested organizations may contact E/P Program Specialist Ben Cromer at (202) 619-5326. USIS post consultation by applicants, prior to submission of proposals, is recommended.

Background for Nicaragua

Nicaraguans historically have found it hard to resolve their own conflicts. They have often tried to enlist outsiders, frequently from the U.S., as partisans in their disputes, or turned to them for mediation and arbitration when all else has failed. This dynamic has been a source of instability for over 150 years.

Some Nicaraguans recognize this failing and are trying to remedy it. In the past year, two university-linked research institutes have been formed to study conflict resolution. A local environmental group sponsored a workshop organized by professional U.S. mediators on resolving environmental disputes, hosted by the new binational center. Still, if Nicaraguans are to complete this process successfully, they need training and support.

U.S. policy today is to encourage Nicaraguans to resolve their internal conflicts without looking to the U.S. for assistance and/or intervention. With this in mind, the Post proposes a project to strengthen Nicaraguan conflict resolution. USIA will work with the grantee and local organizations to identify a bipartisan (the only conceivable approach) pool of trainees who could conduct conflict resolution training for other Nicaraguans and provide mediation services and related activities (fact-finding, curriculum development, etc.). This program would respond to a historic need in Nicaragua.

Please address inquiries to the Public Affairs Officer; USIS—AmEmbassy Managua; Unit #2714; APO AA 34021; Tel. 011-505-2668234, Fax 011-505-2663861.

Background for Guatemala

Guatemala's 33 year-old civil war has cost more than 100,000 lives, has severely hindered democratic and social development in the country, and has adversely affected the fortunes of every government of Guatemala since the war's inception. Although heated constitutional and political battles dominate daily headlines, this conflict continues to cast a long shadow over the country's future.

Media co-sponsorship would be desirable, such as by the centrist daily *Siglo XXI* and its publisher, Jorge Reuben Zamora; the issues-oriented talk show "Libre Encuentro" and its host, Dionisio Gutierrez; and Guatemala's newest daily, *La Republica*, which, though it probably has the smallest readership, is well-written and tightly edited, and is supported by the media family, Marroquin.

The Post envisions meetings and workshops at a neutral site, such as Miami, which is both easily accessible to Guatemalans and equipped with the resources necessary to support such a program. A site such as Miami, which is also home base to many CentAm beat reporters, would likely generate considerable regional coverage and encourage the participation of key participants such as Rigoberta Menchu

and Frank LaRue, as well as younger members of the URNG.

The program must focus on specific issues (i.e. refugee resettlement, land tenure, political participation by the URNG), and be managed by professionals. Innovation is absolutely necessary to avoid the dry and meaningless "round tables" and seminars that are so common in Guatemala itself.

Please address inquiries to: Public Affairs Officer; USIS—AmEmbassy Guatemala; Unit #3318; APO AA 34024; Tel. 011-502-2-311-541, Fax 011-502-2-321-549.

East Asia and the Pacific (EA)

USIA will accept proposals for the development of exchange programs to support conflict resolution in the East Asia and Pacific region. Exchange programs may include but not be limited to conferences or symposia. The amount requested from USIA should not exceed \$200,000.

U.S. foreign policy in Asia is receptive to the concept of regional security consultations. The ASEAN-U.S. dialogue has been expanded to include security discussions through the ASEAN Regional Forum (ARF), for example. Russia has been invited to participate in ARF, along with China, Vietnam, Laos and Papua New Guinea. The USG has also welcomed the holding of symposia sponsored by the private sector on Northeast Asia security.

Applicants are encouraged to view these security dialogues as conflict resolution arrangements where potential adversaries talk to each other rather than form blocs against a common adversary. Proposals should present ideas as to how to extend the dialogue to encompass the entire East Asia and Pacific region or how to enhance the evolving subregional dialogues (e.g. ASEAN, North Asia). Proposals should treat conflict resolution as preventive diplomacy, including reducing tensions, building confidence, and deterring arms races in addition to contributing to the solution of specific conflicts or potential specific conflicts.

Security (and thus, conflict resolution) may be broadly defined to include regional issues that directly or indirectly contribute to security (or the lack thereof), such as economic growth and other conditions affecting trade and social stability, including environmental and energy issues, and population questions.

A conflict resolution project focussed on Northeast Asia should account for private as well as public sector interests, and should be aimed toward stimulating participants' appreciation of the benefits

to the East Asia and Pacific community as a whole to be derived from discussions of both the opportunities for cooperation and the potential conflicts in the subregion.

For projects that focus on Northeast Asia, the area may include Japan, China, Russia, the Korean peninsula, and the U.S.

For additional information on regionwide or subregional emphases, grant applicants may contact Margaret Eubank, Cultural Coordinator in USIA's Office of East Asia and Pacific Affairs, at (202) 619-5837. For technical information, interested organizations may contact E/P Program Specialist Elroy Carlson at (202) 619-5326.

Europe

USIA will not accept proposals for this region.

The Newly Independent States

USIA will not accept proposals for this region.

Additional Guidelines and Restrictions

USIA is interested in supporting programs which will lay the groundwork for new and continuing links between American and foreign professional organizations and non-governmental organizations in the area of conflict resolution and in the specific fields mentioned in the above project descriptions. Proposals which are overly ambitious and those which are very general will not be competitive. Therefore, institutions should provide strong evidence of their ability to accomplish a few tasks exceptionally well. General structural or procedural objectives for all of the above projects include the following:

- development of institutional links which continue beyond the duration of USIA funding support, preferably with funding commitments;
- development and distribution of written, audio and video instructional materials to complement and enhance the program.
- coordination, in the design of these programs, with U.S. Information Service offices overseas, and with foreign government officials and private sector leaders with direct knowledge and experience in the thematic area.

Bureau grants are not given to support projects whose focus is limited to technical issues, or for research projects, developing publications for dissemination in the United States, individual student exchange, film festivals, or exhibits. Neither does the Office of Citizen Exchanges provide scholarships or support for long-term (a

semester or more) academic studies. Competitions sponsored by other Bureau offices are also announced in the **Federal Register** and may have different application requirements as well as different objectives.

Participants

All grant proposals should clearly describe the type of persons who will participate in the program as well as the process by which participants will be selected. However, USIA and USIS posts retain the right to nominate all foreign participants and to accept or deny participants recommended by grantee institutions. Grantee institutions will often provide support, as requested by USIA, in the nomination of participants.

The grantee should provide the names of American participants and brief, relevant biographical data. American participants should be selected on the basis of their experience and expertise in the thematic field. Relevant language ability, experience in communicating to foreign audiences and general knowledge of the regions and countries involved in the respective projects are highly desirable.

The USIS offices will facilitate the issuance of visas and other program-related materials.

Programmatic Considerations

Pursuant to the legislation authorizing the Bureau of Educational and Cultural Affairs, programs must maintain a nonpolitical character and should be balanced and representative of the diversity of American political, social and cultural life.

USIA will give priority to proposals from U.S. organizations with relevant institutional contacts in the countries involved in the various projects described above. Partner institutions are encouraged to provide cost-sharing or significant in-kind contributions such as local housing and transportation, interpreting, translating and other local currency costs. These institutions are also encouraged to assist with the organization of various program activities.

The grantee will be responsible for most arrangements associated with this program. These include selecting speakers, themes, and topics for discussion; organizing a coherent progression of activities; providing international and domestic travel arrangements for all foreign participants and U.S. domestic travel for escort-interpreters; making lodging and local transportation arrangements for visitors; orienting and debriefing participants; preparing any necessary support

materials; and working with host institutions and individuals to achieve maximum program effectiveness.

At the start of the U.S. portion of a program, the grantee should conduct an orientation session for the visiting delegation which addresses substantive details of the program as well as geographic, historical, and cross-cultural factors which they should consider to enhance program success.

Upon conclusion of the program the grantee will be required to submit a report to E/P summarizing results of the entire program.

Other Logistical Considerations

Program monitoring and oversight will be provided by appropriate USIA elements. Per Diem support from host institutions during an internship component is strongly encouraged. However, for all programs which include internships, a nonprofit grantee institution which receives funds from corporate or other cosponsors should then use those monies to provide food, lodging, and pocket money for the participants. In no case could the intern receive a wage or "be hired" by the sponsoring institution. Internships should also have an American studies/values orientation component at the beginning of the exchange program in the U.S. Grantee institutions should try to maximize cost-sharing in all facets of their program design, and to stimulate U.S. private sector (foundation and corporate) support.

Funding

Organizations with less than four years of successful experience in managing international exchange programs are limited to \$60,000.

Competition for USIA funding support is keen. The final selection of a grantee institution will depend on assessment of proposals according to the review criteria delineated below.

While applicants must provide on all-inclusive budget with the proposal, they are also encouraged to include separate sub-budgets for each program component, phase, location or activity.

The recipient's proposal shall include the cost of an audit that: (1) Complies with the requirements of OMB Circular No. A-133, Audits of Institutions of Higher Education and Other Nonprofit Institutions; (2) complies with the requirements of American Institute of Certified Public Accountants (AICPA) Statement of Position (SOP) No. 92-9; and (3) includes review by the recipient's independent auditor of a recipient-prepared supplemental schedule of indirect cost rate

computation, if such a rate is being proposed.

The audit costs shall be identified separately for: (1) Preparation of basic financial statements and other accounting services; and (2) preparation of the supplemental reports and schedules required by OMB Circular No. A-133, AICPA SOP 92-9, and the review of the supplemental schedule of indirect cost rate computation.

USIA will consider funding the following project costs:

1. International and domestic air fares; visas; transit costs (e.g., airport taxes); ground transportation costs.
2. Per diem: For the U.S. program, organizations have the option of using a flat \$140/day for international participants or the published Federal Travel Regulations per diem rates for individual American cities. NOTE: U.S. escorting staff must use the published federal per diem rates, not the flat rate. For activities overseas, the Standard Government Travel Regulations per diem rates must be used.

3. Interpreters: For the U.S. program interpreters are provided by the U.S. State Department Language Services Division. Typically, a pair of simultaneous interpreters is provided for every four visitors who need interpretation. USIA grants do not pay for foreign interpreters to accompany delegations from their home country. Grant proposal budgets should contain a flat \$140/day per diem for each DOS interpreter, as well as home-program-home air transportation of \$400 per interpreter plus any U.S. travel expenses during the program. Salary expenses are covered centrally and should not be part of an applicant's proposed budget.

4. Book and cultural allowance: Participants are entitled to a one-time cultural allowance of \$150 per person, plus a book allowance of \$50. Escorts are reimbursed for actual cultural expenses up to \$150. U.S. staff do not get these benefits.

5. Consultants: May be used to provide specialized expertise or to make presentations. Honoraria generally do not exceed \$250 per day. Subcontracting organizations may also be used, in which case the written contract(s) must be included in the proposal.

6. Room rental: Generally should not exceed \$250 per day.

7. Materials Development: Proposals may contain costs to purchase, develop and translate materials for participants. USIA reserves the rights to these materials for future use.

8. One working meal per project: Per capita cost may not exceed \$5-8 per lunch and \$14-20 per dinner, excluding room rental. The number of invited

guests may not exceed the number of participants by more than a factor of two to one.

9. Return travel allowance: \$70 for each participant which is to be used for incidental expenditures incurred during international travel.

10. Other costs necessary for the effective administration of the program, including salaries for grant organization employees, benefits, and other direct and indirect costs per detailed instructions in the application package.

E/P encourages cost-sharing, which may be in the form of allowable direct or indirect costs. The Recipient must maintain written records to support all allowable costs which are claimed as being its contribution to cost participation, as well as costs to be paid by the Federal government. Such records are subject to audit. The basis for determining the value of cash and in-kind contributions must be in accordance with OMB Circular A-110, Attachment E, "Cost-sharing and Matching," and should be described in the proposal. In the event the Recipient does not meet the minimum amount of cost-sharing as stipulated in the Recipient's budget, the Agency's contribution will be reduced in proportion to the Recipient's contribution.

Please note: All delegates will be covered under the terms of a USIA/sponsored health insurance policy. The premium is paid by USIA directly to the insurance company.

Application Requirements

Proposals must be structured in accordance with the instructions contained in the Application Package. Confirmation letters from U.S. and foreign co-sponsors noting their intention to participate in the program will enhance a proposal.

Review Process

USIA will acknowledge receipt of all proposals and will review them for technical eligibility. Proposals will be deemed ineligible if they do not fully adhere to the guidelines established herein and in the Application Package.

Eligible proposals will be forwarded to panels of USIA officers for advisory review. All eligible proposals will be reviewed by the appropriate geographic area offices and the budget and contract offices. Proposals may also be reviewed by the Office of General Counsel or other Agency offices. Funding decisions are at the discretion of the Associate Director for Educational and Cultural Affairs. Final technical authority for grant awards resides with USIA's

contracting officer. The award of any grant is subject to availability of funds.

The U.S. Government reserves the right to reject any or all applications received. USIA will not pay for design and development costs associated with submitting a proposal. Applications are submitted at the risk of the applicant; should circumstances prevent award of a grant, all preparation and submission costs are at the applicant's expense. USIA will not award funds for activities conducted prior to the actual grant award.

Review Criteria

USIA will consider proposals based on the following criteria:

1. *Quality of Program Idea:* Proposals should exhibit originality, substance, rigor, and relevance to the Agency mission. They should demonstrate the matching of U.S. resources to a clearly defined need.

2. *Institutional Reputation and Ability:* Applicant institutions should demonstrate their potential for excellence in program design and implementation and/or provide documentation of successful programs. If an applicant is a previous USIA grant recipient, responsible fiscal management and full compliance with all reporting requirements for past Agency grants as determined by USIA's Office of Contracts (M/KG) will be considered. Relevant substantive evaluations of previous projects may also be considered in this assessment.

3. *Project Personnel:* The thematic and logistical expertise of project personnel should be relevant to the proposed program. Resumes or C.V.s should be relevant to the specific proposal and no longer than two pages each.

4. *Program Planning:* A detailed agenda and relevant work plan should demonstrate substantive rigor and logistical capacity.

5. *Thematic Expertise:* Proposal should demonstrate the organization's expertise in the subject area which promises an effective sharing of information.

6. *Cross-Cultural Sensitivity and Area Expertise:* Evidence should be provided of sensitivity to historical, linguistic, religious, and other cross-cultural factors, as well as relevant knowledge of the target geographic area/country.

7. *Ability to Achieve Program Objectives:* Objectives should be realistic and feasible. The proposal should clearly demonstrate how the grantee institution will meet program objectives.

8. *Multiplier Effect:* Proposed programs should strengthen long-term

mutual understanding and contribute to maximum sharing of information and establishment of long-term institutional and individual ties.

9. **Cost-Effectiveness:** Cost to USIA per exchange participant (American and foreign) should be kept to a minimum, and all items proposed for USIA funding should be necessary and appropriate to achieve the program's objectives.

10. **Cost-Sharing:** Proposals should maximize cost-sharing through other private sector support as well as direct funding contributions and/or in-kind support from the prospective grantee institution and its partners.

11. **Follow-on Activities:** Proposals should provide a plan for continued exchange activity (without USIA support) which ensures that USIA-supported programs are not isolated events.

12. **Project Evaluation:** Proposals should include a plan to evaluate the activity's success. USIA recommends that the proposal include a draft survey questionnaire or other technique plus description of a methodology to use to link outcomes to original project objectives. Grantees will be expected to submit intermediate reports after each project component is considered or quarterly, whichever is less frequent.

Notice

The terms and conditions published in this RFP are binding and may not be modified by any USIA representative. Explanatory information provided by the Agency which contradicts published language will not be binding. Issuance of the RFP does not constitute an award commitment on the part of the U.S. Government. Awards cannot be made until funds have been fully appropriated by Congress and allocated and committed through internal USIA procedures.

Notification

All applicants will be notified of the results of the review process on or about August 1, 1994. Awarded grants will be subject to periodic reporting and evaluation requirements.

Dated: February 10, 1994.

Barry Fulton,

Associate Director, Bureau of Educational and Cultural Affairs.

[FR Doc. 94-4202 Filed 2-23-94; 8:45 am]

BILLING CODE 8230-01-M

Exchange Project for the Development of Journalism Education in the Middle East, North Africa, and South Asia (Public and Private Nonprofit Organizations in Support of International Educational and Cultural Activities)

AGENCY: United States Information Agency.

ACTION: Notice; request for proposals.

SUMMARY: The Office of Citizen Exchanges (E/P) of the United States Information Agency's Bureau of Educational and Cultural Affairs announces a competitive grants program for nonprofit organizations to develop multi-phased exchange programs for journalism educators. There will be two separate exchange programs, and American organizations are invited to submit proposals for one or both. One program will be for 10 to 12 educators from the Middle East and North Africa; the other program will be for 10 to 12 educators from South Asia. The journalism educators will come to the United States for an intensive, six-week study program in American journalism education, with emphasis on curriculum development, the relationship of education to the practice of journalism, the development of professionalism in journalism, and an introduction to American print media, from student publications at the university and secondary school levels to substantive contact with newspapers. During the second phase of each exchange program, two teams of two American journalism educators will travel to selected countries for consultations with phase one participants and their colleagues. Each team will visit two or three countries and will focus on curriculum development and the establishment of student publications as an educational device. These target countries will be selected through consultations among USIA, USIS posts and the program organizer after completion of the first program component.

Interested applicants are urged to read the complete **Federal Register** announcement before addressing inquiries to the Office or submitting their proposals. After the RFP deadline, the Office of Citizen Exchanges may not discuss this competition in any way with applicants until the final decisions are made.

ANNOUNCEMENT NAME AND NUMBER: All communications with USIA concerning this announcement should refer to the above title and reference number E/P-94-20.

DATES: Deadline for proposals: All copies must be received at the U.S. Information Agency by 5 p.m. Washington, DC time on April 22, 1994. Faxed documents will not be accepted, nor will documents postmarked April 22, 1994, but received at a later date. It is the responsibility of each grant applicant to ensure that proposals are received by this deadline.

ADDRESSES: The original and 14 copies of the completed application and required forms should be submitted by the deadline to: U.S. Information Agency, Ref: E/P-94-20, Office of Grants Management (E/XE), 301 Fourth Street, SW., room 336, Washington, DC 20547.

CONTACT FOR INFORMATION: Interested organizations/institutions should contact the Office of Citizen Exchanges (E/P), USIA, 301 Fourth Street, SW., room 224, Washington, DC 20547, tel. (202) 619-5319, fax (202) 619-4350, to request detailed application packages which include all necessary forms and guidelines for preparing proposals, including specific budget preparation information. Please specify the name of USIA Program Specialist Thomas Johnston on all inquiries and correspondence.

Background/Objectives of This Program

The end of colonialism and the consequent dramatic rise in the number of sovereign states in the developing world have produced an equally dramatic rise in the scope and diversity of available news media, both print and broadcast. However, much of the reporting disseminated through these media is flawed by the absence of journalistic skills, appropriate educational background, and appreciation for professional standards among those employed as journalists. In addition, media throughout the Near East, North Africa, and South Asia are often utilized to mold public opinion, rather than to provide objective information, and to rally support for the policies of parties holding or seeking power, rather than to present an independent, credible account or a responsible analysis of social and political phenomena.

The primary objective of this program is to further the development of journalism education as an independent academic discipline in North Africa, the Near East, and South Asia, and thereby to strengthen substantive, responsible, and objective media reporting, reflecting international recognized standards of journalistic professionalism.

Project proposals should focus on the cultivation of a cadre of journalism

educators—both professors and deans of schools of journalism—from the Near East and North Africa, or from South Asia, who are persuaded of the need for curricular reform and development in order to train well educated, responsible journalists and who are able and willing to translate their convictions into efforts to bring about such reform and development.

Participants

Journalism educators from the Middle East and North Africa who will participate in the U.S. phase of this program will be provided the service of bilingual escort-interpreters in Arabic, with one interpreter for each five/six participants and one language-fluent escort for the group (to be facilitated by USIA through the U.S. Department of State). For American consultants participating in the second component of the Near East/North African exchange, fluency in Arabic or French, depending on the countries visited and the language preference of the anticipated audiences, would be desirable. In the absence of language fluency, arrangements should be made by the grantee organization, in consultation with USIS posts, for interpretation. Participating educators in the South Asian exchange must possess strong English language skills. American consultants traveling to South Asia during the second component of the program may require the service of interpreters, depending upon the language facility of the South Asian educators with whom they will work in the region. Again, the grantee organization should coordinate arrangements for in-country interpreters with the appropriate USIS posts.

Participants will be nominated through coordination among USIA, U.S. Information Service personnel in the region, and overseas partner institutions. USIA and the participating USIS posts retain the right to nominate all participants and to accept or reject participants recommended by grantee institutions. The U.S. consultants who will travel abroad will be selected by the grantee institution in consultation with USIA.

USIS officers in participating countries will facilitate the issuance of visas and other program-related material.

Programmatic Considerations

Thematically, each program should:

- Analyze the current status of professional journalism and journalism education in the participants' countries of origin and determine, in conjunction with USIS

posts in these countries and with the journalism educators selected as participants, the needs to be addressed by the exchange;

- Provide the participants both a general and a specific overview of journalism education and the practice of journalism in the United States, beginning with an historic perspective and a survey of the evolution of the public media in the context of a socially diverse and politically democratic country;
- Conduct for the participants short, intensive, lecture-seminary-discussion courses in journalism education, focussing primarily on curriculum development, the structuring of apprenticeships or internships as an integral component of the journalist's training, and the development of student publications as essential to journalism education.
- And arrange one-week, intensive, participant/observer placements for the journalism educators as a group in the journalism departments of three universities, preferably reflecting diversity of size, orientation, and geographic location. These placements should include, in each case, classroom observation, first-hand experience in producing a student publication, visits to at least one medium-to-large newspaper which features both national and international reporting, and, if possible, observation of high-school level student journalism classes and publications.

Pursuant to the legislation authorizing the Bureau of Educational and Cultural Affairs, programs must maintain a nonpolitical character and should be balanced and representative of the diversity of American political, social and cultural life.

Beyond the immediate goals of this exchange, USIA is also interested in supporting programs which will lay the groundwork for new and continuing links between American and Middle Eastern, North African, and South Asian educational institutions and professional organizations and which will encourage the further growth and development of democratic institutions.

The grantee organization will be responsible for most arrangements associated with this program. These include organizing a coherent progression of activities, providing international and domestic travel arrangements for all participants, making lodging and local transportation arrangements for visitors, orienting and debriefing participants, preparing any necessary support material, and working

with host institutions and individuals to achieve maximum program effectiveness.

To prepare foreign journalism educators for this project prior to their arrival in the United States, E/P encourages the grantee organization to develop material that would be sent to USIS offices overseas for distribution to participants. This material might include a tentative project outline with suggested goals and objectives, relevant background information, and information about American institutions and individuals involved in the exchange.

At the beginning of the program, the grantee organization should conduct an orientation session for the visiting participants which addresses administrative details of the program and provides general information about American society and culture which will facilitate the participants' understanding of and adjustment to daily life in the United States.

At the conclusion of the program, the group should meet in a one-day evaluation and planning session to review what has been presented to and experienced by the participants and to consider how that which has been learned can most effectively be applied upon the participants' return to their home countries.

Additional Guidelines

Program monitoring and oversight will be provided by appropriate USIA elements. The U.S. grantee institution should try to maximize cost-sharing in all facets of the program and to stimulate U.S. private sector (foundation and corporate) support.

Proposals incorporating participant/observer site visits will be more competitive if letters committing prospective host institutions to support these efforts are provided.

Funding

Competition for USIA funding support is keen. The final selection of a grantee institution will depend on assessment of proposals according to a the review criteria delineated below.

The amount requested from USIA should not exceed \$165,000 for each of these programs. However, organizations with less than four years of successful experience in managing international exchange programs are limited to \$60,000.

While applicants must provide an all-inclusive budget with the proposal, they are also encouraged to include separate sub-budgets for each program component, phase, location or activity.

The recipient's proposal shall include the cost of an audit that:

- (1) Complies with the requirements of OMB Circular No. A-133, Audits of Institutions of Higher Education and Other Nonprofit Institutions;
- (2) Complies with the requirements of American Institute of Certified Public Accountants (AICPA) Statement of Position (SOP) No. 92-9; and
- (3) Includes review by the recipient's independent auditor of a recipient-prepared supplemental schedule of indirect cost rate computation, if such a rate is being proposed.

The audit costs shall be identified separately for:

- (1) Preparation of basic financial statements and other accounting services; and
- (2) Preparation of the supplemental reports and schedules required by OMB Circular No. A-133, AICPA SOP 92-9, and the review of the supplemental schedule of indirect cost rate computation.

USIA will consider funding the following project costs:

1. International and domestic air fares; visas; transit costs (e.g., airport taxes); ground transportation costs.
2. Per diem: For the U.S. program, organizations have the option of using a flat rate of \$140/day for international participants or the published Federal Travel Regulations per diem rates for individual American cities.

Note: U.S. escorting staff must use the published federal per diem rates, not the flat rate. For activities in the Middle East, North Africa and South Asia, the Standard Federal Travel Regulations per diem rates must be used.

3. Escort-interpreters: Interpretation for U.S.-based programs is provided by the State Department's Language Services Division. USIA grants do not pay for foreign interpreters to accompany delegations during travel to or from their home country. Grant proposal budgets should contain a flat \$140/day per diem rate for each State Department interpreter, as well as home-program-home air transportation of \$400 per interpreter and any U.S. travel expenses during the program itself. Salary expenses are covered centrally and are not part of the applicant's budget proposal. For the second component of the program, a limited amount of grant funds would be available for interpreters, should interpretation be required. The grant applicant is encouraged to confirm with the appropriate USIS posts the local costs for interpreters. Grant proposals should reflect these costs.

4. Book and cultural allowance: Participants are entitled to a one-time

cultural allowance of \$150 per person, plus a book allowance of \$50. Escorts are reimbursed for actual cultural expenses up to \$150. U.S. staff do not get these benefits.

5. Consultants: May be used to provide specialized expertise or to make presentations. Honoraria should not exceed \$250 per day. Subcontracting organizations may also be used, in which case the written contract(s) must be included in the proposal.

6. Room rental: generally should not exceed \$250 per day.

7. Materials: Proposals may contain costs to purchase, develop and translate materials for participants. USIA reserves the rights to these materials for future use.

8. One working meal per project: Per capita cost may not exceed \$5-8 per lunch and \$14-20 per dinner, excluding room rental. The number of invited guests may not exceed the number of participants by a factor of more than two to one.

9. Return travel allowance: \$70 for each participant which is to be used for incidental expenditures incurred during international travel.

10. Other costs necessary for the effective administration of the program, including salaries for grant organization employees, benefits, and other direct and indirect costs per detailed instructions in the application package.

E/P encourages cost-sharing, which may be in the form of allowable direct or indirect costs. The Recipient must maintain written records to support all allowable costs which are claimed as being its contribution to cost participation, as well as costs to be paid by the Federal government. Such records are subject to audit. The basis for determining the value of cash and in-kind contributions must be in accordance with OMB Circular A-110, Attachment E, "Cost-sharing and Matching," and should be described in the proposal. In the event the Recipient does not meet the minimum amount of cost-sharing as stipulated in the Recipient's budget, the Agency's contribution.

Please Note

All participants will be covered under the terms of a USIA-sponsored health insurance policy. The premium is paid by USIA directly to the insurance company.

Application Requirements

Proposals must be structured in accordance with the instructions contained in the application package. Confirmation letters from U.S. and foreign co-sponsors noting their

intention to participate in the program will enhance a proposal.

Review Process

USIA will acknowledge receipt of all proposals and will review them for technical eligibility. Proposals will be deemed ineligible if they do not fully adhere to the guidelines established herein and in the application package.

Eligible proposals will be forwarded to panels of USIA officers for advisory review. Proposals will be reviewed by USIS posts and by USIA's Office of Near Eastern, North African, and South Asian Affairs. Proposals may also be reviewed by the Office of the General Counsel or by other Agency elements. Funding decisions are at the discretion of the Associate Director for Educational and Cultural Affairs. Final technical authority for granting awards resides with USIA's contracting officer. The awarding of any grant is subject to availability of funds.

The U.S. Government reserves the right to reject any or all applications received. USIA will not pay for design and development costs associated with submitting a proposal. Applications are submitted at the risk of the applicant; should circumstances prevent the awarding of a grant, all preparation and submission costs are at the applicant's expense. USIA will not award funds for activities conducted prior to the actual grant award.

Review Criteria

USIA will consider proposals based on the following criteria:

1. *Quality of Program Idea:* Proposals should exhibit substance, originality, rigor, and relevance to the Agency mission. They should demonstrate the matching of U.S. resources to a clearly defined need.

2. *Institutional Reputation/Ability:* Institutions should demonstrate their potential for effective program design and implementation and provide, if available, evidence of having conducted successful programs. If an applicant has previously received a USIA grant, responsible fiscal management and full compliance with all reporting requirements for past Agency grants, as determined by USIA's Office of Contracts (M/KG), will be considered. Evaluations of previous projects may also be considered in this assessment.

3. *Project Personnel:* Information provided regarding the thematic and logistical expertise of project personnel should be relevant to the proposal at hand. Resumes or C.V.s should be summaries appropriate to the specific proposal and no longer than two pages each.

4. *Program Planning*: A detailed agenda and relevant work plan should demonstrate substantive rigor and logistical capacity.

5. *Thematic Expertise*: Proposal should demonstrate the organization's expertise in the subject area and its ability effectively to share information.

6. *Cross-Cultural Sensitivity and Area Expertise*: Evidence should be provided of sensitivity to historical, linguistic, religious, and other cross-cultural factors, as well as relevant knowledge of the target geographic area/country.

7. *Ability To Achieve Program Objectives*: Objectives should be realistic and feasible. The proposal should clearly demonstrate how the grantee institution will meet program objectives.

8. *Multiplier Effect*: Proposed programs should strengthen mutual understanding and should contribute to maximum sharing of information and establishment of long-term institutional and individual ties.

9. *Cost-Effectiveness*: Costs to USIA per exchange participant (American and foreign) should be kept to a minimum, and all items proposed for USIA funding should be necessary and appropriate to achieve the program's objectives.

10. *Cost-Sharing*: Proposals should maximize cost-sharing through private sector support as well as through direct funding contributions and/or in-kind support from the prospective grantee organization and its partners.

11. *Follow-on Activities*: Proposals should provide a plan for continued exchange activity (without USIA support) which ensures that USIA-supported programs are not isolated events.

12. *Project Evaluation*: Proposals should include a plan to evaluate the project. USIA recommends that the applicant discuss the evaluation

methodology chosen and the techniques which will be employed to assess the effectiveness of the project and the correspondence between observable outcomes and original project objectives. Grantees will be expected to submit intermediate reports after each project component is concluded or quarterly, whichever is less frequent.

Notice

The terms and conditions published in this RFP are binding and may not be modified by any USIA representative. Explanatory information provided by the Agency which contradicts published language will not be binding. Issuance of the RFP does not constitute an award commitment on the part of the U.S. Government. Awards cannot be made until funds have been fully appropriated by Congress and allocated and committed through internal USIA procedures.

Notification

All applicants will be notified of the results of the review process on or about July 1, 1994. Awarded grants will be subject to periodic reporting and evaluation requirements.

Dated: February 14, 1994.

Barry Fulton,

Associate Director, Bureau of Educational and Cultural Affairs.

[FR Doc. 94-3984 Filed 2-23-94; 8:45 am]

BILLING CODE 8230-01-M

DEPARTMENT OF VETERANS AFFAIRS

Advisory Committee on Cemeteries and Memorials; Meeting

The Department of Veterans Affairs gives notice that a meeting of the Advisory Committee on Cemeteries and Memorials, authorized by 38 U.S.C.

2401, will be held at the Excelsior Hotel #3 Statehouse Plaza, Little Rock, Arkansas on April 20-21, 1994.

The sessions will begin at 8:30 a.m. c.s.t. each day to conduct routine business. The meeting will be open to the public up to the seating capacity which is about 20 persons. Those wishing to attend should contact Ms. Dina Wood, Special Assistant to the Director, or Mr. Larry De Meo, Executive Assistant to the Director, National Cemetery System, [phone (202) 273-5235] not later than 12 noon, EST April 4, 1994.

Any interested person may attend, appear before, or file a statement with the Committee. Individuals wishing to appear before the Committee should indicate this in a letter to the Director, National Cemetery System (40) at 810 Vermont Avenue, NW., Washington, DC 20420. In any such letters, the writer must fully identify themselves and state the organization or association or person they represent. Also, to the extent practicable, letters should indicate the subject matter they want to discuss. Oral presentations should be limited to 10 minutes in duration. Those wishing to file written statements to be submitted to the Committee must also mail, or otherwise deliver, them to the Director, National Cemetery System.

Letters and written statements as discussed above must be mailed or delivered in time to reach the Director, National Cemetery System, by 12 noon e.s.t. April 4, 1994. Oral statements will be heard only between 1:30 p.m. and 2 p.m. c.s.t., April 20, 1994.

Dated: February 15, 1994.

By Direction of the Secretary.

Heyward Bannister,

Committee Management Officer.

[FR Doc. 94-4144 Filed 2-23-94; 8:45 am]

BILLING CODE 8320-01-M

Corrections

Federal Register

Vol. 59, No. 37

Thursday, February 24, 1994

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 THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018-AC01

Endangered and Threatened Wildlife and Plants; Determination of Critical Habitat for the Mojave Population of the Desert Tortoise

Correction

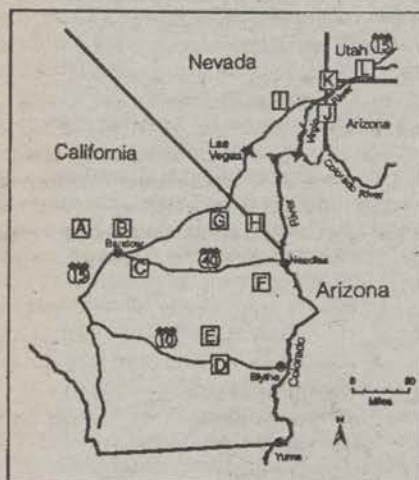
In rule document 94-2694 beginning on page 5820 in the issue of Tuesday, February 8, 1994, on page 5846, the maps appearing in § 17.95 were incorrectly positioned in the text. For clarification, the amendment to § 17.95(c) is reprinted in its entirety.

§ 17.95 Critical habitat—fish and wildlife.

(c) * * *

Desert Tortoise—Mojave Population (*Gopherus agassizii*)

Index map of approximate locations of critical habitat units follows:

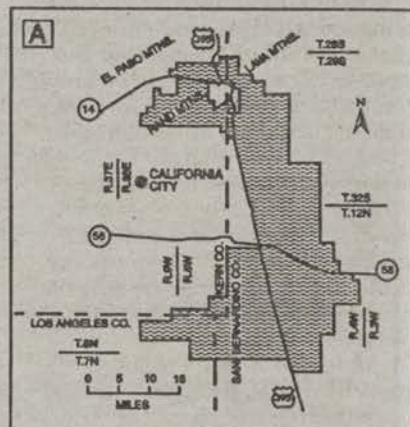


California. Areas of land as follows:

1. *Fremont-Kramer Unit*. Kern, Los Angeles, and San Bernardino Counties. From BLM Maps: Victorville 1978 and Cuddeback Lake 1978. (Index map location A).

Mt. Diablo Meridian: T. 29 S., R. 39 E., secs. 13, 14, 22-26, 35, and 36; T. 29 S., R. 40 E., secs. 12-33; T. 29 S., R. 41 E., secs. 7, 8, 17-20, 27-30, and 32-36; T. 30 S., R. 38 E., secs. 24-26, 35, and 36; T. 30 S., R. 39 E., secs. 1-36 except secs. 3-5; T. 30 S., R. 40 E., secs. 4-9 and 13-36 except those portions of secs. 13, 14, and 23 lying northwesterly of the Randsburg-Mojave Road; T. 30 S., R. 41 E., secs. 1-36 except secs. 5-8 and 20 and those portions of secs. 17 and 18 lying easterly of U.S. Hwy. 395; T. 30 S., R. 42 E., secs. 7-10, 15-22, and 27-34; T. 31 S., R. 40 E., secs. 1 and 6 except that portion of sec. 6 lying southeasterly of the Randsburg-Mojave Road; T. 31 S., R. 41 E., secs. 1-17, 20-29, and 32-36 except those portions of secs. 20, 29 and 32 lying westerly of U.S. Hwy. 395; T. 31 S., R. 42 E., secs. 3-10, 15-22, and 27-34; T. 32 S., R. 41 E., secs. 1-4, 9-16, 21-28, and 34-36 except those portions of secs. 4, 9, 16, 21, 27, 28, and 34 lying westerly of U.S. Hwy. 395; T. 32 S., R. 42 E., T. 32 S., R. 43 E., secs. 4-9, 16-21, and 28-33.

San Bernardino Meridian: T. 7 N., R. 5 W., secs. 2-11 and 14-18 except that portion of sec. 18 lying west of U.S. Hwy. 395; T. 7 N., R. 6 W., secs. 1-6, 12, and 13 except those portions of secs. 1, 12, and 13 lying westerly of U.S. Hwy. 395; T. 7 N., R. 7 W., secs. 1-6; T. 7 N., R. 8 W., secs. 1-4; T. 8 N., R. 4 W., secs. 6, 7, and 18; T. 8 N., R. 5 W., secs. 1-35 except secs. 24 and 25; T. 8 N., R. 6 W., T. 8 N., R. 7 W., T. 8 N., R. 8 W., secs. 1-28, and 33-36; T. 8 N., R. 9 W., secs. 1 and 7-24; T. 9 N., R. 4 W., secs. 2-11, 14-23, 30, and 31; T. 9 N., R. 5 W., T. 9 N., R. 6 W., T. 9 N., R. 7 W., secs. 1-4, 9-16, and 19-36; T. 9 N., R. 8 W., secs. 24, 25, and 31-36; T. 9 N., R. 9 W., sec. 36; T. 10 N., R. 4 W., secs. 6, 7, 18-20, and 29-34; T. 10 N., R. 5 W., T. 10 N., R. 6 W., secs. 1-36 except sec. 6; T. 10 N., R. 7 W., secs. 9-16, 21-28, and 33-36; T. 11 N., R. 5 W., secs. 2-11, 14-23, and 26-35; T. 11 N., R. 6 W., secs. 1-36 except those portions of secs. 6, 7, 18, 19, 30, and 31 lying westerly of U.S. Hwy. 395; T. 11 N., R. 7 W., that portion of sec. 1 lying easterly U.S. Hwy. 395; T. 12 N., R. 5 W., secs. 31-35; T. 12 N., R. 6 W., secs. 31-36; T. 12 N., R. 7 W., that portion of sec. 36 lying easterly of U.S. Hwy. 395.



2. *Superior-Cronese Unit*. San Bernardino County. From BLM Maps: Cuddeback Lake 1978, Soda Mts. 1978, Victorville 1978, and Newberry Springs 1978. (Index map location B).

Mt. Diablo Meridian: T. 29 S., R. 42 E., secs. 35 and 36; T. 29 S., R. 43 E., secs. 25, 26, and 31-36; T. 29 S., R. 44 E., secs. 20-36; T. 29 S., R. 45 E., secs. 14-16, 19-23, and 25-36; T. 29 S., R. 46 E., secs. 30-32; T. 30 S., R. 42 E., secs. 1, 2, 11-14, 23-26, 35, and 36; T. 30 S., R. 43 E., T. 30 S., R. 44 E.; T. 30 S., R. 45 E.; T. 30 S., R. 46 E., secs. 3-36; T. 30 S., R. 47 E., secs. 7-10, 15-22, and 27-34; T. 31 S., R. 42 E., secs. 1, 2, 11-14, 23-26, 35, and 36; T. 31 S., R. 43 E.; T. 31 S., R. 44 E.; T. 31 S., R. 45 E.; T. 31 S., R. 46 E.; T. 31 S., R. 47 E., secs. 3-10, 15-22, and 27-34; T. 32 S., R. 43 E., secs. 1-3, 10-15, 22-27, and 34-36; T. 32 S., R. 44 E.; T. 32 S., R. 45 E.; T. 32 S., R. 46 E.; T. 32 S., R. 47 E., secs. 3-10, 15-22, and 27-34.

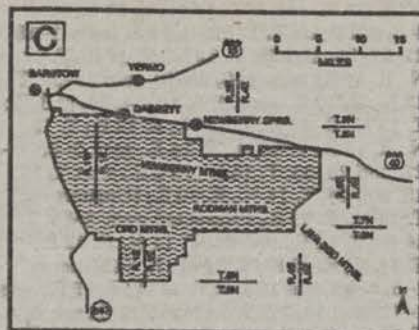
San Bernardino Meridian: T. 9 N., R. 1 W., those portions of secs. 1 and 2 lying northerly of Interstate Hwy. 15; T. 9 N., R. 1 E., that portion of sec. 6 lying northerly of Interstate Hwy. 15; T. 10 N., R. 2 W., secs. 1-29; T. 10 N., R. 1 W., secs. 1-28, 30, and 33-36 except those portions of secs. 33-35 lying southwesterly of Interstate Hwy. 15; T. 10 N., R. 1 E., secs. 18, 19, 30, and 31; T. 10 N., R. 2 E., secs. 1-5, 8-17, and 22-34 except those portions of secs. 25, 26, and 34 lying southeasterly of Interstate Hwy. 15; T. 10 N., R. 3 E., secs. 1-12, 14-21, and 30 except those portions of secs. 11, 12, 14-16, 19-21, and 30 lying southeasterly of Interstate Hwy. 15; T. 10 N., R. 4 E., those portions of secs. 5-7 lying northwesterly of Interstate Hwy. 15; T. 11 N., R. 5 W., secs. 1 and 12; T. 11 N., R. 4 W., secs. 1-7, 9, 11, and 12; T. 11 N., R. 3 W., secs. 1-18; T. 11 N., R. 2 W.; T. 11 N., R. 1 W.; T. 11 N., R. 1 E., secs. 1-31; T. 11 N., R. 2 E., secs. 1-36 except sec. 31; T. 11 N., R. 3 E.; T. 11 N., R. 4 E., secs. 1-34 except those portions of secs. 25, 26, 33, and 34 lying southeasterly of Interstate Hwy. 15; T. 11 N., R. 5 E., secs. 1-11 and 15-20 except those portions of secs. 1, 2, 10, 11, 15-17, 19, and 20 lying southeasterly of

Interstate Hwy. 15; T. 12 N., R. 5 W., sec. 36; T. 12 N., R. 4 W., secs. 31-36; T. 12 N., R. 3 W., secs. 31-36; T. 12 N., R. 2 W., secs. 31-36; T. 12 N., R. 1 W., secs. 31-36; T. 12 N., R. 1 E., T. 12 N., R. 2 E., secs. 3-36; T. 12 N., R. 3 E., secs. 7-36; T. 12 N., R. 4 E., secs. 7-36; T. 12 N., R. 5 E., secs. 1-5 and 7-36; T. 12 N., R. 6 E., secs. 5-9, 15-22, and 27-34 except those portions of secs. 31-34 lying southerly of Interstate Hwy. 15; T. 13 N., R. 1 E.; T. 13 N., R. 2 E., secs. 19 and 29-34; T. 13 N., R. 5 E., secs. 26-28 and 32-36; T. 14 N., R. 1 E., secs. 5-10, 15-23, and 24-36.



3. Ord-Rodman Unit. San Bernardino County. From BLM Maps: Newberry Springs 1978 and Victorville 1978. (Index map location C).

San Bernardino Meridian: T. 6 N., R. 1 E., secs. 1-6, 10-15, 22-27, and 34-36; T. 6 N., R. 2 E., secs. 1-11, 14-22, and 28-33; T. 7 N., R. 1 W., secs. 1-4, 9-15, 22-26, 35, and 36 except those portions of secs. 4, 9, 10, 15, 22, 23, 26, and 35 lying southwesterly of State Hwy. 247; T. 7 N., R. 1 E.; T. 7 N., R. 2 E.; T. 7 N., R. 3 E.; T. 7 N., R. 4 E.; T. 7 N., R. 5 E., secs. 4-9 and 17-19 except those portions of secs. 4, 8, 9, and 17-19 lying southerly of the northern boundary of Twentynine Palms Marine Corps Base; T. 8 N., R. 1 W., secs. 1-18, 20-29, and 32-36 except those portions of secs. 6, 7, 17, 18, 20, 29, 32, and 33 lying southwesterly of State Hwy. 247; T. 8 N., R. 1 E.; T. 8 N., R. 2 E., secs. 2-36; T. 8 N., R. 3 E., secs. 7 and 18-36; T. 8 N., R. 4 E., secs. 13-16 and 18-36; T. 8 N., R. 5 E., secs. 16-18, 19-21, 28-30, and 31-33 except those portions of secs. 16 and 17 lying northerly of Interstate Hwy. 40; T. 8 N., R. 6 E., secs. 18-21 and 27-36 except those portions of secs. 18-21, 27, 28, 34, and 35 lying northerly of Interstate Hwy. 40; T. 9 N., R. 1 W., secs. 19, 20, and 25-36 except those portions of secs. 19, 20, and 29-31 lying westerly of State Hwy. 247; T. 9 N., R. 1 E., secs. 25-36 except those portions of secs. 25-27 lying northerly of Interstate Hwy. 40; T. 9 N., R. 2 E., secs. 27-35 except those portions of secs. 27-30 lying northerly of Interstate Hwy. 40.



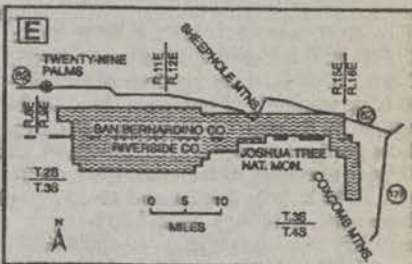
4. Chuckwalla Unit. Imperial and Riverside Counties. From BLM Maps: Chuckwalla #18 1978, Parker-Blythe #16 1978, Salton Sea #20 1978, and Midway Well #21 1979. (Index map location D).

San Bernardino Meridian: T. 3 S., R. 13 E., secs. 19-21 and 27-35; T. 4 S., R. 8 E., secs. 1-6, 8-16, 22-26, and 36; T. 4 S., R. 9 E., secs. 6-10, and 15-36; T. 4 S., R. 10 E., secs. 19-21, and 27-34; T. 4 S., R. 13 E., secs. 2-36 except secs. 12 and 13; T. 4 S., R. 14 E., secs. 27-36; T. 4 S., R. 15 E., secs. 31 and 32; T. 5 S., R. 9 E., secs. 1-4, 12, 13, and 24; T. 5 S., R. 10 E., secs. 2-36 except sec. 31; T. 5 S., R. 11 E., secs. 19-21 and 28-33; T. 5 S., R. 12 E., sec. 36; T. 5 S., R. 13 E., secs. 1-36 except secs. 6 and 7; T. 5 S., R. 14 E.; T. 5 S., R. 15 E., secs. 4-9, 16-21, 25, S 1/2 sec. 26, S 1/2 sec. 27, and secs. 28-36; T. 5 S., R. 16 E., secs. 28-35; T. 6 S., R. 10 E., secs. 1-4, 9-16, 21-26, 35 and 36; T. 6 S., R. 11 E., secs. 4-36; T. 6 S., R. 12 E.; T. 6 S., R. 13 E.; T. 6 S., R. 14 E.; T. 6 S., R. 15 E.; T. 6 S., R. 16 E.; T. 6 S., R. 17 E., secs. 5-9, and 14-36; T. 6 S., R. 18 E., secs. 29-36; T. 6 S., R. 19 E., secs. 31-36; T. 6 S., R. 20 E., secs. 31-34; T. 7 S., R. 11 E., sec. 1; T. 7 S., R. 12 E., secs. 1-6, 9-15, and 23-25; T. 7 S., R. 13 E., secs. 1-30 and 31-36; T. 7 S., R. 14 E.; T. 7 S., R. 15 E.; T. 7 S., R. 16 E.; T. 7 S., R. 17 E.; T. 7 S., R. 18 E.; T. 7 S., R. 19 E.; T. 7 S., R. 20 E., secs. 3-10, 14-23, and 26-35; T. 8 S., R. 13 E., secs. 1, 2, and 11-14; T. 8 S., R. 14 E., secs. 1-18, and secs. 21-26; T. 8 S., R. 15 E., secs. 1-30 and 34-36; T. 8 S., R. 16 E.; T. 8 S., R. 17 E.; T. 8 S., R. 18 E.; T. 8 S., R. 19 E.; T. 8 S., R. 20 E., secs. 3-10, 15-22, and 28-33; T. 9 S., R. 15 E., sec. 1; T. 9 S., R. 16 E., secs. 1-17, 20-29, and 32-36; T. 9 S., R. 17 E.; T. 9 S., R. 18 E.; T. 9 S., R. 19 E.; T. 9 S., R. 20 E., secs. 5-8, 17-20, and 29-33; T. 10 S., R. 16 E., secs. 1-5, 9-16, and 22-26; T. 10 S., R. 17 E.; T. 10 S., R. 18 E.; T. 10 S., R. 19 E.; T. 10 S., R. 20 E., secs. 3-36; T. 10 S., R. 21 E., secs. 18-21 and 28-34; T. 10 1/2 S., R. 21 E., secs. 31-33; T. 11 S., R. 17 E., secs. 1-5 and 8-15; T. 11 S., R. 18 E., secs. 1-24; T. 11 S., R. 19 E., secs. 1-26, 35, and 36; T. 11 S., R. 20 E., secs. 1-23 and 26-34; T. 11 S., R. 21 E., secs. 4-8; T. 12 S., R. 19 E., secs. 1, 2, 11-14, 23-26, 35, and 36; T. 12 S., R. 20 E., secs. 3-10, 15-22, and 27-34; T. 13 S., R. 19 E., secs. 1, 2, 11, 12, 22-27, and 34-36; T. 13 S., R. 20 E., secs. 3-10, 14-23, and 26-34.



5. Pinto Mountain Unit. Riverside and San Bernardino Counties. From BLM Maps: Yucca Valley 1982, Sheep Hole Mountains 1978, Chuckwalla 1978, and Palm Springs #17 1978. (Index map location E).

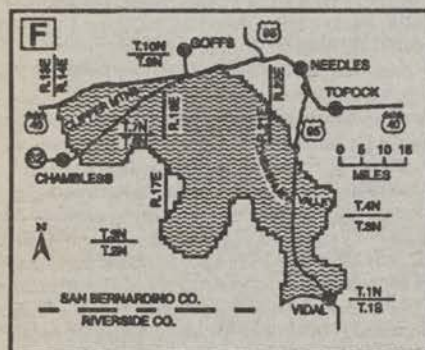
San Bernardino Meridian: T. 1 S., R. 9 E., secs. 10-15, 24, 25, and 36; T. 1 S., R. 10 E., secs. 7-36; T. 1 S., R. 11 E., secs. 7-36; T. 1 S., R. 12 E., secs. 7-36 except sec. 12; T. 1 S., R. 13 E., secs. 13-36; T. 1 S., R. 14 E., secs. 13-32; T. 1 S., R. 15 E., secs. 13-30 and 36; T. 1 S., R. 16 E., secs. 1, 12, and 30-32; T. 2 S., R. 9 E., secs. 1, 18, and 13; T. 2 S., R. 10 E., secs. 1-24; T. 2 S., R. 11 E., secs. 1-24; T. 2 S., R. 12 E., secs. 1-22 except sec. 13; T. 2 S., R. 13 E., secs. 3-6; T. 2 S., R. 15 E., sec. 1; T. 2 S., R. 16 E., secs. 4-9, 16, 17, 20, 21, 28, 29, 32, and 33; T. 3 S., R. 16 E., secs. 4, 5, 8, and 9.



6. Chemehuevi Unit. San Bernardino County. From BLM Maps: Sheep Hole Mts. 1978, Parker 1979, Needles 1978, and Amboy 1991. (Index map location F).

San Bernardino Meridian: T. 1 S., R. 22 E., those portions of secs. 3-5 lying northwesterly of the Atchison Topeka and Santa Fe Railroad; T. 1 S., R. 23 E., those portions of secs. 1-3 lying northerly of the Atchison Topeka and Santa Fe Railroad except that portion of sec. 1 lying easterly of U.S. Hwy. 95; T. 1 N., R. 22 E., secs. 1-4, 9-16, 20-29, and 32-36 except those portions of secs. 34-36 lying southerly of the Atchison Topeka and Santa Fe Railroad; T. 1 N., R. 23 E., secs. 1-36 except those portions of secs. 31-34 lying southerly of Atchison Topeka and Santa Fe Railroad; T. 1 N., R. 24 E., secs. 4-9, 16-21, and 29-31; T. 2 N., R. 18 E., secs. 1-5, and 9-14; T. 2 N., R. 19 E., secs. 2-10, and 16-18; T. 2 N., R. 22 E., secs. 1-5, 8-16, 21-28, and 33-36; T. 2 N., R. 23 E., secs. 5-8, 17-21, and 26-36; T. 2 N., R. 24 E., secs. 31 and 32; T. 3 N., R. 17 E., secs. 12, 13, 24, and 25; T. 3 N., R. 18 E.; T. 3 N., R. 19 E., secs. 1-35; T. 3 N., R. 20 E., secs. 5-8, 18, and 19; T. 3 N., R. 21 E., secs. 1-5, 9-16, 23, and 24; T. 3 N., R. 22 E., secs. 1-36 except

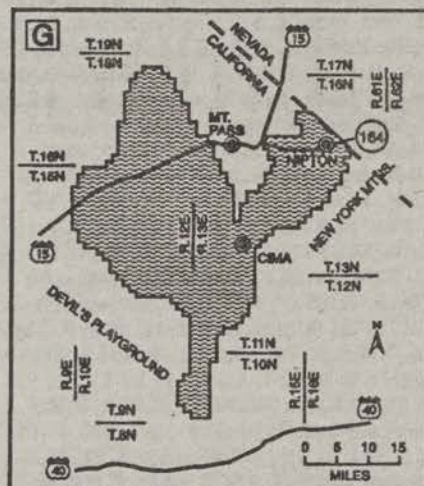
sec. 31; T. 3 N., R. 23 E., secs. 2-11, 14-22, and 28-32; T. 4 N., R. 18 E., secs. 1, 2, 10-15, 21-28, and 32-36; T. 4 N., R. 19 E.; T. 4 N., R. 20 E., secs. 1-12, 16-20, and 29-32; T. 4 N., R. 21 E., secs. 1-17, 20-29, and 32-36; T. 4 N., R. 22 E.; T. 4 N., R. 23 E., secs. 1-35; T. 4 N., R. 24 E., Secs. 6, 7, 18, and 19; T. 5 N., R. 15 E., secs. 1-6; T. 5 N., R. 16 E., secs. 4-6; T. 5 N., R. 18 E., secs. 1-6, 8-17, 22-26, 35, and 36; T. 5 N., R. 19 E.; T. 5 N., R. 20 E.; T. 5 N., R. 21 E.; T. 5 N., R. 22 E., secs. 2-36; (Unsurveyed) T. 5 N., R. 23 E., protracted secs. 19, and 29-33; T. 6 N., R. 14 E., secs. 1-3, 10-15, and 23-25; T. 6 N., R. 15 E.; T. 6 N., R. 16 E., secs. 1-23, and 27-34; T. 6 N., R. 17 E., secs. 1-18, 22-26, and 36; T. 6 N., R. 18 E.; T. 6 N., R. 19 E.; T. 6 N., R. 20 E.; T. 6 N., R. 21 E.; T. 6 N., R. 22 E., secs. 3-10, 15-23, and 26-35; T. 7 N., R. 14 E., secs. 1-5, 8-17, 21-28, and 33-36; T. 7 N., R. 15 E.; T. 7 N., R. 16 E.; T. 7 N., R. 17 E.; T. 7 N., R. 18 E.; T. 7 N., R. 19 E.; T. 7 N., R. 20 E.; T. 7 N., R. 21 E.; T. 7 N., R. 22 E., secs. 18-20, and 28-34; T. 8 N., R. 14 E., secs. 13, 23-28, and 31-36 except those portions of secs. 13, 23, 24, 26, 27, 28, 31, 32, and 33 lying northwesterly of Interstate Hwy. 40; T. 8 N., R. 15 E., secs. 9-36 except those portions of secs. 9-12, 17, and 18 lying northwesterly of Interstate Hwy. 40; T. 8 N., R. 16 E., secs. 1, 2, and 7-36 except those portions of secs. 1, 2, and 7-10 and 11 lying northerly of Interstate Hwy. 40; T. 8 N., R. 17 E., secs. 1-36 except those portions of secs. 1-6 lying northerly of Interstate Hwy. 40; T. 8 N., R. 18 E., secs. 1-36 except that portion of sec. 6 lying northerly of Interstate Hwy. 40; T. 8 N., R. 19 E.; T. 8 N., R. 20 E.; T. 8 N., R. 21 E., secs. 7, 17-21, and 27-35; T. 9 N., R. 18 E., those portions of secs. 31-36 lying southerly of Interstate Hwy. 40; T. 9 N., R. 19 E., secs. 23-29 and 31-36 except those portions of secs. 23, 24, 26, 29, 31, and 32 lying northerly of Interstate Hwy. 40; T. 9 N., R. 20 E., secs. 19, 20, and 29-33 except those portions of secs. 19 and 20 lying northerly of Interstate Hwy. 40 and S½ sec. 27, SW¼ SW¼ sec. 26, and W½ W½ sec. 35.



7. Ivanpah Unit. San Bernardino County. From BLM Maps: Amboy 1991, Ivanpah 1979, and Mesquite Lake 1990. (Index map location G).

San Bernardino Meridian: T. 9 N., R. 12 E., secs. 1, 2, 11-14, and 24; T. 9 N., R. 13 E., secs. 4-9, 16-21, and 28-30; T. 10 N., R. 12 E., secs. 25, 35, and 36; T. 10 N., R. 13 E., secs. 3-10, 16-21, and 28-33; T. 11 N., R. 12 E., secs. 1, 12, 13, 24, 25, and 36; T. 11 N., R. 13 E., secs. 1-12, 15-21, and 28-33; T. 11

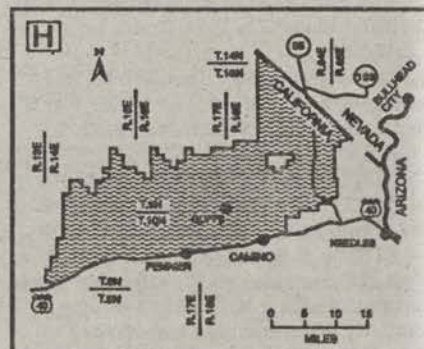
N., R. 14 E., sec. 6; T. 12 N., R. 11 E., secs. 1-5 and 9-15; T. 12 N., R. 12 E., secs. 1-18, 21-27, 35, and 36; T. 12 N., R. 13 E.; T. 12 N., R. 14 E., secs. 4-9, 16-21, and 29-32; T. 13 N., R. 10 E., secs. 1-5, 10-14, 24, and 25; T. 13 N., R. 11 E.; T. 13 N., R. 12 E.; T. 13 N., R. 13 E.; T. 13 N., R. 14 E., secs. 3-9, 16-21, and 28-33; T. 14 N., R. 9 E., secs. 1, 12, 13, and 24; T. 14 N., R. 10 E.; (Unsurveyed) T. 14 N., R. 11 E., Protracted secs. 1-35; T. 14 N., R. 11 E., sec. 36; T. 14 N., R. 12 E.; T. 14 N., R. 13 E.; T. 14 N., R. 14 E., secs. 1-5, 8-17, and 19-35; T. 14 N., R. 15 E., secs. 1-12, and 14-22; T. 14 N., R. 16 E., sec. 6; T. 15 N., R. 9 E., secs. 24, 25, and 36; T. 15 N., R. 10 E., secs. 1-36 except sec. 6; T. 15 N., R. 11 E.; T. 15 N., R. 12 E.; T. 15 N., R. 13 E., secs. 3-11 and 14-36; T. 15 N., R. 14 E., secs. 12, 13, 23-28, and 33-36; T. 15 N., R. 15 E.; T. 15 N., R. 16 E., secs. 1-11, 14-22, and 28-33; T. 15½ N., R. 14 E., secs. 24 and 25; T. 15½ N., R. 15 E., secs. 19-36; T. 15½ N., R. 16 E., secs. 19-35; T. 16 N., R. 10 E., secs. 25, 35, and 36; T. 16 N., R. 11 E.; T. 16 N., R. 12 E.; T. 16 N., R. 12½ E., secs. 12, 13, 24, 25, and 36; T. 16 N., R. 13 E., secs. 7, 17-20, and 29-33; T. 16 N., R. 14 E., secs. 24, 25, 35, and 36 except those portions of secs. 24 and 35 lying northwesterly of Interstate Hwy. 15; T. 16 N., R. 15 E., secs. 1-3, 10-14, and 23-36; T. 16 N., R. 16 E., secs. 6-8, 16-22, and 26-36; T. 17 N., R. 11 E., secs. 1-5, 8-17, 20-29, and 31-36; T. 17 N., R. 12 E., secs. 3-10, 14-23, and 26-36; T. 18 N., R. 11 E., secs. 13, 14, 22-28, and 33-36; T. 18 N., R. 12 E., secs. 18-20, and 28-33.



8. Piute-Eldorado Unit. San Bernardino County. From BLM Maps: Amboy 1991, Needles 1978, and Ivanpah 1979. (Index map location H).

San Bernardino Meridian: T. 8 N., R. 14 E., secs. 1-4, 8-17, 19-24, 26-30, 32, and 33 except those portions of secs. 13, 23, 24, 26-28, 32, and 33 lying southeasterly of Interstate Hwy. 40; T. 8 N., R. 15 E., secs. 1-12, 17, and 18 except those portions of secs. 1, 8-12, 17, and 18 lying southeasterly of Interstate Hwy. 40; T. 8 N., R. 16 E., secs. 1-10 except those portions of sections 1-3 and 6-10 lying southerly of Interstate Hwy. 40; T. 8 N., R. 17 E., those portions of secs. 1-6 lying northerly of Interstate Hwy. 40; T. 9 N., R. 14 E., secs. 1-3, 10-15, 22-28, and 33-36;

T. 9 N., R. 15 E.; T. 9 N., R. 16 E.; T. 9 N., R. 17 E., secs. 1-36 except that portion of sec. 36 lying southerly of Interstate Hwy. 40; T. 9 N., R. 18 E., secs. 1-36 except those portions of secs. 31-36 lying southerly of Interstate Hwy. 40; T. 9 N., R. 19 E., secs. 1-24 and 26-32 except those portions of secs. 26-29, 31, and 32 lying southerly of Interstate Hwy. 40; T. 9 N., R. 20 E., secs. 3-8 and 17-20 except those portions of secs. 19 and 20 lying southerly of Interstate Hwy. 40; T. 10 N., R. 14 E., secs. 11-14, 22-27, and 34-36; T. 10 N., R. 15 E., secs. 1-3, 9-16, and 18-36; T. 10 N., R. 16 E.; T. 10 N., R. 17 E.; T. 10 N., R. 18 E.; T. 10 N., R. 19 E.; T. 10 N., R. 20 E.; T. 10 N., R. 21 E., secs. 3-10, 15-22, and 28-31; T. 11 N., R. 15 E., secs. 9, 15, 16, 21, 22, 25-29, and 33-36; T. 11 N., R. 16 E., secs. 9, 15, 16, 21-23, 25-28, 31, and 33-36; T. 11 N., R. 17 E., secs. 8, 12-17, and 19-36; T. 11 N., R. 18 E., secs. 1-4 and 7-36; T. 11 N., R. 19 E., secs. 1-13, 18, 19, 23-27, and 29-36; T. 11 N., R. 20 E., secs. 1-11, 14-23, and 26-35; T. 12 N., R. 19 E.; T. 12 N., R. 20 E., secs. 3-11 and 13-36; T. 12 N., R. 21 E., secs. 19, 30, and 31; T. 13 N., R. 19 E., secs. 3-11 and 13-36; T. 13 N., R. 20 E., secs. 19 and 29-33; T. 14 N., R. 19 E., secs. 19 and 29-33.

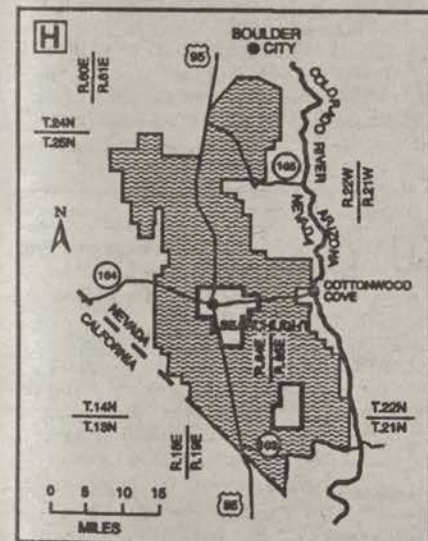


Nevada. Areas of land as follows:

9. Piute-Eldorado Unit. Clark County. From BLM Maps: Mesquite Lake 1990, Boulder City 1978, Ivanpah 1979, and Davis Dam 1979. (Index map location H).

Mt. Diablo Meridian: T. 23 S., R. 64 E., secs. 31-36 except that portion of sec. 31 lying northwesterly of the powerline and also except those portions of secs. 34-36 lying northeasterly of the powerline; T. 23½ S., R. 64 E., secs. 31-36 except that portion of sec. 31 lying northwesterly of the powerline; T. 23½ S., R. 65 E., that portion of sec. 31 lying southwesterly of the powerline; T. 24 S., R. 63 E., secs. 1, 2, 11-15, 22-28, and 33-36 except those portions of secs. 1, 2, 11, 14, and 15 lying northwesterly of the powerline and those portions of secs. 22, 27, 28, and 33 lying northwesterly of U.S. Hwy. 95; T. 24 S., R. 64 E.; T. 24 S., R. 65 E., secs. 6, 7, 18, 19, 30, and 31; T. 25 S., R. 61 E., secs. 13-15, E½ sec. 16, E½ sec. 21, secs. 22-27, E½ sec. 28, secs. 35 and 36; T. 25 S., R. 62 E., secs. 4-9, and secs. 16-36; T. 25 S., R. 63 E., secs. 1-4, 9-16, and 19-36 except those portions of secs. 4, 9, and 16 lying northwesterly of U.S. Hwy. 95; T. 25 S., R. 64 E., secs. 1-35 except secs. 13, 24, and 25; T. 25 S., R. 65 E., sec. 6; T. 26 S., R. 61 E., secs. 1, 2, 11-14, 24, 25, and 36; T. 26 S., R.

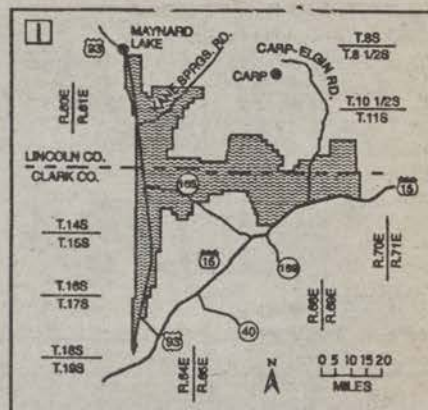
62 E., secs. 1-36 except secs. 28 and 33; T. 26 S., R. 63 E., secs. 2-36 except sec. 12; T. 26 S., R. 64 E., secs. 18-20, and 29-33; T. 27 S., R. 62 E., secs. 1-3, 5-8, 10-15, 22-26, 35, and 36; T. 27 S., R. 62 1/2 E., secs. 1, 12, 13, 24, 25, and 36; T. 27 S., R. 63 E.; T. 27 S., R. 64 E., secs. 4-9, 16-21, and 26-36; T. 27 S., R. 65 E., secs. 31-35; T. 28 S., R. 62 E., secs. 1-3, 9-16, 21-28, and 33-36; T. 28 S., R. 63 E., secs. 1-20, and 29-32; T. 28 S., R. 64 E., secs. 1-18, 21-26, 35, and 36; T. 28 S., R. 65 E., secs. 2-11, 14-21, and 28-35; T. 29 S., R. 62 E., secs. 1-4, 9-16, 21-28, 34, 35 and 36; T. 29 S., R. 63 E., secs. 5-10, 15-23, and 26-36; T. 29 S., R. 64 E., secs. 1-3, 9-16, 21-28, and 31-36; T. 29 S., R. 65 E., secs. 2-36 except secs. 12 and 13; T. 29 S., R. 66 E., secs. 30-32; T. 30 S., R. 62 E., secs. 1, 2, and 11-14; T. 30 S., R. 63 E., secs. 1-36 except secs. 30 and 31; T. 30 S., R. 64 E.; T. 30 S., R. 65 E., secs. 1-26, 30, 31, 35, and 36; T. 30 S., R. 66 E., secs. 4-9, 16-21, and 28-33; T. 31 S., R. 63 E., secs. 1-5, 8-16, 22-26, and 36; T. 31 S., R. 64 E.; T. 31 S., R. 65 E., secs. 1, 2, 6, 11-14, and 23-36 except that portion of sec. 36 lying southwesterly of State Hwy. 163; T. 31 S., R. 66 E., secs. 3-10, 15-22, and 27-34 except that portion of sec. 31 lying southwesterly of State Hwy. 163; T. 32 S., R. 64 E., secs. 1-6, 8-16, 22-26, and 36; T. 32 S., R. 65 E., secs. 1-12, 17-20, and 29-32 except those portions of secs. 1 and 9-12 lying southeasterly or easterly of State Hwy. 163; T. 32 S., R. 66 E., those portions of secs. 3-6 lying northerly of State Hwy. 163; T. 33 S., R. 65 E., sec. 5.



10. Mormon Mesa Unit. Clark and Lincoln Counties. From BLM Maps: Pahrnagat 1978, Clover Mts. 1978, Overton 1978, Indian Springs 1979, Lake Mead 1979, and Las Vegas 1986. (Index map location I).

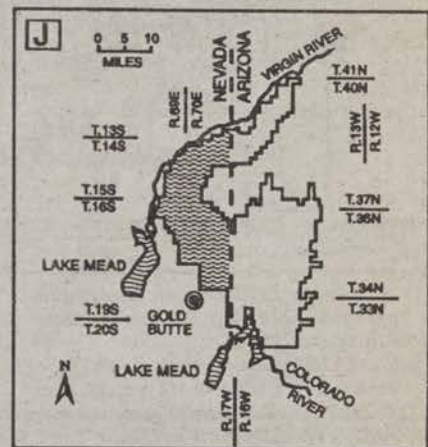
Mt. Diablo Meridian: T. 9 S., R. 62 E., secs. 13-15, 22-27, and 34-36 except those portions of secs. 15, 22, 27, and 34 lying westerly of the easterly boundary line of the Desert National Wildlife Range; T. 9 S., R. 63 E., secs. 18, 19, 30, and 31; T. 10 S., R. 62 E., secs. 1, 2, 11-14, 23-25, and 36 except those portions of secs. 14, 23, 35, and 36 lying westerly of the easterly boundary line of the Desert National Wildlife Range; T. 10

S., R. 63 E., secs. 6, 7, 13-15, 18-20, and 22-36; T. 10 S., R. 64 E., secs. 13-24 and 26-34; T. 10 S., R. 65 E., secs. 18, and 19; T. 11 S., R. 62 E., that portion of sec. 1 lying easterly of the easterly boundary line of the Desert National Wildlife Range; T. 11 S., R. 63 E.; T. 11 S., R. 64 E., secs. 4-9, 17-20, 30, and 31; T. 11 S., R. 66 E., secs. 31-36; T. 12 S., R. 63 E.; T. 12 S., R. 64 E., secs. 6, 7, and 25-36; T. 12 S., R. 65 E., secs. 1, 12, 13, and 24-36 except those portions of secs. 1, 2, 13, and 24 lying westerly of Union Pacific Railroad; T. 12 S., R. 66 E.; T. 12 S., R. 67 E., secs. 6-8, 16-22, and 27-33; T. 12 S., R. 68 E., secs. 23-29 and 31-36; T. 12 S., R. 69 E., secs. 1-5, 8-17, and 19-36; T. 12 1/2 S., R. 62 E., that portion of sec. 36 lying easterly of the easterly boundary line of the Desert National Wildlife Range; T. 13 S., R. 62 E., those portions of secs. 1, 12, 13, 24, and 25 lying easterly of the easterly line of the Desert National Wildlife Range; T. 13 S., R. 63 E.; T. 13 S., R. 64 E.; T. 13 S., R. 65 E., secs. 1-24, N 1/2 26, N 1/2 27, N 1/2 and SW 1/4 sec. 28, 29-32, and W 1/2 33; T. 13 S., R. 66 E., secs. 1-26, W 1/2 sec. 27, 35, and 36; T. 13 S., R. 67 E.; T. 13 S., R. 68 E., secs. 1-36 except those portions of secs. 25 and 33-36 lying southeasterly of Interstate Hwy. 15; T. 13 S., R. 69 E., secs. 1-30 except those portions of secs. 25-30 lying southerly of Interstate Hwy. 15; T. 13 S., R. 70 E., secs. 6, 7, 18, 19, 30, and 31 except those portions of secs. 30 and 31 lying southerly of Interstate Hwy. 15; T. 13 1/2 S., R. 63 E., secs. 31-36; T. 13 1/2 S., R. 64 E., secs. 31-36 except that portion of sec. 36 lying southwesterly of State Hwy. 168; T. 14 S., R. 63 E., secs. 1-23, and 26-35; T. 14 S., R. 64 E., secs. 2-6, 8-11, 15, and 16; T. 14 S., R. 66 E., secs. 1, E 1/2 sec. 2, 12, E 1/2 sec. 13, and E 1/2 sec. 24; T. 14 S., R. 67 E., secs. 1-12 and 14-22 except those portions of secs. 12, 14, 15, 21, and 22 lying southerly of Interstate Hwy. 15; T. 14 S., R. 68 E., those portions of secs. 4-7 lying northwesterly of Interstate Hwy. 15; T. 15 S., R. 63 E., secs. 2-11, 14-22, and 27-34; T. 16 S., R. 63 E., secs. 3-10, 15-22, and 28-33; T. 17 S., R. 63 E., secs. 7-9, 16-21, and 28-32 except those portions of secs. 29 and 32 lying easterly of the westerly boundary line of the Apex Disposal Road; T. 18 S., R. 63 E., secs. 5-8, 17-19, and 29-31 except those portions of secs. 5, 8, 17-19, and 29-31 lying easterly of the westerly boundary line of the Apex Disposal Road and that portion of sec. 31 lying westerly of the easterly boundary line of Desert National Wildlife Range.



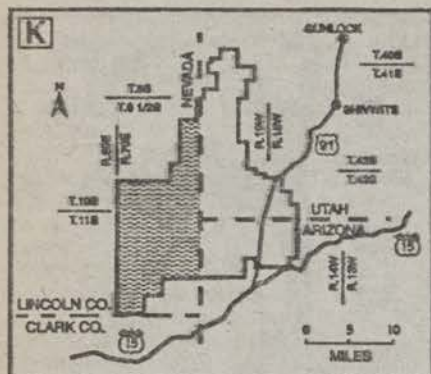
11. Gold Butte-Pakoon Unit. Clark County. From BLM Maps: Overton 1978 and Lake Mead 1979. (Index map location J).

Mt. Diablo Meridian: T. 13 S., R. 71 E., secs. 32-34; T. 14 S., R. 69 E., secs. 24-26, and 34-36; T. 14 S., R. 70 E., secs. 1, and 10-36; T. 14 S., R. 71 E., secs. 3-10, 15-22, and 27-34; T. 15 S., R. 69 E., secs. 1-3, 9-16, 21-28, and 33-36; T. 15 S., R. 70 E., secs. 2-11, 15-22, and 28-33; T. 16 S., R. 69 E., secs. 1-36 except secs. 6, 7, and 29-32; T. 16 S., R. 70 E., secs. 4-36 except sec. 12; T. 16 S., R. 71 E., secs. 19, and 29-32; T. 17 S., R. 69 E., secs. 1-3, 11-14, 24, 25, and 36; T. 17 S., R. 70 E.; T. 17 S., R. 71 E., secs. 4-10, 15-22, and 27-34; T. 18 S., R. 69 E., sec. 1; T. 18 S., R. 70 E., secs. 1-6, 10-15, 22-27, and 34-36; T. 18 S., R. 71 E., secs. 3-10, 15-22, and 27-34; T. 19 S., R. 71 E., secs. 3, 4, 9, 10, 15, 16, 21, 22, 27, 28, 33 and 34; T. 20 S., R. 71 E., secs. 3 and 4.



12. Beaver Dam Slope Unit. Lincoln County. From BLM Maps: Clover Mountains 1978 and Overton 1978. (Index map location K).

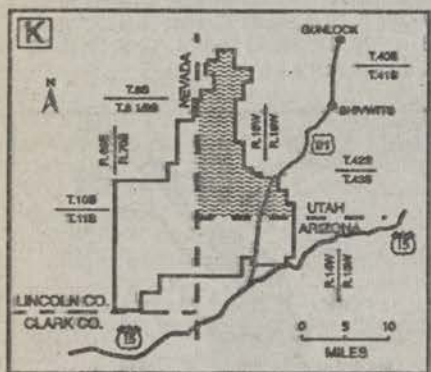
Mt. Diablo Meridian: T. 8 1/2 S., R. 71 E., that portion of sec. 34 lying south of a westerly extension of the north line of sec. 26, T. 41 S., R. 20 W. (Salt Lake Meridian), Washington County, Utah; T. 9 S., R. 71 E., secs. 3, 10, 15-17, 20-22, 27-29, and 32-34; T. 10 S., R. 70 E., secs. 19-36; T. 10 S., R. 71 E., secs. 3-5, 7-10, 15-22, and 27-34; T. 11 S., R. 70 E.; T. 11 S., R. 71 E., secs. 3-10, 15-22, and 27-34; T. 12 S., R. 70 E., secs. 1-12, 14-23, and 28-33; T. 12 S., R. 71 E., secs. 3-10.



Utah. Areas of land as follows:

13. *Beaver Dam Slope Unit*. Washington County. From BLM Maps: St. George 1980 and Clover Mts. 1978. (Index map location K).

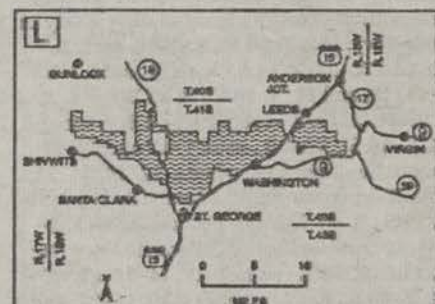
Salt Lake Meridian: T. 40 S., R. 19 W., S 1/2 sec. 28, S 1/2 sec. 29, S 1/2 sec. 31, sec. 32 and 33; T. 41 S., R. 19 W., S 1/2 sec. 2, S 1/2 sec. 3, sec. 4, 5, 6, E 1/2 sec. 7, sec. 8-11, 15-17, E 1/2 sec. 18, and sec. 19-22, and 28-33; T. 41 S., R. 20 W., E 1/2 sec. 1, sec. 24-26, 35, and 36; T. 42 S., R. 19 W., sec. 4-9, 16-22, and 27-34; T. 42 S., R. 20 W., sec. 1, 2, 11-14, 23-26, 35, and 36; T. 43 S., R. 18 W., sec. 7, 8, S 1/2 sec. 16, sec. 17-21, and 27-34; T. 43 S., R. 19 W., sec. 1-36 except N 1/2 sec. 1; T. 43 S., R. 20 W., sec. 1, 2, 11-14, 23-26, 35, and 36.



14. *Upper Virgin River Unit*. Washington County. From BLM Map: St. George 1980. (Index map location L).

Salt Lake Meridian: T. 41 S., R. 13 W., sec. 17-21 except NW 1/4 NW 1/4 sec. 18, also W 1/2 and W 1/2 E 1/2 sec. 27, sec. 28 except that portion lying westerly of Gould Wash, N 1/2 sec. 29, N 1/2 sec. 30, N 1/2 NW 1/4 sec. 33 except that portion lying westerly of Gould Wash, and N 1/2 NW 1/4 and NW 1/4 NE 1/4 sec. 34; T. 41 S., R. 14 W., S 1/2 S 1/2 and NE 1/4 SE 1/4 and SE 1/4 NE 1/4 sec. 13, that portion of sec. 14 lying westerly of Red Cliff Road, sec. 15-17 except N 1/2 NW 1/4 and SW 1/4 NW 1/4 sec. 17, sec. 19-22, that portion of sec. 23 lying westerly of Red Cliff Road and westerly of Interstate Hwy. 15, sec. 24, E 1/2 and N 1/2 SE 1/4 and SW 1/4 SE 1/4 sec. 25, and

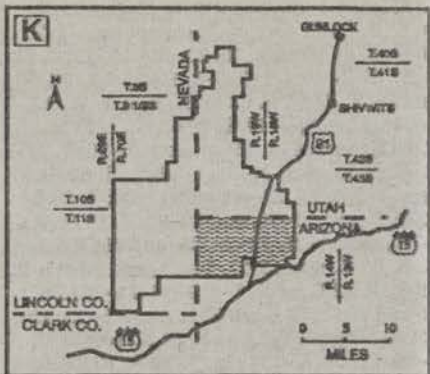
those portions of sec. 26, 27, and 32-34 lying northwesterly of Interstate Hwy. 15; T. 41 S., R. 15 W., sec. 14, 19, 20, and 22-36; T. 41 S., R. 16 W., sec. 4, 9, 10, S 1/2 sec. 14, 15-16, 19, 21, W 1/2 sec. 22, sec. 24-25 except W 1/2 SW 1/4 sec. 24 and W 1/2 NW 1/4 and NW 1/4 SW 1/4 sec. 25, and W 1/2 W 1/2 sec. 25, SW 1/4 NE 1/4 and NW 1/4 NW 1/4 and S 1/2 NW 1/4 and SW 1/4 and W 1/2 SE 1/4 sec. 27, E 1/2 and E 1/2 W 1/2 and NW 1/4 NW 1/4 and SW 1/4 SW 1/4 sec. 28, N 1/2 and SE 1/4 and E 1/2 SW 1/4 sec. 30, NE 1/4 sec. 31, N 1/2 sec. 32, N 1/2 and SE 1/4 and N 1/2 SW 1/4 sec. 33, sec. 34, SE 1/4 SE 1/4 and that portion of sec. 35 lying westerly of State Hwy. 18, and sec. 36; T. 41 S., R. 17 W., sec. 9, 14-16, NE 1/4 sec. 21, N 1/2 sec. 22, NW 1/4 and E 1/2 sec. 23, sec. 24, and NE 1/4 sec. 25; T. 42 S., R. 14 W., those portions of sec. 5 and 6 lying northwesterly of Interstate Hwy. 15; T. 42 S., R. 15 W., sec. 1, N 1/2 and N 1/2 S 1/2 sec. 2, NE 1/4 and W 1/2 sec. 3, sec. 4-9, W 1/2 W 1/2 sec. 10, N 1/2 N 1/2 sec. 12, sec. 16-18, N 1/2 and N 1/2 SE 1/4 and NE 1/4 SW 1/4 sec. 19, and W 1/2 NW 1/4 and NW 1/4 SW 1/4 sec. 20, except those portions of sec. 1 and 12 lying southeasterly of Interstate Hwy. 15; T. 42 S., R. 16 W., sec. 1-2, NW 1/4 and E 1/2 sec. 3, NE 1/4 NE 1/4 sec. 4, NE 1/4 sec. 10, NW 1/4 and E 1/2 sec. 11-12, E 1/2 and NW 1/4 and N 1/2 SW 1/4 sec. 13 except that portion lying westerly of State Hwy. 18, and N 1/2 NE 1/4 sec. 24.



Arizona. Areas of land as follows:

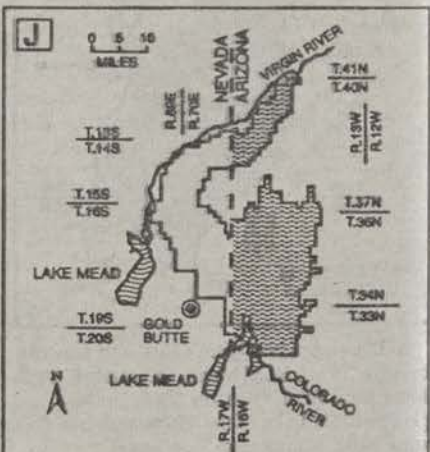
15. *Beaver Dam Slope Unit*. Mohave County. From BLM Maps: Overton 1978 and Littlefield 1987. (Index map location K).

Gila and Salt River Meridian: T. 41 N., R. 14 W., sec. 6, 7, 18, and 19; T. 41 N., R. 15 W., sec. 1-24, 26-28, 30, and 31; T. 41 N., R. 16 W., sec. 1-5, 8-17, 20-29, and 32-36; T. 42 N., R. 14 W., sec. 31; T. 42 N., R. 15 W., sec. 31-36; T. 42 N., R. 16 W., sec. 32-36.



16. *Gold Butte-Pakoon Unit*. Mohave County. From BLM Maps: Overton 1978, Littlefield 1987, Mount Trumbull 1986, and Lake Mead 1979. (Index map location J).

Gila and Salt River Meridian: T. 32 N., R. 15 W., sec. 1-18 except those portions of sec. 13-18 lying south of the Lake Mead National Recreation area boundary line; T. 32 N., R. 16 W., sec. 1, 2, 12, and 13; T. 32 N., R. 15 W., sec. 31-36; T. 32 N., R. 16 W., sec. 35 and 36; T. 33 N., R. 14 W., sec. 4-8, 18, 19, and 28-31; T. 33 N., R. 15 W., sec. 1-14, 17-20, 23-26, 29-32, 35, and 36; T. 34 N., R. 14 W., sec. 4-9, 17-19, 30, 31, 33, and 34; T. 34 N., R. 15 W., T. 34 N., R. 16 W., T. 35 N., R. 14 W., sec. 3-9, 16-22, and 28-35; T. 35 N., R. 15 W., T. 35 N., R. 16 W., T. 36 N., R. 14 W., sec. 2-11, 14-22, and 27-34; T. 36 N., R. 15 W., T. 36 N., R. 16 W., sec. 1-36 except sec. 4-9; T. 37 N., R. 14 W., sec. 15, 22, 27, 31, and 33-35; T. 37 N., R. 15 W., sec. 5, 8, 17-22, and 27-36; T. 37 N., R. 16 W., sec. 35; T. 38 N., R. 15 W., sec. 5; T. 38 N., R. 16 W., sec. 1-12 and 14-22; T. 39 N., R. 15 W., sec. 2-10, 16-21, and 29-32; T. 39 N., R. 16 W., sec. 1, 12, 13, 20, 23-29, and 32-36; T. 40 N., R. 14 W., sec. 6; T. 40 N., R. 15 W., sec. 1, 10-15, and 21-36.



Primary constituent elements: Desert lands that are used or potentially used by the desert tortoise for nesting, sheltering, foraging, dispersal, or gene flow.

BILLING CODE 1505-01-D

Federal Register

**Thursday
February 24, 1994**

Part II

Department of the Interior

Bureau of Indian Affairs

**Tribal Consultation on Indian Education
Topics Meeting; Notice**

DEPARTMENT OF THE INTERIOR**Bureau of Indian Affairs****Tribal Consultation on Indian Education Topics**

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of Tribal Consultation Meetings.

SUMMARY: Notice is hereby given that the Bureau of Indian Affairs (BIA) will conduct consultation meetings to obtain oral and written comments concerning potential issues in Indian education programs. The potential issues which will be set forth in a tribal consultation booklet to be issued prior to the meetings are as follows:

1. BIA safety and health inspection program—proposed rule.
2. BIA FY 95–97 State Plan—Exceptional Education Program.
3. Proposed Change to Intensive Residential Guidance Regulations.
4. Proposed National Organization for Higher Education Directors.
5. Proposed National Organization for Johnson-O'Malley Directors.
6. Proposed Portable Classroom Guidelines.
7. Indian Education Work Group Policy Papers.

DATES: March 14, 16, 18, 21, 23, and 25, 1994 for all locations listed. Several of the dates and locations were scheduled to coincide with meetings of various Indian education organizations. All

meetings will begin at 9 a.m. and continue until 3 p.m. (local time). Written comments concerning the consultation items must be received no later than April 8, 1994.

ADDRESSES:**Location, Local Contact, and Telephone***March 14, 1994*

1. Oklahoma, Tulsa, Jim Baker, 405/945-6051
2. New Mexico, Albuquerque, Val Cordova, 505/966-3034

March 16, 1994

1. Florida, Tampa, Lena Mills, 703/235-3233
2. New Mexico, Gallup, Lester Hudson, 505/368-4427

March 18, 1994

1. Alaska, Anchorage, Robert Pringle, 907/271-4115
2. Arizona, Phoenix, John Wahnee, 602/738-2262

March 21, 1994

1. California, San Diego, Fayette Babby, 916/978-4680
2. South Dakota, Aberdeen, Neva Sherwood, 605/856-4478

March 23, 1994

1. Washington, Seattle, Van Peters, 509/230-5682
2. Wisconsin, Green Bay, Betty Walker, 612/373-1090

March 25, 1994

1. Montana, Billings, Larry Parker, 406/657-6375

Written comments should be mailed, to be received, on or before April 8,

1994, to the Bureau of Indian Affairs, Office of Indian Education Programs, MS 3512 MIB, 1849 C. Street, NW., Washington, DC 20240, Attn: Dr. John Tippeconnic; OR, may be hand delivered to room 3512 at the same address.

FOR FURTHER INFORMATION CONTACT: John Tippeconnic or Jim Martin at the above address or call 202/208-6123 or 208-3550.

SUPPLEMENTARY INFORMATION: The meetings are a follow-up to similar meetings conducted by the BIA since 1990. The purpose of the consultation, as required by 25 U.S.C. 2010(b), is to provide Indian tribes, school boards, parents, Indian organizations and other interested parties with an opportunity to comment on potential issues raised during previous consultation meetings or being considered by the BIA regarding Indian education programs. A consultation booklet for the March meetings is being distributed to Federally recognized Indian Tribes, Bureau Area and Agency Offices and Bureau-funded schools. The booklets will also be available from local contact persons and at each meeting.

Dated: February 15, 1994.

Ada E. Deer,

Assistant Secretary—Indian Affairs.

[FR Doc. 94-4098 Filed 2-23-94; 8:45 am]

BILLING CODE 4310-02-P

Federal Register

Thursday
February 24, 1994

Part III

Office of Management and Budget

Cumulative Report on Rescissions and
Deferrals; Notice

**OFFICE OF MANAGEMENT AND
BUDGET****Cumulative Report on Rescissions and
Deferrals**

February 1, 1994.

This report is submitted in fulfillment of the requirement of section 1014(e) of the Congressional Budget and Impoundment Control Act of 1974 (Pub. L. 93-344). Section 1014(e) requires a monthly report listing all budget authority for this fiscal year for which, as of the first day of the month, a special message has been transmitted to Congress.

This report gives the status of 37 rescission proposals and 12 deferrals

contained in three special messages for FY 1994. These messages were transmitted to Congress on October 13, November 1, and November 19, 1993.

Rescissions (Attachments A and C)

As of February 1, 1994, 37 rescission proposals totaling \$1,946.1 million had been transmitted to the Congress. Attachment C shows the status of the FY 1994 rescission proposals.

Deferrals (Attachments B and D)

As of February 1, 1994, \$4,682.6 million in budget authority was being deferred from obligation. Attachment D shows the status of each deferral reported during FY 1994.

Information From Special Messages

The special messages containing information on the rescission proposals and deferrals that are covered by this cumulative report are printed in the **Federal Registers** cited below:

58 FR 54256, Wednesday, October 20, 1993

58 FR 59517, Tuesday, November 9, 1993

58 FR 63264, Tuesday, November 30, 1993

Leon E. Panetta,

Director.

BILLING CODE 3110-01-M

ATTACHMENT A**STATUS OF FY 1994 RESCISSIONS**

	Amounts (In millions of dollars)
Rescissions proposed by the President.....	1,946.1
Rejected by the Congress.....	---
Currently before the Congress.....	1,946.1

ATTACHMENT B**STATUS OF FY 1994 DEFERRALS**

	Amounts (In millions of dollars)
Deferrals proposed by the President.....	8,548.7
Routine Executive releases through February 1, 1994	-3,866.1
Overtaken by the Congress.....	---
Currently before the Congress.....	4,682.6

ATTACHMENT C
Status of FY 1994 Rescission Proposals - As of February 1, 1994
 (Amounts in thousands of dollars)

Agency/Bureau/Account	Rescission Number	Amounts Pending Before Congress		Date of Message	Previously Withheld and Made Available	Date Made Available	Amount Rescinded	Congressional Action
		Less than 45 days	More than 45 days					
FUNDS APPROPRIATED TO THE PRESIDENT								
International Security Assistance								
Foreign military financing grants.....	R94-1	40,000		11-1-93				
Economic support fund.....	R94-2	90,000		11-1-93	•			
Agency for International Development								
Development assistance fund.....	R94-3	160,000		11-1-93	•			
DEPARTMENT OF AGRICULTURE								
Agricultural Research Service								
Agricultural Research Service.....	R94-4	16,233		11-1-93				
Buildings and facilities.....	R94-5	8,460		11-1-93				
Cooperative State Research Service								
Cooperative State Research Service.....	R94-6	30,002		11-1-93				
Buildings and facilities.....	R94-7	34,000		11-1-93				
Agricultural Stabilization and Conservation Service								
Salaries and expenses.....	R94-8	12,167		11-1-93				
Soil Conservation Service								
Conservation operations.....	R94-9	12,167		11-1-93				
Farmers Home Administration								
Salaries and expenses.....	R94-10	12,167		11-1-93				
Rural Electrification Administration								
Rural electrification and telephone loans program account.....	R94-11	6,445		11-1-93				

• Funds were never withheld from obligation.

ATTACHMENT C
Status of FY 1994 Rescission Proposals - As of February 1, 1994
 (Amounts in thousands of dollars)

Agency/Bureau/Account	Rescission Number	Amounts Pending		Previously Withheld and Made Available	Date Made Available	Amount Rescinded	Congressional Action
		Less than 45 days	More than 45 days				
Food and Nutrition Service Commodity supplemental food program.....	R94-12		12,600		11-1-93		
DEPARTMENT OF COMMERCE							
National Oceanic and Atmospheric Administration Operations, research, and facilities.....	R94-13	6,000			11-1-93		
Construction.....	R94-14	4,000			11-1-93		
International Trade Administration Operations and administration.....	R94-15	2,000			11-1-93		
DEPARTMENT OF DEFENSE							
Military Construction							
Military construction, Army.....	R94-16	116,134			11-1-93		
Military construction, Air Force.....	R94-17	85,084			11-1-93		
Military construction, Army Reserve.....	R94-18	19,807			11-1-93		
Military construction, Naval Reserve.....	R94-19	4,438			11-1-93		
Military construction, Air Force Reserve.....	R94-20	18,759			11-1-93		
Military construction, Army National Guard.....	R94-21	251,854			11-1-93		
Military construction, Air National Guard.....	R94-22	105,138			11-1-93		
DEPARTMENT OF THE ARMY-CIVIL							
Army Corps of Engineers General Investigations.....	R94-23	24,970			11-1-93		
Construction, general.....	R94-24	97,318			11-1-93		
DEPARTMENT OF ENERGY							
Energy Programs Energy supply, research and development activities.....	R94-25	97,300			11-1-93		

ATTACHMENT C
Status of FY 1994 Rescission Proposals - As of February 1, 1994
 (Amounts in thousands of dollars)

Agency/Bureau/Account	Rescission Number	Amounts Pending		Previously Withheld and Made Available	Date Made Available	Amount Rescinded	Congressional Action
		Less than 45 days	More than 45 days				
Uranium supply and enrichment activities.....	R94-25	42,000			11-1-93		
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT							
Housing Programs							
Annual contributions for assisted housing.....	R94-26	180,000			11-1-93		
DEPARTMENT OF INTERIOR							
Bureau of Reclamation							
Construction.....	R94-27	16,000			11-1-93		
DEPARTMENT OF STATE							
Administration of Foreign Affairs							
Salaries and expenses.....	R94-28	600			11-1-93		
DEPARTMENT OF TRANSPORTATION							
Federal Aviation Administration							
Operations.....	R94-29	2,750			11-1-93		
Facilities and equipment.....	R94-30	40,257			11-1-93		
Federal Transit Administration							
Discretionary grants.....	R94-31	52,037			11-1-93		
Federal Highway Administration							
Highway demonstration projects.....	R94-32	187,827			11-1-93		
GENERAL SERVICES ADMINISTRATION							
Public Buildings Service							
Federal buildings fund.....	R94-33	128,022			11-1-93		

ATTACHMENT C
Status of FY 1994 Rescission Proposals - As of February 1, 1994
 (Amounts in thousands of dollars)

Agency/Bureau/Account	Rescission Number	Amounts Pending		Previously Withheld and Made Available	Date Made Available	Amount Rescinded	Congressional Action
		Less than 45 days	More than 45 days				
SMALL BUSINESS ADMINISTRATION							
Salaries and expenses.....	R94-34	13,100			11-1-93		
OTHER INDEPENDENT AGENCIES							
State Justice Institute							
Salaries and expenses.....	R94-35	6,775			11-1-93		
United States Information Agency							
Salaries and expenses.....	R94-36	3,000			11-1-93		
North/South Center.....	R94-37	8,700			11-1-93		
TOTAL RESCISSIONS.....		1,946,122	0	0		0	

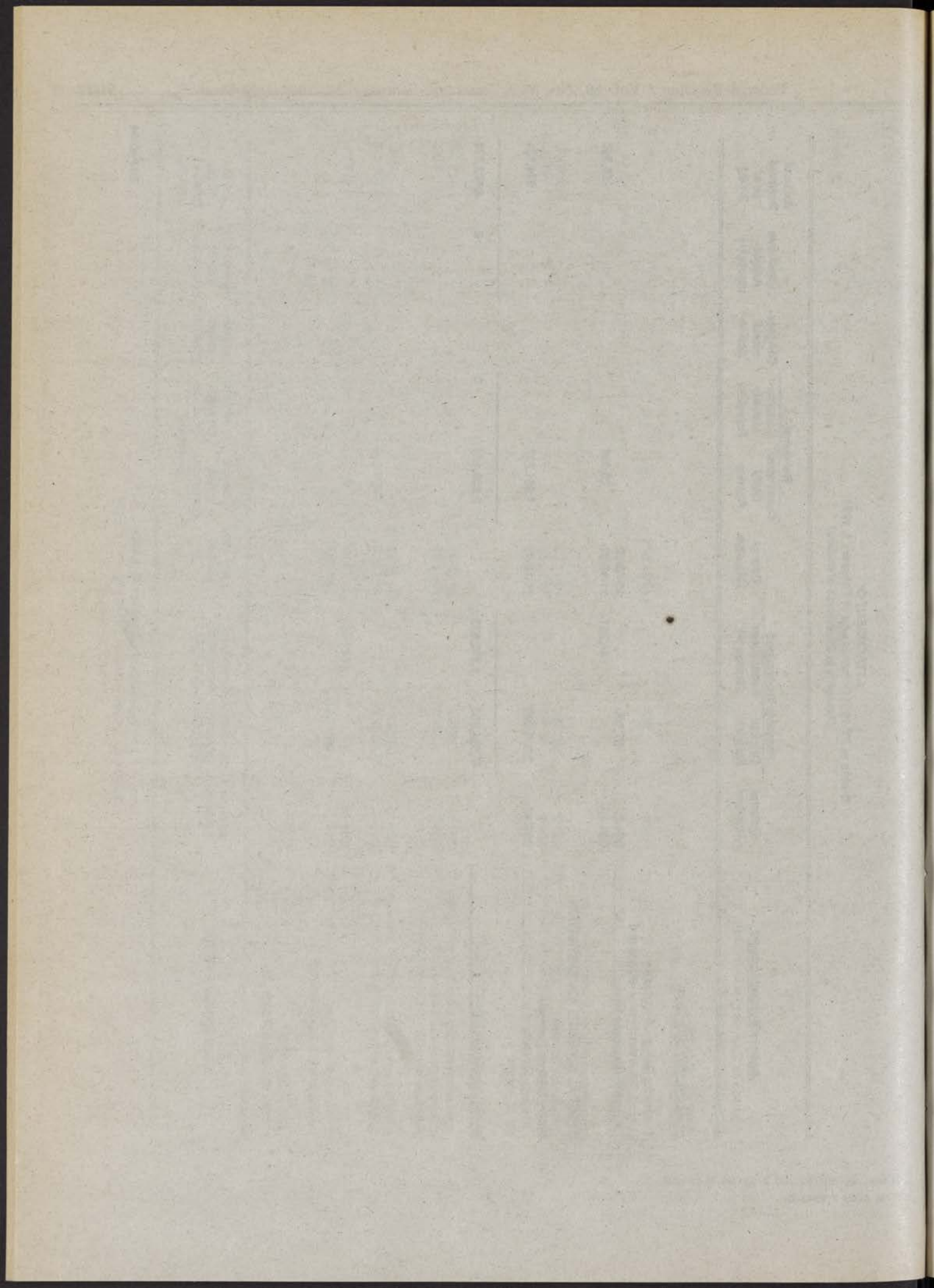
* Funds were never withheld from obligation.

ATTACHMENT D
Status of FY 1994 Deferrals - As of February 1, 1994
(Amounts in thousands of dollars)

Agency/Bureau/Account	Deferral Number	Amounts Transmitted		Date of Message	Releases(-)		Amount Deferred as of 2-1-04
		Original Request	Subsequent Change (+)		Cumulative OMB/ Agency	Congressional Action Required	
FUNDS APPROPRIATED TO THE PRESIDENT							
International Security Assistance Economic support fund.....	D94-1 D94-1A	394,175	1,164,562	10-13-03 11-19-03	84,357		1,474,380
Foreign military financing grants.....	D94-9	3,137,279		11-19-03			1,337,279
Foreign military financing program account.....	D94-10	46,530		11-19-03	1,800,000		46,530
Agency for International Development Demobilization and transition fund.....	D94-2	8,000		10-13-03			8,000
International disaster assistance, executive.....	D94-11	118,059		11-19-03			118,059
DEPARTMENT OF AGRICULTURE							
Forest Service							
Cooperative work.....	D94-3	461,839		10-13-03			461,839
Expenses, brush disposal.....	D94-4	40,195		10-13-03			40,195
Timber salvage sales.....	D94-5	256,897		10-13-03			256,897
DEPARTMENT OF DEFENSE - CIVIL							
Wildlife Conservation, Military Reservations							
Wildlife conservation, Defense.....	D94-6	1,852		10-13-03			1,852
DEPARTMENT OF HEALTH AND HUMAN SERVICES							
Social Security Administration							
Limitation on administrative expenses.....	D94-7	7,317		10-13-03			7,317

ATTACHMENT D
Status of FY 1994 Deferrals - As of February 1, 1994
 (Amounts in thousands of dollars)

Agency/Bureau/Account	Deferral Number	Amounts Transmitted		Date of Message	Releases(-)		Congressional Action	Cumulative Adjustments (+)	Amount Deferred as of 2-1-94
		Original Request	Subsequent Change (+)		Cumulative OMB/ Agency	Congressionally Required			
DEPARTMENT OF STATE									
Bureau for Refugee Programs									
United States emergency refugee and migration assistance fund.....	D94-8 D94-8A	27,100	49,261	10-13-93 11-19-93	20,061				56,300
GENERAL SERVICES ADMINISTRATION									
Public Buildings Service									
Public buildings fund.....	D94-12	2,835,860		11-19-93	1,961,737				874,123
TOTAL DEFERRALS.....		7,334,903	1,213,823		3,966,155	0		0	4,662,571



Federal Register

Thursday
February 24, 1994

Part IV

Department of Commerce

National Oceanic and Atmospheric
Administration

50 CFR Part 685

Pelagic Fisheries of the Western Pacific
Region; Proposed Rule

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 685**

[Docket No. 940245-4045; I.D. 012694F]

RIN 0648-AE35

Pelagic Fisheries of the Western Pacific Region

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Proposed rule.

SUMMARY: NMFS issues a proposed rule to implement Amendment 7 to the Fishery Management Plan for the Pelagic Fisheries of the Western Pacific Region (FMP). This rule would replace a moratorium on the issuance of new permits for the Hawaii-based longline fishery for Pacific pelagic management unit species. Under this rule, limited entry permits for the Hawaii longline fishery would be issued to people meeting certain eligibility criteria. The rule also proposes broad framework procedures for subsequent adjustment of the conservation and management measures for the pelagics fisheries intended to provide for more efficient administration of the longline fishery. This rule also makes several technical changes to the regulations. The proposed action is necessary to manage the longline fishery based in Hawaii to achieve optimum yield from the fishery and prevent overfishing in accordance with the Magnuson Fishery Conservation and Management Act (Magnuson Act). Comments are solicited on this action; especially regarding the sufficiency of the upgrade limit to control the longline fleet's growth and the adequacy of this measure to protect pelagic stocks and to prevent adverse impacts on non-longline fishermen fishing for tuna and billfish, and to protect sea turtles.

DATES: Comments on the proposed rule will be accepted until April 4, 1994.

ADDRESSES: Comments on the proposed rule and the Initial Regulatory Flexibility Analysis (IRFA) may be sent to Anneka E. Bane, Acting Director, Southwest Region, National Marine Fisheries Service, 501 West Ocean Boulevard, suite 4200, Long Beach, CA 90802-4213. Copies of the amendment, final environmental impact statement (FEIS), and IRFA are available from Kitty M. Simonds, Executive Director, Western Pacific Fishery Management Council (WPFMC), 1164 Bishop Street,

Suite 1405, Honolulu, HI 96813, (808) 541-1974. Send comments on the proposed collection-of-information to the Director, Southwest Region, NMFS, 501 W. Ocean Blvd., Long Beach, CA 90802-4213, and to the Office of Information and Regulatory Affairs, Office of Management and Budget, ATTN: Paperwork Reduction Project 0648-0204 and 0648-0214, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT:

Kitty M. Simonds, WPFMC, at (808) 541-1974; Svein Fougner, Southwest Region, NMFS, at (310) 980-4034; or Alvin Katekaru, Pacific Area Office, NMFS, at (808) 955-8831.

SUPPLEMENTARY INFORMATION: The FMP was prepared by the Western Pacific Fishery Management Council (Council) and approved and implemented by the Secretary of Commerce (Secretary) at a time when there were few problems in the domestic fisheries for management unit species (billfish and associated species). This is no longer the case. The longline fishery based in Hawaii targets swordfish, tuna, and other management unit species, with vessels often traveling up to 2,000 miles (3,219 Km) from port. Due to rapid growth of this fishery, prior to imposition of the 3-year moratorium on new participants, there was concern about the potential and actual impact of the expanded fishery on the status of some fish stocks, the impact of increased longline catches on other fisheries, and interactions between longline fishing and protected species such as Hawaiian monk seals and sea turtles.

The Council and Secretary have already taken several actions to address these concerns. They established a control date for possible use in a limited entry program (56 FR 12891, March 28, 1991), issued an emergency rule establishing a moratorium on new entry into the Hawaii-based longline fishery (56 FR 14866, April 12, 1991) and subsequently extended the moratorium to midnight, April 22, 1994, by Amendment 4 to the FMP (56 FR 51849, October 16, 1991). Amendment 7 would replace the moratorium and addresses a number of issues that are associated with the prospect of unregulated expansion of the longline fishery. Increased level of longline fishing catches from the portion of the EEZ around Hawaii and from adjacent high seas could result in overfishing of the stocks of Pacific pelagic management unit species throughout their range, most notably swordfish. Even if stocks were not affected on a stock-wide basis, increased catches by U.S. longline vessels could adversely affect other

established fisheries, such as the commercial and recreational handline and troll fisheries in the EEZ, as well as within the longline fishery. Further, even if direct catch competition were not occurring, there would be considerable potential for market competition, both between the longline fleet and the troll and handline fleets and within the longline fishery itself. Unregulated expansion of the longline fishery could also increase the likelihood of adverse impacts on threatened and endangered species such as sea turtles, which are known to be taken in the longline fishery.

On the other hand, the restrictions (e.g., limitations on permit transfers and on vessel upgrading) under the moratorium, in combination with area closures around the Northwestern and main Hawaiian Islands, which were imposed after the moratorium went into effect, have been adversely affecting a number of people who had qualified for longline permits under the moratorium. More than a quarter of the eligible fleet was inactive in 1992, due in many cases to the main Hawaiian Island area closures that require vessels to travel 50 to 75 (81 to 121 Km) or more miles from shore to set their longline gear. Some older and smaller vessels are unable to fish under these restrictions. Vessel owners have in some cases been unable to sell or otherwise transfer their vessels or obtain financing for their fishing activity due to the "one transfer" limit during the moratorium. In the Council's view, this has been an unintended negative effect of the management program. Further, restrictions on the longline fishery outside the EEZ could have mixed effects on the nation. The United States would benefit if the fishery could expand without adverse effects on fish stocks, other fisheries, or protected resources and if foreign fleets were subject to similar restrictions. However, in the absence of similar management of foreign fleets, restricting the U.S. fleet could disadvantage the United States in any future negotiations leading to international regulation of longline fisheries and allocations of fish from the high seas.

In addition, Amendment 7 is intended to improve the administration of the existing longline fishery management program. The FMP also could be improved administratively. Existing framework procedures for regulatory changes are limited in scope, and new framework procedures are proposed to simplify and expedite the implementation of new regulations in particular instances without an FMP amendment. This is especially important for rapid response to new

information indicating problems with respect to stock conservation or conservation of protected resources.

Hawaii longline limited entry permits would be required for longline vessels used to: (1) Fish for pelagic species in the EEZ around Hawaii; or (2) land or transship pelagic species shoreward of the outer boundary of the EEZ around Hawaii. The permits already required by existing regulations at 50 CFR 685.9 would be re-named "longline general permits" and would be required for longline vessels around American Samoa, Guam, the Northern Mariana Islands or other U.S. possessions in the Pacific Ocean, that are used to fish for, land, or transship pelagic species. Holders of Hawaii longline limited entry permits would not need a separate general permit to longline, land, or transship anywhere in the fishery management area (the waters off Hawaii and all the western Pacific territories and possessions), or adjacent state waters. Receiving vessel permits would be required for vessels shoreward of the outer boundary of the fishery management area that do not have longline gear on board and that land pelagic species or receive pelagic species from other vessels. For purposes of 50 CFR part 685, "land" means to begin to offload, to arrive in port with the intention of offloading, or to cause to be offloaded.

The following persons would be eligible for Hawaii longline limited entry permits:

(1) The last holder of record for any longline vessel limited entry permit under the moratorium, provided the vessel was used to land longline-caught management unit species in Hawaii at least once during the moratorium period;

(2) The last holder of record of a limited entry permit under the moratorium for a vessel less than 40 feet (12 m) in length; and

(3) The last holder of record of a limited entry permit obtained during the moratorium because that person also held a limited entry permit for the NWHI crustaceans (lobster) fishery.

Approximately 166 vessels are expected to qualify for permits under this program. Hawaii longline limited entry permits would be freely transferable between vessel owners, provided the new vessel is not longer than the longest vessel that had a longline limited entry permit and made landings during the moratorium period (about 93 feet (28 m) to date). The vessel's length overall is defined in the proposed regulations and will be the measure of length used in implementing this restriction.

These measures are intended to allow vessel owners more freedom to either transfer their vessels or permits to other prospective fishery participants or invest in larger vessels (up to the size of the largest vessel active in the moratorium period) in order to resume operation in the fishery. Vessel owners would have more freedom to decide whether and how to use their vessels and other resources. This is expected to result in a decrease in the number of smaller vessels and an increase in the number of larger vessels. Overall effort is expected to increase over the actual effort that occurred during the moratorium, with more effort directed at swordfish on the high seas. Landings of swordfish and tuna are expected to increase, with the value of landings estimated to rise from about \$45 million in 1992 to about \$60 million per year after fleet adjustments have been made.

The amendment contains framework procedures to allow rapid responses to changing conditions, including biological concerns for the stocks, economic problems in the fisheries, and potential harm to protected species under the Endangered Species Act, such as sea turtles. This would simplify the implementation of needed changes in the management program.

Non-permitted U.S. longline vessels could enter the exclusive economic zone (EEZ) in the Council's area of concern and ports shoreward of the EEZ with longline-caught fish on board provided the longline gear is stowed or secured. These vessels would not be allowed to offload management unit species shoreward of the outer boundary of the EEZ. These measures are intended to relieve economic strains now faced by longline vessel owners in Hawaii due to present limitations on permit transfers and vessel upgrades.

Section 685.23 would be removed because the 5-year review was completed in 1992 and this section is therefore no longer applicable. It was noted that pelagic fisheries had changed dramatically and that more frequent evaluation of the effectiveness of management was necessary. Several amendments to the FMP already had been implemented to address new issues. The Council now prepares an annual report on this fishery under the FMP.

This rule also proposes to add three fish species to the management unit (moonfish, *Lampris* spp.; pomfret, Family Bramidae; and oilfish, Family Gempylidae). The definition of overfishing applied to other Pacific Pelagic Management Unit Species (excluding sharks) would apply to the species added to the management unit.

This would ensure that collection of catch and effort data will be comprehensive.

In addition, the definition of protected species zone would be revised to correct a drafting error when the zone was created (56 FR 52214, October 18, 1991). The current definition leaves open to longline fishing a corridor between Laysan Island and Lisianski Island. The intent of the Council in establishing the protected species zone was to provide a continuous closed corridor around the NWHI in which longline fishing would be prohibited to protect Hawaiian monk seals.

The rule would eliminate § 685.26, which has procedures for changing longline fishing prohibited areas, because the new framework procedures in § 685.18 would encompass the procedures for changing longline fishing prohibited areas.

A consultation was conducted by NMFS under the Endangered Species Act in 1993 to determine if the fishery, as it was being managed under the FMP at that time, would jeopardize the continued existence of sea turtles. A Biological Opinion and Incidental Take Statement were issued June 10, 1993, that indicated the fishery is not likely to adversely affect any endangered or threatened species of sea turtle, nor will it adversely affect any critical habitat of any listed sea turtle species during the 1-year term of the Opinion. An incidental take of 752 turtles was established. Several conservation recommendations and reasonable and prudent measures were included in the Opinion and Statement, which are in an Appendix to this Amendment 7. Through complementary actions, the Council has also concurred with establishment of a mandatory observer program and an electronic vessel monitoring system requirement for the longline fishery. These measures were included in the Opinion and Statement. The proposed amendment will be evaluated for compliance with the Biological Opinion during the public review process for Amendment 7.

The conservation of sea turtles is a special concern. In the Biological Opinion and Incidental Take Statement, NMFS included a conservation recommendation that the FMP be amended to preclude increases in longline effort until it is demonstrated that the take of turtles is being managed at a level that will not preclude recovery of the species. Amendment 7 would establish a cap on potential harvesting capacity by allowing vessel upgrades only to the size of the largest vessel active in the moratorium period. The amendment indicates that it is likely

there will be some shift to larger vessels on average, and that larger vessels generally deploy fewer hooks per set than small vessels. Effort is not expected to increase above that which would have occurred if all the vessels in the fleet had been active in the moratorium. As noted, the amendment also proposes framework measures to allow rapid regulatory response to new information, including indications of need for management changes for protected resources. In separate actions, the Council has concurred with establishment of a mandatory observer program and a vessel monitoring system requirement. In the Council's view, these measures taken together are sufficient to control growth of the longline fishery and address future conservation problems with new actions, if necessary, and the amendment complies with the Biological Opinion and incidental take statement. NMFS specifically solicits comments on this issue.

Classification

Section 304(a)(1)(D) of the Magnuson Act requires the Secretary to publish regulations proposed by a Council within 15 days of receipt of the amendment and regulations. At this time, the Secretary has not determined that Amendment 7 is consistent with the national standards, other provisions of the Magnuson Act, and other applicable law. In making that determination, the Secretary will take into account the data, views, and comments received during the comment period.

This action is not subject to review under E.O. 12866.

The Council prepared a combined draft FMP amendment/Draft Environmental Impact Statement (EIS) covering the impacts of the fishery as managed under this amendment and alternative approaches. The final amendment/final EIS satisfies NEPA requirements for documentation and analysis of the impacts of the fishery on the environment.

A consultation under section 7 of the Endangered Species Act (ESA) was conducted in 1993 and NMFS issued a Biological Opinion (Opinion) and Incidental Take Statement (Statement) in June 1993 concerning the take of sea turtles in the longline fishery. The Opinion concluded that the fishery, as managed by the FMP at that time, is not likely to jeopardize the continued existence of the species during the one-year period of the Opinion. An incidental take of 752 turtles was set for the one year during which the Opinion is in effect.

This rule, if adopted, is expected to have a significant economic impact on a substantial number of small entities. Hawaii longline vessel owners (approximately 166) will have more flexibility to buy and sell vessels and permits and to upgrade their fishing vessels to compete more effectively in the domestic longline fishery, as well as with foreign fleets. It is estimated that total revenue from longline landings would increase to \$60 million per year from about \$45 million in 1992. The final amendment/FEIS also is written to serve as an IRFA intended to satisfy the requirements of the Regulatory Flexibility Act.

This rule includes changes in an information collection previously approved by the Office of Management and Budget (OMB No. 0648-0204). A request for approval of these modifications and extension of the collections is included in a request submitted by the Southwest Region, NMFS, for approval of modification and extension of that collection that covers all Southwest Region fishery permit programs. The proposed program would require prospective participants in the Hawaii longline fishery to submit permit application forms and supporting information, including a current Certificate of Documentation from the U.S. Coast Guard, to obtain a permit under the new limited entry program. Landings records from the existing Hawaii longline logbook reporting requirement will be used to determine whether an individual has met any landings requirement to qualify for a permit. The estimated burden on the applicants is 30 minutes per application. This is less than the average of 1 hour or more that had been required for applications for permits in the moratorium period because those applications often involved documentation demonstrating intent to enter the longline fishery at a time when investment decisions were made. The documentation requirements under the new permit program will be simpler. This rule also restates requirements for the submission of logbooks and post-landing notifications. These requirements have already been approved by OMB under Control Number 0648-0214. The response times for these requirements were estimated to be 5 minutes per day for the logbook and 5 minutes per notification. Send comments regarding these burden estimates or any other aspect of these collection-of-information requirements, including suggestions for reducing burden, to the Director of the Southwest

Region, NMFS, and to OMB (see ADDRESSES).

List of Subjects in 50 CFR Part 685

American Samoa, Fisheries, Fishing, Guam, Hawaiian Natives, Northern Mariana Islands.

Dated: February 17, 1994.

Charles Karnella,
Acting Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service.

For the reasons set forth in the preamble, 50 CFR part 685 is proposed to be amended as follows:

PART 685—PELAGIC FISHERIES OF THE WESTERN PACIFIC REGION

1. The authority citation for part 685 continues to read as follows:

Authority: 16 U.S.C. 1801 *et seq.*

2. In § 685.2, the definition of "Pacific pelagic management unit species" is amended by adding three new entries alphabetically to the list of species; the definition of "protected species zone" is amended by revising the last sentence of the definition; the definition of "receiving vessel" is revised; the definition of "substantial financial investment" is removed; and new definitions of "Council", "Fisheries Management Division (FMD)", "Hawaii longline limited entry permit", "length overall or length", "longline fishing vessel", "longline general permit", "moratorium", and "receiving vessel permit" are added in alphabetical order, to read as follows:

§ 685.2 Definitions.

* * * * *

Council means the Western Pacific Regional Fishery Management Council that was established under section 302 of the Magnuson Act.

* * * * *

Fisheries Management Division (FMD) means the Chief, Fisheries Management Division, Southwest Regional Office, National Marine Fisheries Service, 501 W. Ocean Boulevard, Suite 4200, Long Beach, CA 90802, or a designee.

* * * * *

Hawaii longline limited entry permit means the permit required by § 685.9(a)(2) to use a vessel to fish for Pacific pelagic management unit species with longline gear in the EEZ or to land or transship longline-caught fish shoreward of the EEZ around Hawaii.

* * * * *

Length overall or length of a vessel means the length overall set forth in the Certificate of Documentation (CG-1270) issued by the U.S. Coast Guard for a documented vessel, or in a registration certificate issued by a state or the U.S.

Coast Guard for an undocumented vessel (addresses available from 50 CFR part 611, subpart A, appendix A). For vessels that do not have the length overall stated in an official document, or for a vessel for which NMFS requests confirmation of the length overall, the length overall is the horizontal distance, rounded to the nearest foot, between the foremost part of the stern and the aftermost part of the stem, excluding bowsprits, rudders, outboard motor brackets, and similar fittings or attachments (see Figure 1 of this part).

Longline fishing vessel means a vessel that has longline gear on board the vessel.

Longline general permit means the permit required by § 685.9(a)(1) to use a vessel to fish for Pacific pelagic management unit species in the fishery management area excluding the EEZ around Hawaii, or to land or transship longline-caught fish shoreward of the outer boundary of the fishery management area, excluding the waters shoreward of the EEZ around Hawaii.

Moratorium means the moratorium on new entry into the Hawaii longline fishery in effect from April 23, 1991, through April 22, 1994.

Pacific pelagic management unit species means the following fish:

Common name	Scientific name
Moonfish (or opah)	<i>Lampris</i> spp.
Oilfish (or walu)	Family Gempylidae.
Pomfret	Family Bramidae.

Protected species zone means * * * Parallel lines tangent to and connecting those 50-nm areas around Nihoa Island and Necker Island, French Frigate Shoals and Gardner Pinnacles, Gardner Pinnacles and Maro Reef, Laysan Island and Lisianski Island, and Lisianski Island and Pearl and Hermes Reef, delimit the remainder of the protected species zone.

Receiving vessel means a vessel of the United States that has on board the vessel longline-caught Pacific pelagic management unit species but does not have longline fishing gear on board the vessel.

Receiving vessel permit means a permit required by § 685.9(a)(3) for a receiving vessel to transship or land

Pacific pelagic management unit species.

3. In § 685.4, paragraph (b) introductory text is revised to read as follows:

§ 685.4 Recordkeeping and reporting.

(b) The operator of any longline fishing vessel subject to § 685.9(a)(1) or (a)(2) must maintain on board the vessel an accurate and complete fishing logbook for each day of each fishing trip, which must include the following information:

4. In § 685.5, paragraphs (e) through (h) are revised and paragraphs (y), (z), (aa), (bb), and (cc) are added to read as follows:

§ 685.5 Prohibitions.

(e) Use a longline vessel without a valid general longline permit or a Hawaii longline limited entry permit registered for use with that vessel, to fish for Pacific pelagic management unit species in the EEZ around American Samoa, Guam, the Northern Mariana Islands, or U.S. possessions in the Pacific Ocean area.

(f) Use a longline fishing vessel without a valid Hawaii longline limited entry permit registered for use with that vessel to fish for Pacific pelagic management unit species in the EEZ around Hawaii.

(g) Use a receiving vessel without a valid receiving vessel permit registered for use with that vessel to land or transship, shoreward of the outer boundary of the Fishery Management Area Pacific pelagic management unit species harvested with longline gear.

(h) Transfer a permit in violation of § 685.9(j).

(y) Refuse to make available to an authorized agent for inspection or copying any records that must be made available under § 685.17.

(z) Use a U.S. vessel that has longline gear on board and that does not have a valid Hawaii longline limited entry permit registered for use with that vessel or a valid longline general permit registered for use with that vessel to land or transship Pacific pelagic management unit species shoreward of the outer boundary of the EEZ around American Samoa, Guam, the Northern Mariana Islands, or U.S. possessions in the Pacific Ocean area.

(aa) Use a U.S. vessel that has longline gear on board and that does not have a valid Hawaii longline limited entry

permit registered for use with that vessel to land or transship Pacific pelagic management unit species shoreward of the outer boundary of the EEZ around Hawaii.

(bb) Enter the EEZ around Hawaii with longline gear that is not stowed or secured in accordance with § 685.25, if operating a U.S. vessel without a valid Hawaii longline limited entry permit registered for use with that vessel.

(cc) Enter the EEZ around American Samoa, Guam, the Northern Mariana Islands, or U.S. possessions in the Pacific Ocean area with longline gear that is not stowed or secured in accordance with § 685.25, if operating a U.S. vessel without a valid Hawaii longline limited entry permit registered for use with that vessel or a longline general permit registered for use with that vessel.

5. Section 685.9 is revised to read as follows:

§ 685.9 Permits.

(a) Permit requirements. (1) A longline fishing vessel of the United States must be registered for use under a Hawaii limited entry permit or a longline general permit if that vessel:

(i) Is used to fish for Pacific pelagic management unit species in the EEZ around American Samoa, Guam, the Northern Mariana Islands, or other U.S. island possessions in the Pacific Ocean; or

(ii) Is used to land or transship Pacific pelagic management unit species, shoreward of the outer boundary of the EEZ around American Samoa, Guam, the Northern Mariana Islands, or other U.S. island possessions in the Pacific Ocean.

(2) A longline fishing vessel of the United States must be registered for use under a Hawaii limited entry permit if that vessel:

(i) Is used to fish for Pacific pelagic management unit species in the EEZ around Hawaii; or

(ii) Is used to land or transship Pacific pelagic management unit species shoreward of the outer boundary of the EEZ around Hawaii.

(3) A receiving vessel must be registered for use with a receiving vessel permit if that vessel is used to land or transship, shoreward of the Fishery Management Area, Pacific pelagic management unit species that were harvested with longline gear.

(b) Eligibility for initial permits. (1) Only a person who is eligible to own a documented vessel under the terms of 46 U.S.C. 12102(a) may be issued a longline general permit under paragraph (a)(1) of this section or a receiving vessel

permit under paragraph (a)(3) of this section.

(2) Any person who is eligible to own a documented vessel under the terms of 46 U.S.C. 12102(a) is eligible for initial issuance of a Hawaii limited entry permit under paragraph (a)(2) of this section, provided that person on April 22, 1994:

(i) Owns a limited entry permit issued under this part during the moratorium, and owns or owned a vessel that landed longline-caught management unit species in Hawaii at least once during the moratorium; or

(ii) Owns a limited entry permit issued under this part during the moratorium for a vessel that is less than 40 feet (12 m) in length; or

(iii) Owns a limited entry permit issued to that person under § 685.15(c)(6) because that person was the holder of a permit for the Northwestern Hawaiian Islands lobster fishery under 50 CFR 681.30.

(c) Application. (1) An application for a permit under this section must be submitted on a Southwest Region Federal Fisheries Application form obtained from the Pacific Area Office containing all the necessary information, attachments, certification, signatures, and fees. In no case will oral or telephone applications be accepted.

(2) A vessel owner must submit an application for a permit to the Pacific Area Office at least 15 days before the desired effective date of the permit. If an incomplete or improperly completed application is filed, the applicant will be sent a notice of the deficiency. If the applicant fails to correct the deficiency within 30 days following the date of notification, the application will be considered abandoned.

(3) An application is complete when all required information, attachments, certifications, signatures, and fees have been received.

(d) Change in application information. Any change in information on the permit application form submitted under paragraph (c) of this section must be reported to the Pacific Area Office at least 10 days before the effective date of the change. Failure to report such changes may result in termination of the permit.

(e) Issuance. After receiving a complete application, the FMD will issue a permit to an applicant eligible for a permit under this section.

(f) Fees. A fee is charged for each application for a Hawaii longline limited entry permit (including initial permits, permit transfers and permit renewals). The amount of the fee is calculated in accordance with the procedures of the NOAA Finance

Handbook for determining the administrative costs of each special product or service. The fee may not exceed such costs and is specified with each application form. The appropriate fee must accompany each application. Failure to pay the fee will preclude issuance of a limited entry permit.

(g) Expiration. Permits issued under this section remain valid for the period specified on the permit unless transferred, revoked, suspended, or modified under 15 CFR part 904.

(h) Renewal. An application for renewal of any permit issued under this section must be submitted to the Pacific Area Office in the same manner as described in paragraph (c) of this section.

(i) Replacement. Replacement permits may be issued, without charge, to replace lost or mutilated permits. An application for a replacement permit is not considered a new application.

(j) Transfer. (1) A permit is valid only for the vessel for which it is registered. A permit not registered for use with a particular vessel may not be used.

(2) The owner of a Hawaii longline limited entry permit may apply to transfer the permit:

(i) To a different person for registration for use with the same or another vessel; or

(ii) For registration for use with another U.S. vessel under the same ownership.

(3) An application for a permit transfer must be submitted to the Pacific Area Office in the same manner as described in paragraph (c) of this section.

(k) A permit will not be registered for use with a vessel that has a length overall that is greater than the length overall of the vessel that had the greatest length overall and that landed Pacific pelagic management unit species under a limited entry permit during the moratorium.

(l) Only a person who is eligible to own a documented vessel under the terms of 46 U.S.C. 12102(a) may be issued or may hold (by ownership or otherwise) a limited entry permit.

6. Section 685.13 is revised to read as follows:

§ 685.13 Notification of landings and transshipments.

The operator of a longline fishing vessel that is subject to the permit requirements of § 685.9(a) of this part shall contact the Pacific Area Office by telephone, at a number provided to permit holders, within 12 hours of the vessel's arrival at any port in Hawaii, Guam, American Samoa, the Northern Mariana Islands, or U.S. possessions in

the Pacific Ocean area and report the name of the vessel, name of the vessel operator, and the date and time of each landing or transshipment of Pacific pelagic management unit species by the vessel since its previous report of landing and/or transshipment.

7. Section 685.15 is revised to read as follows:

§ 685.15 Permit appeals.

(a) Except as provided in subpart D of 15 CFR part 904, any applicant for a permit or any permit owner may appeal the granting, denial, conditioning, suspension, or transfer of a permit or requested permit to the Regional Director. In order to be considered by the Regional Director, the appeal must be in writing, must state the action(s) appealed, and the reasons therefor, and must be submitted within 30 days of the action(s) by the FMD. The appellant may request an informal hearing on the appeal.

(b) Upon receipt of an appeal authorized by this section, the Regional Director may request additional information as will allow action on the appeal. Upon receipt of sufficient information, the Regional Director will decide the appeal in accordance with the criteria set forth in this part and the Fishery Management Plan for Pelagic Fisheries of the Western Pacific Region, as appropriate, based upon information relative to the application on file at NMFS and the Council and any additional information available, the summary record kept of any hearing and the hearing officer's recommended decision, if any, as provided in paragraph (c) of this section, and such other considerations as deemed appropriate. The Regional Director will notify the appellant of the decision and the reasons therefor, in writing, normally within 30 days of the receipt of sufficient information, unless additional time is needed for a hearing.

(c) If a hearing is requested, or if the Regional Director determines that one is appropriate, the Regional Director may grant an informal hearing before a hearing officer designated for that purpose. Such a hearing normally shall be held no later than 30 days following receipt of the appeal unless the hearing officer extends the time for reasons deemed equitable. The appellant and, at the discretion of the hearing officer, other interested persons, may appear personally or be represented by counsel at the hearing and submit information and present arguments as determined appropriate by the hearing officer. Within 30 days of the last day of the hearing, the hearing officer shall

recommend, in writing, a decision to the Regional Director.

(d) The Regional Director may adopt the hearing officer's recommended decision, in whole or in part, or may reject or modify it. In any event, the Regional Director will notify the appellant, and interested persons, if any, of the decision, and the reason(s) therefor, in writing, within 30 days of receipt of the hearing officer's recommended decision. The Regional Director's action shall constitute final Agency action for the purposes of the Administrative Procedure Act.

(e) Any time limit prescribed in this section may be extended for a period not to exceed 30 days by the Regional Director for good cause, either upon his or her own motion or upon written request from the appellant stating the reason(s) therefore.

8. Section 685.17 is revised to read as follows:

§ 685.17 Availability of records for inspection.

Any fish dealer shall provide an authorized officer access for inspecting and copying all records of fish purchases, sales, or other transactions involving fish taken or handled by vessels that have permits issued under this part or are otherwise subject to this part, including but not limited to information concerning:

(a) The name of the vessel involved in each transaction and the owner or operator of the vessel;

(b) The amount, number, and size of each species of fish involved in each transaction; and

(c) The price(s) paid by the buyer and proceeds to the seller in each transaction.

9. A new § 685.18 is added to subpart A to read as follows:

§ 685.18 Framework procedures.

(a) *Introduction.* New management measures may be added, through rulemaking, if new information demonstrates that there are biological, social, or economic concerns in the fishery. The following framework process allows for measures that may affect operation of the fisheries, gear restrictions, quotas, or reductions or increases in longline catch and/or effort if the information supports such a change. Additional information may indicate the need for new management measures for other sectors of the fishery, such as harvest guidelines, permits for certain classes of vessels, or reporting requirements.

(b) *Annual report.*—(1) *Assessment of the fisheries.* By June 30 of each year, the Council-appointed Pelagics Plan

Team will prepare an annual report on fisheries in the fishery management area, containing the following:

(i) Fishery performance data (e.g., landings, effort, value of landings, species composition);

(ii) Summary of recent research and survey results;

(iii) Habitat conditions and recent alterations;

(iv) Enforcement activities and problems;

(v) Administrative action (e.g., data collection and reporting, permits);

(vi) State and territorial management actions; and

(vii) Assessment of need for Council action (including biological, economic, social, enforcement, administrative, and state/Federal needs, problems, and trends). Indications of potential problems warranting further investigation may be signaled by indicator criteria. These criteria could include, but are not limited to, important changes in: Mean size of the catch of any species; estimated ratio of fishing mortality to natural mortality for any species; decline in catch per unit effort by any sector; ex-vessel revenue of any sector; relative proportions of gear in and around the EEZ; rate of entry/exit of fishermen in the fisheries; revenues for a significant percentage of any sector; total pelagic landings; species composition of the pelagic landings; research results; habitat or environmental conditions; or level of interactions between pelagic fishing operations and protected species in the EEZ or surrounding waters.

(viii) Recommendations for Council action; and

(ix) Estimated impacts of recommended action.

(2) *Recommendations for management action.* The annual report shall specify any recommendations made by the Pelagics Plan Team to the Council. Recommendations may cover actions suggested for Federal regulations, state/territorial action, enforcement or administrative elements, and research and data collection. Recommendations will include an assessment of urgency and the effects of not taking action and will indicate whether changes involve existing measures, which may be changed under paragraph (c) of this section, or new measures, which may be implemented under paragraph (d) of this section.

(c) *Procedure for changing established measures.* (1) Established measures are those that are or have been in place via rulemaking procedures for various sectors of the fisheries, including, but not limited to: General longline fishery permits; limited entry longline fishery

permits; longline logbooks and other reporting requirements; longline area closures; and longline gear marking requirements. The estimated and potential impacts of these measures have been evaluated in past FMP amendments and associated documents.

(2) The Council will identify problems that may warrant action. This may be through the annual report described in paragraph (b)(1) of this section, or a separate report from the Pelagics Plan Team, the Advisory Subpanel, Pelagics Review Board, Scientific and Statistical Committee, pelagic fishery sector, enforcement officials, NMFS or other sources. The Council will discuss at its next meeting whether changes to established conservation and management measures would resolve the problem. Notice to the public and news media preceding the meeting will indicate that the Council intends to discuss and possibly recommend regulatory adjustments through the framework process for established measures to address the issue or problem. The notice must summarize the issue(s) and the basis for recommending the measures being reviewed and would refer interested parties to the document(s) pertaining to the issue. Based on the discussions at the meeting, which could include participation by the Pelagics Plan Team, Advisory Subpanel, Pelagics Review Board, Scientific and Statistical Committee, or other Council organizations, the Council will decide whether to recommend action by the Regional Director. The Regional Director will be asked to indicate any special concerns or objections to the possible actions being considered under the framework process and, if there are any concerns or objections, will be asked for ways to resolve them.

(3) If the Council decides to proceed, a document will be prepared describing the problem and the proposed regulatory adjustment to resolve it. The document will demonstrate how the adjustment is consistent with the purposes of the established measure and that the impacts had been addressed in the document supporting the original imposition of the measure. The document will be submitted to the Regional Director with a recommendation for action. The Council may indicate its intent that the recommendations are to be approved or disapproved as a single action.

(4) If the Regional Director approves part or all of the Council's recommendation, the Secretary, in accordance with the Administrative Procedure Act, may implement the approved change in an established

measure by publishing a final rule, waiving advance notice and comment. This does not preclude the Secretary from deciding to provide additional opportunity for advance notice and comment, but contemplates that the Council process will satisfy the requirements of the Magnuson Act and Administrative Procedure Act. It is emphasized that established measures are measures that have been evaluated and applied in the past, and adjustments are meant to be consistent with the original intent of the measure and within the scope of analysis in previous documents supporting the existing measure.

(5) Nothing in this section limits the authority of the Secretary to take emergency action under section 305(e) of the Magnuson Act.

(d) *Procedure for implementing new measures.* (1) New measures are those that have not been used before or measures that, while previously applied, would be applied to another fishing sector (e.g., non-longline pelagic fishery) or gear type for the first time. New measures may have been previously considered in a past FMP amendment or document, but the specific impacts on the persons to whom the measures would newly apply have not been evaluated in the context of current conditions. Potential new measures include, but are not limited to: Permit requirements for new fishery sectors; reporting requirements for a fishery sector other than longline fishing; effort limitations; quotas (for total catch or by species) including individual transferable quotas; fractional licensing; or bycatch limits.

(2) A Pelagics Plan Team report (annual report or an in-season report), input from advisors, or input from NMFS or other agencies will first bring attention to a problem or issue that needs to be addressed at the next Council meeting. In its notice announcing the meeting, the Council will summarize the concern or issue raised, the party that has raised the problem, and the extent to which it is a new problem or a problem that may require new management measures. The Council will seek to identify all

interested persons and organizations and solicit their involvement in discussion and resolution of this problem through the Council process, and the Council meeting notice in the **Federal Register** will emphasize that this problem will be discussed and that proposed actions may result.

(3) The document presenting the problem to the attention of the Council will be distributed to all advisory bodies of the Council who have not yet received it, with a request for comments. The document also will be distributed to the Council's mailing list associated with the FMP to solicit inputs and to indicate the Council will take up action at the following meeting. The Council's chairperson may request the Council's Pelagics Standing Committee to discuss the issue and review the comments (if any) of the Pelagics Plan Team, Advisory Panel, Pelagics Review Board, or Scientific and Statistical Committee, and develop recommendations for Council action.

(4) At the meeting, the Council will consider the recommendations of its Pelagics Standing Committee, if any, and other Council organizations and will take comments from the public concerning the possible course of action. If the Council agrees to proceed with further action under the framework process, the issue will be placed on the agenda for the following meeting. A document describing the issue, alternative ways to resolve the issue, the preferred action, and the anticipated impacts of the preferred action, will be prepared and distributed to the public with a request for comments. A notice will be published in the **Federal Register** summarizing the Council's deliberations and preferred action and indicating the time and place for the Council meeting to take final action.

(5) In its notice for the following meeting, the Council will indicate that the Council may take final action on the possible adjustment to regulations under this section. At the meeting, the Council will consider the comments received as a result of its solicitation of comments and take public comments during the meeting on the issue or problem. The Council will consider any

new information presented or collected and analyzed during the comment period. The Regional Director will be provided a specific opportunity to indicate any objections or concerns about any or all components of the measures being considered. The Council then will decide whether to propose a new measure or measures under this section.

(6) If the Council decides to proceed, the Council will submit its proposal to the Regional Director for consideration with supporting rationale and an analysis of the estimated biological, economic and social impacts of the proposed actions. The Council may indicate its intent that all components of its recommendations be approved or disapproved as a single action.

(7) If the Regional Director concurs in whole or in part, the Secretary, in accordance with the Administrative Procedure Act, may implement the approved new measure by publishing a final rule, waiving advance notice and comment. Nothing in this procedure is intended to preclude the Secretary from deciding to provide additional opportunity for advance notice and comment in the **Federal Register**, but contemplates that the Council process (which includes two Council meetings with opportunity for public comment at each) will satisfy that requirement.

(8) If a new action is approved and implemented, future adjustments may be made under the procedure for established measures.

(9) Nothing in this section limits the authority of the Secretary to take emergency action under section 305(e) of the Magnuson Act.

§ 685.23 [Removed]

§ 685.24 through 685.26 [Redesignated as §§ 685.23 through 685.25]

10. Section 685.23 is removed and §§ 685.24, 685.25, and 685.26 are redesignated §§ 685.23, 685.24, and 685.25, respectively.

11. In newly redesignated § 685.24 paragraphs (a)(1) and (f) introductory text are revised to read as follows:

§ 685.24 Exemptions for longline fishing prohibited areas; procedures.

(a) * * *

(1) Currently owns a Hawaii longline limited entry permit issued under this part and registered for use with his or her vessel;

* * * * *

(f) The Council will consider information provided by persons with Hawaii longline limited entry permits issued under this part who believe they have experienced extreme financial hardship resulting from the Hawaii longline area closure, and will consider

recommendations of the Pelagic Advisory Review Board to assess whether exemptions under this section should continue to be allowed, and, if appropriate, revise the qualifying criteria in paragraph (a) of this section to permit additional exemptions.

* * * * *

12. Newly redesignated § 685.25 is revised to read as follows:

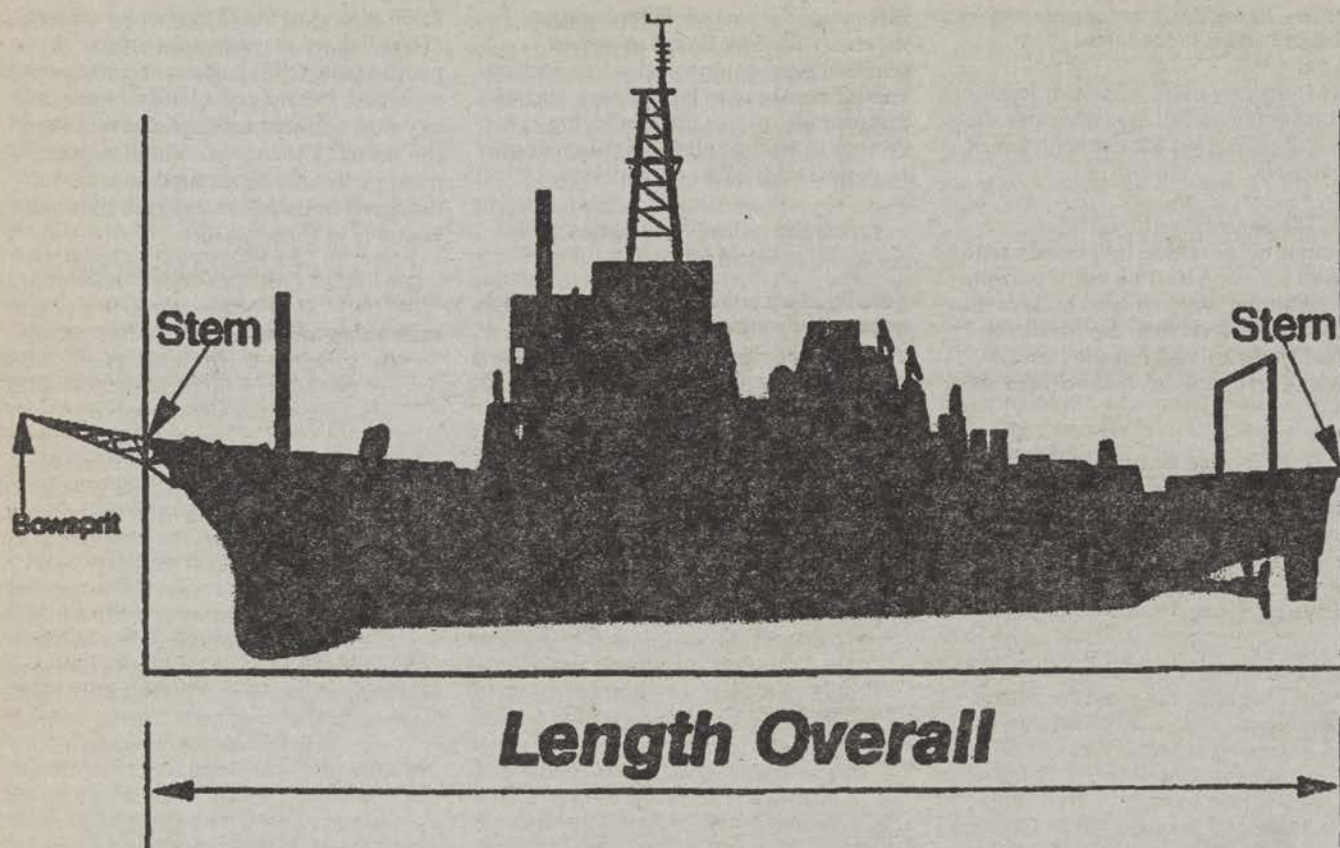
§ 685.25 Port privileges and transiting for unpermitted longline vessels.

A U.S. longline fishing vessel that does not have a permit under

§ 685.9(a)(1) or (a)(2) may enter waters of the fishery management area with pacific pelagic management unit species on board, but may not land or transship any management unit species on board the vessel. The vessel's longline gear must be stowed or secured so it is rendered unusable during the time the vessel is in those waters.

13. Figure 1 is added to part 685 as follows:

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Length Overall—the horizontal distance between the foremost part of the stem and the aftermost part of the stem, excluding bowsprits, rudders, outboard motor brackets, and similar fittings or attachments. Rounded to the nearest foot.

Stem—the foremost position of a vessel; a section of timber or cast, forged or rolled metal to which the sides of a vessel are united at the fore end with the lower and scarfed to the keel and the bowsprit, if one is present, resting on the upper end.

Stern—the aftermost part of the vessel.

Figure 1.

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