

promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES**.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

#### The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

### PART 39—AIRWORTHINESS DIRECTIVES

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

Authority: 49 U.S.C. 106(g), 40113, 44701.

#### § 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

Airbus Industrie: Docket 96-NM-10-AD.

*Applicability:* All Model A300-600 series airplanes, certificated in any category.

*Note 1:* This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (b) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

*Compliance:* Required as indicated, unless accomplished previously.

To prevent reduced structural integrity of frame 47 of the fuselage, accomplish the following:

(a) Prior to the accumulation of 17,300 total landings, or within one year after the effective date of this AD, whichever occurs later: Perform an eddy current inspection to detect cracking of the upper radius of the left and right forward fitting of frame 47, in accordance with Airbus Service Bulletin A300-53-6029, Revision 2, dated November 7, 1994.

(1) If no cracking is found during an eddy current inspection: Repeat the inspection thereafter at intervals not to exceed 6,600 landings.

(2) If any cracking is found during an eddy current inspection: Prior to further flight, repair in accordance with a method approved by the Manager, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate.

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Standardization Branch, ANM-113. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM-113.

*Note 2:* Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(c) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on June 25, 1996.

S.R. Miller,

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 96-16651 Filed 6-28-96; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 15 CFR Part 922

#### Gulf of the Farallones National Marine Sanctuary: Petition to Ban the Use of Motorized Personal Watercraft Within the Gulf of the Farallones National Marine Sanctuary

**AGENCY:** Sanctuaries and Reserves Division (SRD), Office of Ocean and Coastal Resource Management (OCRM), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

**ACTION:** Notice of receipt of a petition.

**SUMMARY:** The National Oceanic and Atmospheric Administration (NOAA) has received a petition from the Environmental Action Committee of West Marin County to ban the use of motorized personal watercraft within the Gulf of the Farallones National Marine Sanctuary.

**FOR FURTHER INFORMATION CONTACT:** Ed Ueber at 415-556-3509 or Elizabeth Moore at 301-713-3141.

**SUPPLEMENTARY INFORMATION:** The Gulf of the Farallones National Marine

Sanctuary (GFNMS) was designated in January 1981, and encompasses 948 square nautical miles of ocean and coastal waters off the coast of San Francisco. The GFNMS presently has no regulations restricting the use of motorized personal watercraft.

The Sanctuaries and Reserves Division within NOAA's National Ocean Service (NOS) received a petition on April 18, 1996, from the Environmental Action Committee of West Marin, California (EAC) to ban the use of motorized personal watercraft in the GFNMS. EAC believes that "the use of motorized personal watercraft \* \* \* is completely incompatible with the existence of a marine sanctuary," and gives such reasons as the danger of such craft to biological resources; danger to other human users; noise, water, and air pollution; and incompatibility with other Sanctuary uses such as mariculture and small non-motorized watercraft. NOS is reviewing the petition and will notify the petitioner of its decision whether or not to proceed with a rulemaking to ban the use of motorized personal watercraft in the GFNMS. If NOS decides to initiate rulemaking proceedings, then the public will be provided with an opportunity to comment on the proposed rulemaking in accordance with the procedures of the National Marine Sanctuaries Act and the Administrative Procedures Act.

Dated: June 25, 1996.

David L. Evans,

*Acting Deputy Assistant Administrator for Ocean Services and Coastal Zone Management.*

[FR Doc. 96-16676 Filed 6-28-96; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### 25 CFR Part 21

#### RIN 1076-AD 61

#### Social Welfare Arrangements With States or Other Agencies

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

**ACTION:** Proposed rule.

**SUMMARY:** The Bureau of Indian Affairs (BIA) is proposing to revise the regulations in this part to improve the clarity of the regulations and understanding by the public.

**DATES:** Comments must be received on or before August 30, 1996.

**ADDRESSES:** Mail comments to Larry Blair, Chief, Division of Social Services,

Office of Tribal Services, Bureau of Indian Affairs, Department of the Interior, 1849 C St. NW., Mail Stop 4603-MIB, Washington, DC 20240; or, hand deliver them to Room 4603 at the above address. Comments will be available for inspection at this address from 9:00 a.m. to 4:00 p.m., Monday through Friday beginning approximately July 15, 1996.

**FOR FURTHER INFORMATION CONTACT:** Larry Blair, Chief of the Division of Social Services, Bureau of Indian Affairs at telephone number (202) 208-2721.

**SUPPLEMENTARY INFORMATION:** The authority to issue rules and regulations is vested in the Secretary of the Interior by 5 U.S.C. 301 and sections 463 and 465 of the Revised Statutes, 25 U.S.C. 2 and 9.

Publication of the proposed rule by the Department of the Interior (Department) provides the public an opportunity to participate in the rulemaking process. Interested persons may submit written comments regarding the proposed rule to the location identified in the **ADDRESSES** section of this document.

#### Executive Order 12778

The Department has certified to the Office of Management and Budget (OMB) that this rule meets the applicable standards provided in sections 2(a) and 2(b)(2) of Executive Order 12778.

#### Executive Order 12866

This rule is not a significant regulatory action under Executive Order 12866 and does not require review by the Office of Management and Budget.

#### Regulatory Flexibility Act

This rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

#### Executive Order 12630

The Department has determined that this rule does not have "significant takings" implications. This rule does not pertain to "taking" of private property interests, nor does it impact private property.

#### Executive Order 12612

The Department has determined that this rule does not have significant federalism effects because it pertains solely to Federal-tribal relations and will not interfere with the roles, rights and responsibilities of states.

#### NEPA Statement

The Department has determined that this rule does not constitute a major Federal action significantly affecting the quality of the human environment and that no detailed statement is required pursuant to the National Environmental Policy Act of 1969.

#### Unfunded Mandates Act of 1995

This rule imposes no unfunded mandates on any governmental or private entity and is in compliance with the provisions of the Unfunded Mandates Act of 1995.

#### Paperwork Reduction Act of 1995

Sections 21.3 and 21.4 contain information collection requirements. As required by the Paperwork Reduction

Act of 1995 (44 U.S.C. 3507(d)), the Department of the Interior has submitted a copy of these sections to the Office of Management and Budget (OMB) for its review.

The Bureau of Indian Affairs may enter into agreements with state, county, or other Federal agencies to provide welfare services for Indians. The information collected will be used to determine the amount of funds necessary to provide services for Indians within specified service areas. It will detail the services to be rendered and a plan for the expenditure of funds by the contractor. The information collected will also be used to measure performance of the contractor and plan future services.

No similar agreement specific information pertaining to welfare services for Indians is collected by the Bureau of Indian Affairs or any other Federal agency. Since tribal circumstances vary from one location to another, no information is available which can be used to contract this service.

The information to be collected from third parties is the same information that a state, county, or other Federal agency would otherwise collect in the provision of welfare services.

The estimate of total burden hours is based upon staff expertise in the program area responsible for the management of welfare services budgets.

CFR section	Number of respondents	Frequency of response	Total annual responses	Burden hours per response	Annual burden hours	Cost to respondents
21.3 .....	50	1	1	16	16	\$400
21.4 .....	50	5	1	32	32	800

Organizations and individuals desiring to submit comments on the information collection requirement should direct them to the Office of Information and Regulatory Affairs, OMB, Room 10202, New Executive Office Building, Washington, DC 20503; Attention: Desk Officer for the U.S. Department of the Interior.

The Department considers comments by the public on this proposed collection of information in:

Evaluating whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including

whether the information will have practical utility;

Evaluating the accuracy of the Department's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

Enhancing the quality, usefulness, and clarity of the information to be collected; and

Minimizing the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other collection techniques or other forms of information technology.

OMB is required to make a decision concerning the collection of information contained in these proposed regulations between 30 and 60 days after publication of this document in the Federal Register. Therefore, a comment to the OMB is best assured of having its full effect if OMB receives it within 30 days of publication. This does not affect the deadline for the public to comment to the Bureau of Indian Affairs on the proposed regulations.

Drafting Information: The primary author of this document was Larry Blair, Division of Social Services, Bureau of Indian Affairs, Department of the Interior.

## List of Subjects in 25 CFR Part 21

Indians, Indians—welfare contracts.

For the reasons given in the preamble, part 21 of title 25, chapter I of the Code of Federal Regulations is proposed to be revised as set forth below.

# **PART 21—SOCIAL WELFARE ARRANGEMENTS WITH STATES OR OTHER AGENCIES**

## **Sec.**

- 21.1 Who may negotiate agreements with States, Counties, and other Federal agencies?
- 21.2 Who may sign agreements for the relief of distress and social welfare of Indians?
- 21.3 What must the State, County, or other Federal welfare agency provide?
- 21.4 What standards must welfare service providers meet?
- 21.5 What will the Bureau provide?
- 21.6 What information is collected?
- 21.7 Definitions.

Authority: 25 U.S.C. 454.

## **§ 21.1 Who may negotiate agreements with States, Counties, and other Federal agencies?**

The Secretary may negotiate with State, county, or other Federal welfare agencies to provide welfare services for Indians within a particular State and within the exterior boundaries of Indian reservations or on trust or restricted lands that are under the jurisdiction of the Bureau of Indian Affairs.

## **§ 21.2 Who may sign agreements for the relief of distress and social welfare of Indians?**

The proper officer of the State, county, or other Federal welfare agency must sign agreements to provide welfare services. Evidence of the officer's authority must accompany the agreement. Agreements to provide welfare services are not effective until the Secretary approves and signs them.

## **§ 21.3 What must the State, County, or other Federal welfare agency provide?**

(a) *Plan of operation.* A plan of operation describing the services and assistance to be rendered and a budget showing the plan of expenditures of funds must be submitted with the agreement. No change in the plan of operation may be made without the Secretary's prior approval.

(b) *Financial statements.* Thirty days after the close of each fiscal year, a detailed financial statement showing all expenditures must be submitted to the Secretary. Any deviations from the approved plan of operation must be explained and the records of the contractor must remain available for inspection by representatives of the Bureau of Indian Affairs.

## **§ 21.4 What standards must welfare service providers meet?**

(a) *Service.* The standards of aid, care, and service for Indians can be no less than the standards for other clients requiring similar aid, care, and services.

(b) *Personnel.* Unless the Secretary has agreed otherwise, the personnel employed for provision of public welfare services to Indians are subject to the contractor's merit system and the approval of the Secretary and local welfare authorities.

## **§ 21.5 What will the Bureau of Indian Affairs provide?**

(a) *Cooperative services.* The Bureau will maintain cooperative services at the local level.

(b) *Government property and facilities.* The agreement must specify the terms under which the contractor may use Federal property, facilities and equipment. Agreements that allow use of Federal automobiles must require the contractor be responsible for damage or injury to property or persons and to return the equipment in good condition. The contractor must carry sufficient insurance and expressly relieve the Federal Government of any and all liability for any personal injury or property damages.

## **§ 21.6 What information is collected?**

The information collection requirements contained in § 21.3 will be approved by the Office of Management and Budget as required by 44 U.S.C. 1320 *et seq.* The information collected in the plan of operation will be used to determine how contract funds are utilized and to measure performance of the contractor and plan for future agreements. The information collected in the financial statement will be used to determine the adequacy of services and utilization of the budget provided to the contractor. A response is required to obtain a benefit.

## **§ 21.7 Definitions.**

Must means a mandatory or imperative act or requirement.

Secretary means the Secretary of the Interior.

Dated: June 6, 1996.

Ada E. Deer,

Assistant Secretary—Indian Affairs.

[FR Doc. 96-16038 Filed 6-28-96; 8:45 am]

BILLING CODE 4310-02-P

## **DEPARTMENT OF VETERANS AFFAIRS**

### **38 CFR Part 1**

RIN 2900-A133

### **Rulemaking procedures; Public Participation**

**AGENCY:** Department of Veterans Affairs.

**ACTION:** Proposed rule.

**SUMMARY:** In a document recently published in the Federal Register (61 FR 11309), the Department of Veterans Affairs (VA) amended the "GENERAL PROVISIONS" regulations by eliminating a policy statement concerning prior notice-and-comment for rulemaking. That action, taken without prior notice-and-comment, concluded that the policy statement was unnecessary. Judicial review has been sought on the basis that such action did not comply with notice-and-comment provisions. While we believe such position is not legally correct, we do not object to providing interested parties with an opportunity to comment on whether the policy statement should be eliminated. Accordingly, a companion document published in the Rules and Regulations section of this issue of the Federal Register reestablishes the policy statement and this document proposes to eliminate it, thus affording interested parties the opportunity to comment thereon. For reasons stated below, it does not appear that there is a need to retain the policy statement.

**DATES:** Comments must be received on or before August 30, 1996.

**ADDRESSES:** Mail or hand deliver written comments to: Director, Office of Regulations Management (02D), Department of Veterans Affairs, 810 Vermont Ave., NW, Room 1154, Washington, DC 20420. Comments should indicate that they are submitted in response to "RIN 2900-A133." All written comments will be available for public inspection at the above address in the Office of Regulations Management, Room 1158, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday (except holidays).

**FOR FURTHER INFORMATION CONTACT:** Thomas O. Gessel, Director, Office of Regulations Management (02D), Office of General Counsel, Department of Veterans Affairs, 810 Vermont Avenue, NW, Washington, DC 20420, (202) 273-8605.

**SUPPLEMENTARY INFORMATION:** This document proposes to amend the "GENERAL PROVISIONS" regulations in 38 CFR part 1 by removing § 1.12.