

the person or agency to whom the disclosure is made.

(3) Accounting records will be maintained for at least 5 years after the last disclosure, or for the life of the record, whichever is longer.

(4) Subjects of DSWA records will be given access to associated accounting records upon request, except for those disclosures made to law enforcement activities when the law enforcement activity has requested that the disclosure not be made, and/or as exempted under section 318.11 of this part.

#### **§ 318.10 Fees**

Individuals may request copies for retention of any documents to which they are granted access in DSWA records pertaining to them. Requesters will not be charged for the first copy of any records provided; however, duplicate copies will require a charge to cover costs of reproduction. Such charges will be computed in accordance with DoD 5400.11-R.

Dated: September 29, 1997.

**L. M. Bynum,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 97-26202 Filed 10-2-97; 8:45 am]

BILLING CODE 5000-04-F

## **DEPARTMENT OF THE INTERIOR**

### **Office of Hearings and Appeals**

#### **43 CFR Part 4**

**RIN 1090-AA63**

#### **Department Hearings and Appeals Procedures**

**AGENCY:** Office of Hearings and Appeals, Interior.

**ACTION:** Proposed rule; extension of comment period.

**SUMMARY:** This action extends the comment period an additional 60 days on the Department of the Interior's Office of Hearings and Appeals' proposal to amend its rules to provide that, except as otherwise provided by law or other regulation, a decision will be stayed, if it is appealed, until there is a dispositive decision on the appeal.

**DATES:** Comments are due to the agency on or before December 2, 1997.

**ADDRESSES:** Send written comments to Director, Office of Hearings and Appeals, U.S. Department of the Interior, 4015 Wilson Blvd., Arlington, VA 22203. Comments received will be available for inspection during regular business hours (9 a.m. to 5 p.m.) in the

Office of the Director, Office of Hearings and Appeals, 11th Floor, 4015 Wilson Blvd., Arlington, VA. Persons wishing to inspect comments are requested to call in advance at 703-235-3810 to make an appointment.

#### **FOR FURTHER INFORMATION CONTACT:**

James L. Byrnes, Chief Administrative Judge, Interior Board of Land Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 4015 Wilson Blvd., Arlington, VA 22203. Telephone: 703-235-3750.

**SUPPLEMENTARY INFORMATION:** On August 19, 1997, the Department of the Interior proposed to amend the regulation contained at 43 CFR 4.21 (August 28, 1997, 62 FR 45606.) Comments to this proposed rule were to be received on or before September 29, 1997.

In a letter dated September 4, 1997, from the National Mining Association (NMA) to the Director of the Office of Hearings and Appeals (OHA), U.S. Department of the Interior, the NMA requested a 60-day extension of the comment period for this proposed amendment because the existing comment period did not allow adequate opportunity for comment, and it needed more time to present the views of its member companies. Also, in a letter dated September 12, 1997, from the Rocky Mountain Oil and Gas Association (RMOGA) to the Director, OHA, that organization requested a 60-day extension of the comment period. The RMOGA stated that the current 30-day comment period would not allow the industry adequate time to carefully analyze the proposed rule to determine the potential effects, if any, on oil and gas activities on public lands.

The OHA has determined that an extension of time to obtain the comments on the proposed rule from NMA and RMOGA is warranted and therefore, the requested extension is granted. This notice announces that 60-day extension of the comment period.

Dated: September 24, 1997.

**Brooks B. Yeager,**

*Acting Assistant Secretary—Policy, Management and Budget.*

[FR Doc. 97-26200 Filed 10-2-97; 8:45 am]

BILLING CODE 4310-RK-M

## **FEDERAL EMERGENCY MANAGEMENT AGENCY**

### **44 CFR Part 67**

**[Docket No. FEMA-7230]**

#### **Proposed Flood Elevation Determinations**

**AGENCY:** Federal Emergency Management Agency (FEMA).

**ACTION:** Proposed rule.

**SUMMARY:** Technical information or comments are requested on the proposed base (1% annual chance) flood elevations and proposed base flood elevation modifications for the communities listed below. The base flood elevations and modified base flood elevations are the basis for the floodplain management measures that the community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

**DATES:** The comment period is ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in each community.

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

**FOR FURTHER INFORMATION CONTACT:** Frederick H. Sharrocks, Jr., Chief, Hazard Identification Branch, Mitigation Directorate, 500 C Street SW., Washington, DC 20472, (202) 646-2796.

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency proposes to make determinations of base flood elevations and modified base flood elevations for each community listed below, in accordance with Section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

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

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

#### National Environmental Policy Act

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

#### Regulatory Flexibility Act

The Associate Director for Mitigation certifies that this proposed rule is exempt from the requirements of the Regulatory Flexibility Act because proposed or modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42

U.S.C. 4104, and are required to establish and maintain community eligibility in the NFIP. No regulatory flexibility analysis has been prepared.

#### Regulatory Classification

This proposed rule is not a significant regulatory action under the criteria of Section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

#### Executive Order 12612, Federalism

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

#### Executive Order 12778, Civil Justice Reform

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

#### List of Subjects in 44 CFR Part 67

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

Accordingly, 44 CFR Part 67 is proposed to be amended as follows:

#### PART 67—[AMENDED]

1. The authority citation for Part 67 continues to read as follows:

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

#### § 67.4 [Amended]

2. The tables published under the authority of § 67.4 are proposed to be amended as follows:

State	City/town/county	Source of flooding	Location	# Depth in feet above ground. * Elevation in feet. (NGVD)	
				Existing	Modified
Arizona .....	Yavapai County (Unincorporated Areas).	Wet Beaver Creek .....	Approximately 8,800 feet downstream of Montezuma Avenue.	*3,360	*3,360
			Approximately 5,000 feet downstream of Montezuma Avenue.	*3,391	*3,392
			Approximately 2,350 feet downstream of Montezuma Avenue.	*3,414	*3,414
		Russell Wash .....	At confluence with Wet Beaver Creek .....	*3,387	*3,388
			Just downstream of Lake Shore Drive .....	*3,414	*3,412
			Approximately 1,600 feet upstream of Montezuma Avenue.	*3,464	*3,466

Maps are available for inspection at the Yavapai County Flood Control District, 255 East Gurley Street, Prescott, Arizona.

Send comments to The Honorable Gheral Brownlow, Chairperson, Yavapai County Board of Supervisors, 1015 Fair Street, Room 310, Prescott, Arizona 86301.

California .....	Sierra County and Incorporated Areas.	Smithneck Creek .....	Approximately 2,200 feet downstream of Main Street.	None	*4,928
			Approximately 100 feet upstream of Bear Valley Road.	None	*5,317

Maps are available for inspection at the Sierra County Department of Planning, Sierra County Courthouse Annex, Downieville, California.

Send comments to The Honorable Richard Luchessi, Chairperson, Sierra County Board of Supervisors, P.O. Box D, Downieville, California 95936.

Send comments to The Honorable Milton Gottardi, Mayor, City of Loyalton, P.O. Box 128, Loyalton, California 96118.

Territory of Guam ..		Pacific Ocean .....	Along the shoreline, approximately 1,900 feet southeast of the intersection of Chagamin Lago Avenue and Pale Duenas Street.	*25	*26
			Along the shoreline, approximately 4,500 feet west of the intersection of Cruz Avenue and Parcinas Street.	None	*10

Maps are available for inspection at the Public Works Department, 542 North Marine Drive, Building A, Tammuing, Guam.

Send comments to The Honorable Carl T.C. Gutierrez, Governor, Territory of Guam, R.J. Bordallo Complex, Agana, Guam 96910.

Montana .....	Billings (City) Yellowstone County.	Alkali Creek .....	At the City of Billings downstream-most corporate limits, approximately 1,100 feet downstream of Main Street.	*3,130	*3,129
			Approximately 4,000 feet upstream of Blanco Court.	None	*3,244

State	City/town/county	Source of flooding	Location	# Depth in feet above ground. * Elevation in feet. (NGVD)	
				Existing	Modified

Maps are available for inspection at the City of Billings Building Department, 510 North 29th, Billings, Montana.

Send comments to The Honorable Charles F. Tooley, Mayor, City of Billings, P.O. Box 1178, Billings, Montana 59103.

Nevada .....	Nye County (Unincorporated Areas).	Slime Wash .....	Approximately 2,890 feet downstream of Depot Road.	None	*5,887
			Approximately 960 feet upstream of U.S. Highway 6.	None	*6,147

Maps are available for inspection at the Nye County Planning Department, 1114 Globemallow Lane, Tonopah, Nevada.

Send comments to The Honorable Richard Carver, Chairperson, Nye County Board of Commissioners, P.O. Box 153, Tonopah, Nevada 89049.

Oregon .....	Deschutes County and Incorporated Areas.	Deschutes River (At Sunriver).	Approximately 4 miles downstream of General Patch Bridge.	*4,161	*4,161
			At General Patch Bridge ..... Approximately 1.7 miles upstream of General Patch Bridge.	None None	*4,164 *4,166

Maps are available for inspection at the Deschutes County Community Development Department, 1130 Northwest Harriman, Bend, Oregon.

Send comments to The Honorable Nancy Pope Schlangen, Chairperson, Deschutes County Board of Commissioners, 1130 Northwest Harriman, Bend, Oregon 97701.

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

Dated: September 25, 1997.

**Michael J. Armstrong,**

*Associate Director for Mitigation.*

[FR Doc. 97-26283 Filed 10-2-97; 8:45 am]

BILLING CODE 6718-04-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MM Docket No. 97-205, RM-9161]

#### Radio Broadcasting Services; Perry, FL

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition filed by Frank Vela proposing the allotment of Channel 228A to Perry, Florida, as that community's second local FM broadcast service. There is a site restriction .8 kilometers (.5 miles) east of the community at coordinates 30-07-00 and 83-34-26.

**DATES:** Comments must be filed on or before November 17, 1997, and reply comments on or before December 2, 1997.

**ADDRESSES:** Federal Communications Commission, Washington, DC. 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, as follows: Frank Vela, 8740

W. Varricchio Lane, Crystal River, Florida 34428.

#### FOR FURTHER INFORMATION CONTACT:

Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Notice of Proposed Rule Making, MM Docket No. 97-205, adopted September 17, 1997, and released September 26, 1997. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Services, Inc., 1231 20th Street, NW., Washington, DC. 20036, (202) 857-3800, facsimile (202) 857-3805.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contact.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

#### List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

**John A. Karousos,**

*Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*

[FR Doc. 97-26250 Filed 10-2-97; 8:45 am]

BILLING CODE 6712-01-F

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 76

[CS Docket No. 95-184; MM Docket No. 92-260; DA 97-2073]

#### Telecommunications Services Inside Wiring; Cable Home Wiring

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule; extension of reply comment period.

**SUMMARY:** The Commission extended the deadline from October 2, 1997 to October 6, 1997 for filing reply comments in response to the Further Notice of Proposed Rulemaking in CS Docket No. 95-184 and MM Docket No. 92-260, FCC 97-304 (62 FR 46453 September 3, 1997) ("Further NPRM").

**DATES:** Reply comments must be submitted on or before October 6, 1997.

**ADDRESSES:** Reply comments should be sent to Office of the Secretary, Federal Communications Commission, 1919 M Street, NW, Washington, DC 20554. Reply comments will be available for public inspection during regular business hours in the FCC Reference Center, Room 239, Federal