

(f) Where appropriate, after receipt of an advisory opinion request, the OIG may consult with the requesting parties to the extent the OIG deems necessary.

12. Section 1008.41 is amended by revising paragraph (a); and by republishing introductory paragraph (b) and revising paragraph (b)(3) to read as follows:

§ 1008.41 OIG acceptance of the request.

(a) Upon receipt of a request for an advisory opinion, the OIG will promptly make an initial determination whether the submission includes all of the information the OIG will require to process the request.

(b) Within 10 working days of receipt of the request, the OIG will—

* * * * *

(3) Formally decline to accept the request.

* * * * *

13. Section 1008.43 is amended by revising paragraphs (a), (b) and (c)(2); and by republishing introductory paragraph (c)(3) and revising paragraph (c)(3)(i) to read as follows:

§ 1008.43 Issuance of a formal advisory opinion.

(a) An advisory opinion will be considered issued once payment is received and it is dated, numbered, and signed by an authorized official of the OIG.

(b) An advisory opinion will contain a description of the material facts provided to the OIG with regard to the arrangement for which an advisory opinion has been requested. The advisory opinion will state the OIG's opinion regarding the subject matter of the request based on the facts provided to the OIG. If necessary, to fully describe the arrangement, the OIG is authorized to include in the advisory opinion the material facts of the arrangement, notwithstanding that some of these facts could be considered confidential information or trade secrets within the meaning of 18 U.S.C. 1905.

(c) * * * * *

(2) If the 60th day falls on a Saturday, Sunday, or Federal holiday, the time period will end at the close of the next business day following the weekend or holiday;

(3) The 60 day period will be tolled from the time the OIG—

(i) Notifies the requestor that the costs have reached, or are likely to exceed, the triggering amount until the time when the OIG receives written notice from the requestor to continue processing the request;

* * * * *

14. Section 1008.45 is revised to read as follows:

§ 1008.45 Rescission, termination or modification.

(a) Any advisory opinion given by the OIG is without prejudice to the right of the OIG to reconsider the questions involved and, where the public interest requires, to rescind, terminate or modify the advisory opinion. Requestors will be given a preliminary notice of the OIG's intent to rescind, terminate or modify the opinion, and will be provided a reasonable opportunity to respond. A final notice of rescission, termination or modification will be given to the requestor so that the individual or entity may discontinue or modify, as the case may be, the course of action taken in accordance with the OIG advisory opinion.

(b) For purposes of this part—

(1) To *rescind* an advisory opinion means that the advisory opinion is revoked retroactively to the original date of issuance with the result that the advisory opinion will be deemed to have been without force and effect from the original date of issuance. Rescission may occur only where relevant and material facts were not fully, completely and accurately disclosed to the OIG.

(2) To *terminate* an advisory opinion means that the advisory opinion is revoked as of the termination date and is no longer in force and effect after the termination date. The OIG will not proceed against the requestor under this part if such action was promptly, diligently, and in good faith discontinued in accordance with reasonable time frames established by the OIG after consultation with the requestor.

(3) To *modify* an advisory opinion means that the advisory opinion is amended, altered, or limited, and that the advisory opinion continues in full force and effect in modified form thereafter. The OIG will not proceed against the requestor under this part if such action was promptly, diligently, and in good faith modified in accordance with reasonable time frames established by the OIG after consultation with the requestor.

15. Section 1008.47 is amended by revising paragraphs (c) and (d) to read as follows:

§ 1008.47 Disclosure.

* * * * *

(c) Any pre-decisional document, or part of such pre-decisional document, that is prepared by the OIG, DoJ, or any other Department or agency of the United States in connection with an advisory opinion request under the procedures set forth in this part generally will be exempt from

disclosure under 5 U.S.C. 552, and will not be made publicly available.

(d) Documents submitted by the requestor to the OIG in connection with a request for an advisory opinion may be available to the public in accordance with 5 U.S.C. 552 through procedures set forth in 45 CFR part 5.

* * * * *

16. Section 1008.55 is amended by revising paragraph (b) to read as follows:

§ 1008.55 Admissibility of evidence.

* * * * *

(b) An advisory opinion may not be introduced into evidence by a person or entity that was not the requestor of the advisory opinion to prove that the person or entity did not violate the provisions of sections 1128, 1128A or 1128B of the Act or any other law.

17. Section 1008.59 is amended by revising paragraph (a) to read as follows:

§ 1008.59 Range of the advisory opinion.

(a) An advisory opinion will state only the OIG's opinion regarding the subject matter of the request. If the arrangement for which an advisory opinion is requested is subject to approval or regulation by any other Federal, State or local government agency, such advisory opinion may not be taken to indicate the OIG's views on the legal or factual issues that may be raised before that agency. The OIG will not provide any legal opinion on questions or issues regarding an authority which is vested in other Federal, State or local government agencies.

* * * * *

Dated: February 6, 1998.

June Gibbs Brown,

Inspector General, Department of Health and Human Services.

Approved: March 24, 1998.

Donna E. Shalala,

Secretary.

[FR Doc. 98-18874 Filed 7-15-98; 8:45 am]

BILLING CODE 4150-04-M

**FEDERAL EMERGENCY
MANAGEMENT AGENCY**

44 CFR Part 65

[Docket No. FEMA-7248]

**Changes in Flood Elevation
Determinations**

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Interim rule.

SUMMARY: This interim rule lists communities where modification of the

base (1% annual chance) flood elevations is appropriate because of new scientific or technical data. New flood insurance premium rates will be calculated from the modified base flood elevations for new buildings and their contents.

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

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

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

FOR FURTHER INFORMATION CONTACT: Matthew B. Miller, P.E., Chief, Hazards Study Branch, Mitigation Directorate, 500 C Street SW., Washington, DC 20472, (202) 646-3461.

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

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

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

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

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

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

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

National Environmental Policy Act

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

Regulatory Flexibility Act

The Associate Director for Mitigation certifies that this rule is exempt from the requirements of the Regulatory

Flexibility Act because modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are required to maintain community eligibility in the NFIP. No regulatory flexibility analysis has been prepared.

Regulatory Classification

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

Executive Order 12778, Civil Justice Reform

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

List of Subjects in 44 CFR Part 65

Flood insurance, Floodplains, Reporting and recordkeeping requirements.

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

PART 65—[AMENDED]

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

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

§ 65.4 [Amended]

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

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community number
Arizona:					
Maricopa	Unincorporated Areas.	May 14, 1998, May 21, 1998, <i>Arizona Republic</i> .	The Honorable Janice K. Brewer, Chairman, Maricopa County Board of Supervisors, 301 Jefferson Street, Phoenix, Arizona 85003.	April 16, 1998	040037
Maricopa	City of Phoenix	May 14, 1998, May 21, 1998, <i>Arizona Republic</i> .	The Honorable Skip Rimsza, Mayor, City of Phoenix, 200 West Washington Street, 11th Floor, Phoenix, Arizona 85003-1611.	April 16, 1998	040051
Maricopa	City of Phoenix	May 12, 1998, May 19, 1998, <i>Arizona Republic</i> .	The Honorable Skip Rimsza, Mayor, City of Phoenix, 200 West Washington Street, 11th Floor, Phoenix, Arizona 85003-1611.	April 7, 1998	040051
Pima	City of Tucson	May 21, 1998, May 28, 1998, <i>Arizona Daily Star</i> .	The Honorable George Miller, Mayor, City of Tucson, P.O. Box 27210, Tucson, Arizona 85726.	April 17, 1998	040076
California:					

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community number
Los Angeles	City of Montebello	May 21, 1998, May 28, 1998, <i>Montebello Messenger</i> .	The Honorable Art Payan, Mayor, City of Montebello, 1600 West Beverly Boulevard, Montebello, California 90640.	April 21, 1998	060141
Shasta	City of Redding ...	May 22, 1998, May 29, 1998, <i>Record Searchlight</i> .	The Honorable Ken Murray, Mayor, City of Redding, 760 Parkview Avenue, Redding, California 96001.	August 27, 1998 ..	060360
San Diego	Unincorporated Areas.	May 8, 1998, May 15, 1998, <i>Vista Press</i> .	The Honorable Greg Cox, Chairperson, San Diego County Board of Supervisors, 1600 Pacific Highway, Room 335, San Diego, California 92101.	August 13, 1998 ..	060284
Santa Barbara	Unincorporated Areas.	May 19, 1998, May 26, 1998, <i>Santa Barbara News Press</i> .	The Honorable Gail Marshall, Chairperson, Santa Barbara County Board of Supervisors, 105 East Anapamu Street, Santa Barbara, California 93101.	August 24, 1998 ..	060331
Sonoma	Unincorporated Areas.	April 30, 1998, May 7, 1998, <i>Sonoma County Independent</i> .	The Honorable Paul Kelley, Chairman, Sonoma County Board of Supervisors, 575 Administration Drive, Room 100A, Santa Rosa, California 95403.	March 31, 1998 ...	060375
Solano	City of Vallejo	May 6, 1998, May 13, 1998, <i>Vallejo Times Herald</i> .	The Honorable Gloria Exline, Mayor, City of Vallejo, P.O. Box 3068, Vallejo, California 94590.	April 1, 1998	060374
San Diego	City of Vista	May 8, 1998, May 15, 1998, <i>Vista Press</i> .	The Honorable Gloria McClellan, Mayor, City of Vista, P.O. Box 1988, Vista, California 92085.	August 13, 1998 ..	060297
Sonoma	Town of Windsor	April 29, 1998, May 6, 1998, <i>The Times</i> .	The Honorable Sam Salmon, Mayor, Town of Windsor, P.O. Box 100, Windsor, California 95492.	March 31, 1998 ...	060761
Colorado: Jefferson and Adams.	City of Arvada	May 7, 1998, May 14, 1998, <i>Arvada Jefferson Sentinel</i> .	The Honorable Robert Frie, Mayor, City of Arvada, City Hall, 8101 Ralston Road, Arvada, Colorado 80002.	August 12, 1998 ..	085072
Douglas	Unincorporated Areas.	May 21, 1998, May 28, 1998, <i>The Denver Post</i> .	The Honorable M. Michael Cooke, Chairman, Douglas County Board of Commissioners, 101 Third Street, Castle Rock, Colorado 80104.	May 4, 1998	080049
Douglas	Town of Parker	May 21, 1998, May 28, 1998, <i>The Denver Post</i> .	The Honorable Gary Lanter, Mayor, Town of Parker, 20120 East Main Street, Parker, Colorado 80138.	May 4, 1998	080310
Louisiana: St. Landry Parish.	Town of Krotz Springs.	May 5, 1998, May 12, 1998, <i>The Daily World</i> .	The Honorable Gary Soileau, Mayor, Town of Krotz Springs, P.O. Box 218, Krotz Springs, Louisiana 70750.	April 22, 1998	220170
Nevada: Clark	City of Las Vegas	May 1, 1998, May 8, 1998, <i>Las Vegas Review Journal</i> .	The Honorable Jan Laverty Jones, Mayor, City of Las Vegas, 400 East Stewart Avenue, Las Vegas, Nevada 89101.	March 31, 1998 ...	325276
New Mexico: Bernalillo	City of Albuquerque.	May 21, 1998, May 28, 1998, <i>Albuquerque Journal</i> .	The Honorable Jim Baca, Mayor, City of Albuquerque, P.O. Box 1293, Albuquerque, New Mexico 87103-1293.	April 24, 1998	350002
Bernalillo	City of Albuquerque.	May 22, 1998, May 29, 1998, <i>Albuquerque Journal</i> .	The Honorable Jim Baca, Mayor, City of Albuquerque, P.O. Box 1293, Albuquerque, New Mexico 87103-1293.	April 24, 1998	350002
Oklahoma: Tulsa	City of Tulsa	April 29, 1998, May 6, 1998, <i>Tulsa World</i> .	The Honorable M. Susan Savage, Mayor, City of Tulsa, City Hall 200 Civic Center, Tulsa, Oklahoma 74103.	April 7, 1998	405381
Texas: Collin	City of Allen	April 22, 1998, April 29, 1998, <i>The Allen American</i> .	The Honorable Steve Terrell, Mayor, City of Allen, One Butler Circle, Allen, Texas 75013.	March 30, 1998 ...	480131

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community number
Archer	Unincorporated Areas.	April 29, 1998, May 6, 1998, <i>Wichita Falls Times Record News</i> .	The Honorable Paul Wylie, Archer County Judge, P.O. Box 458, Archer City, Texas 76351.	April 16, 1998	481078
Brazos	City of Bryan	May 20, 1998, May 27, 1998, <i>Bryan-College Station Eagle</i> .	The Honorable Lonnie Stabler, Mayor, City of Bryan, P.O. Box 1000, Bryan, Texas 77805.	May 4, 1998	480082
Collin	Unincorporated Areas.	May 15, 1998, May 22, 1998, <i>Frisco Enterprise</i> .	The Honorable Ron Harris, Collin County Judge, 210 South McDonald Street, McKinney, Texas 75069.	April 7, 1998	480130
Collin	Unincorporated Areas.	April 29, 1998, May 6, 1998, <i>Plano Star Courier</i> .	The Honorable Ron Harris, Collin County Judge, Commissioners Court, Collin County Courthouse, McKinney, Texas 75069.	March 31, 1998 ...	480130
Denton	City of Corinth	May 20, 1998, May 27, 1998, <i>Lake Cities Sun</i> .	The Honorable Shirley Spellerberg, Mayor, City of Corinth, 2003 South Corinth, Corinth, Texas 76205.	April 30, 1998	481143
Tarrant	City of Forest Hill	May 21, 1998, May 28, 1998, <i>Forest Hill News</i> .	The Honorable Bill Wilson, Mayor, City of Forest Hill, 6800 Forest Hill Drive, Forest Hill, Texas 76104.	April 20, 1998	480595
Fort Bend	Unincorporated Areas.	April 29, 1998, May 6, 1998, <i>Fort Bend Star</i> .	The Honorable Michael D. Rozell, Fort Bend County Judge, 301 Jackson Street, Suite 719, Richmond, Texas 77469.	April 1, 1998	480228
Collin	City of Frisco	May 22, 1998, May 29, 1998, <i>Frisco Enterprise</i> .	The Honorable Kathy Seei, Mayor, City of Frisco, P.O. Drawer 1100, Frisco, Texas 75034.	April 30, 1998	480134
Collin	City of Frisco	May 15, 1998, May 22, 1998, <i>Frisco Enterprise</i> .	The Honorable Kathy Seei, Mayor, City of Frisco, P.O. Drawer 1100, Frisco, Texas 75034.	April 7, 1998	480134
Harris	City of Houston ...	May 22, 1998, May 29, 1998, <i>Houston Chronicle</i> .	The Honorable Lee P. Brown, Mayor, City of Houston, 901 Bagby, Houston, Texas 77002.	August 27, 1998 ..	480296
Dallas	City of Mesquite ..	April 28, 1998, May 5, 1998, <i>Dallas Morning News</i> .	The Honorable Mike Anderson, Mayor, City of Mesquite, P.O. Box 850137, Mesquite, Texas 75185-0137.	March 30, 1998 ...	485490
Collin	City of Plano	April 29, 1998, May 6, 1998, <i>Plano Star Courier</i> .	The Honorable John Longstreet, Mayor, City of Plano, P.O. Box 860358, Plano, Texas 75086-0358.	March 31, 1998 ...	480140
Harris	City of South Houston.	May 22, 1998, May 29, 1998, <i>Houston Chronicle</i> .	The Honorable Cipirano Romero, Mayor, City of South Houston, 1018 Dallas Street, South Houston, Texas 77587.	August 27, 1998 ..	480311
Fort Bend	City of Sugar Land.	April 29, 1998, May 6, 1998, <i>Fort Bend Star</i> .	The Honorable Dean Hrbacek, Mayor, City of Sugar Land, P.O. Box 110, Sugar Land, Texas 77487-0110.	April 1, 1998	480234
Wichita	Unincorporated Areas.	April 29, 1998, May 6, 1998, <i>Wichita Falls Times Record News</i> .	The Honorable Rick Gipson, Wichita County Judge, Wichita County Courthouse, Room 202, Wichita Falls, Texas 76301.	April 16, 1998	481189
Archer and Wichita.	City of Wichita Falls.	April 29, 1998, May 6, 1998, <i>Wichita Falls Times Record News</i> .	The Honorable Kay Yeager, Mayor, City of Wichita Falls, 1300 Seventh Street, Wichita Falls, Texas 76301.	April 16, 1998	480662

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

Dated: July 7, 1998.

Michael J. Armstrong,

Associate Director for Mitigation.

[FR Doc. 98-18969 Filed 7-15-98; 8:45 am]

BILLING CODE 6718-04-P

GENERAL SERVICES ADMINISTRATION

48 CFR Parts 532 and 552

[APD 2800.12A, CHGE 80]

RIN 3090-AG

General Services Administration Acquisition Regulation; 10 Day Payment Clause for Certain Federal Supply Service Contracts and Authorized Price Lists Under Federal Supply Service Schedule Contracts

AGENCY: Office of Acquisition Policy, GSA.

ACTION: Interim rule adopted as final with changes.

SUMMARY: The General Services Administration is adopting as final, with a change, the interim rule published in the **Federal Register** at 63 FR 12965, March 16, 1998. This final rule amends the General Services Administration Acquisition Regulation (GSAR) to include Internet-based invoice processing, in addition to electronic data interchange (EDI) and electronic funds transfer (EFT), as an accepted electronic commerce (EC) transaction. This rule also amends the GSAR to allow contractors under the Federal Supply Service (FSS) multiple award schedule (MAS) program to print and distribute contract pricelists without prior written approval from the contracting officer.

DATES: Effective Date: July 16, 1998.

FOR FURTHER INFORMATION CONTACT: Gloria Sochon, GSA Acquisition Policy Division, (202) 208-6726.

SUPPLEMENTARY INFORMATION:

A. Background

The interim rule amended GSAR Part 532 and 552 to provide for payment of invoices in 10 days under Federal Supply Service (FSS) contracts in the Stock, Special Order, or Schedules Programs for contractors who agree to process orders and invoices electronically using implementation conventions provided by GSA. The rule defined full cycle EC and provided contract clauses establishing the conditions for 10 day payment of invoices.

No public comments were received in response to the interim GSAR rule. The interim GSAR rule is being converted to final with a change to add Internet-based invoice processing to the accepted EC transactions. This change will increase the base of contractors eligible to participate in full cycle EC.

In addition, GSA is removing the requirement that contractors under the FSS MAS program obtain written approval from the contracting officer prior to printing or distributing contract pricelists. This change will allow FSS MAS contractors to begin selling their products through their schedule contracts, and make the contracts available for Government agencies to use, as quickly as possible. In the past, FSS MAS contracts all started on a common date. FSS awarded many contracts in advance of the common start date, allowing time between award and the start date for the process of approving the pricelists. Many schedule contracts now have a variable contract period, effective on the date of award. The process of approving pricelists only delays the ability of contractors and customers to begin using the established contracts on that date. Other contractual remedies, including price adjustment or termination, sufficiently protect the Government's interest in the event that a contractor issues an incorrect pricelist. GSA expects this rule will have no significant cost or administrative burden on contractors or offerors. The rule simplifies administrative processes by removing the requirement to seek and obtain Government approval to print or distribute a contract pricelist. It also eliminates the costs involved in seeking and obtaining the approval.

B. Executive Order 12866

This regulatory action was not subject to Office of Management and Budget Review under Executive Order 12866, dated September 30, 1993, and is not a major rule under 5 U.S.C. 804.

C. Regulatory Flexibility Act

The GSA certifies that this final rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.* The rule provides that the Government will make payment in 10 days from receipt of a proper invoice when the contractor agrees to full cycle EC. Because not all contractors are EDI capable, full cycle EC is not mandatory. Contractors who do not agree to the terms will be paid under standard Prompt Payment Act (31 U.S.C. 3903) procedures and suffer no adverse consequences. Contractors who agree to

full cycle EC will benefit from receiving payment more quickly and being able to streamline administrative procedures and costs associated with processing contract orders.

The change to allow contractors under the FSS MAS program to print and distribute contract pricelists without prior written approval from the contracting officer is not a significant revision requiring public comments and therefore the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, does not apply.

D. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the changes to the GSAR do not impose recordkeeping or information collection requirements, or otherwise collect information from offerors, contractors, or members of the public that require approval of the Office of Management and Budget under 44 U.S.C. 3501 *et seq.*

List of Subjects in 48 CFR Parts 532 and 552

Government procurement.

Accordingly, the interim rule amending 48 CFR Parts 532 and 552 which was published at 63 FR 12965, March 16, 1998, is adopted as a final rule with the following changes:

1. The authority citation for 48 CFR Parts 532 and 552 continues to read as follows:

Authority: 40 U.S.C. 486(c).

PART 532—CONTRACT FINANCING

2. Section 532.902 is amended by revising the introductory paragraph to read as follows:

532.902 Definitions.

"Full cycle electronic commerce" means the use of electronic data interchange (EDI), Internet-based invoice processing, and electronic funds transfer (EFT):

* * * * *

3. Section 532.905 is amended by revising paragraph (c)(2) to read as follows:

532.905 Invoice payments.

* * * * *

(c) * * *

* * * * *

(2) The 10 day payment terms apply to each order that meet all the following conditions:

(i) FSS places the order using EDI in accordance with the Trading Partner Agreement.

(ii) The contractor submit EDI invoices in accordance with the Trading Partner Agreement or invoices through the GSA Finance Center Internet-based invoice process.