

7. Santa Cruz County Housing Authority, Santa Cruz, CA
8. Burlington Housing Authority, Burlington, VT
9. Michigan State Housing Development Authority, Lansing, MI
10. New York City Housing Authority, NYC, NY
11. Atlanta Housing Authority, Atlanta, GA
12. Panama City Housing Authority, Panama City, FL
13. Cincinnati Metropolitan Housing Authority, Cincinnati OH
14. Housing Authority of the City of Los Angeles, Los Angeles, CA
- Public Interest Groups
 1. Center on Budget and Policy Priorities, Washington, D.C.
 2. New Community Corporation, Newark, NJ
- National PHA Associations
 1. Public Housing Authority Directors Association (PHADA)
 2. National Association of Housing and Redevelopment Officials (NAHRO)
 3. Council of Large Public Housing Authorities (CLPHA)
 4. National Leased Housing Association (NLHA)
- Federal Government
 1. U.S. Department of Housing and Urban Development

HUD invites you to provide comments and suggestions on this tentative list of committee members. HUD does not believe that each potentially affected organization or individual must necessarily have its own representative. However, HUD must be satisfied that the group as a whole reflects a proper balance and mix of interests. Accordingly, the composition of the final list will likely be different from this tentative list. Negotiation sessions will be open to members of the public, so individuals and organizations that are not members of the committee may attend all sessions and communicate informally with members of the committee.

IV. Neighborhood and Community Based Groups

In particular, HUD welcomes and solicits expressions of interest or nominations from any groups or individuals that operate on behalf of the communities, neighborhoods, and special needs groups served by the tenant-based Section 8 program, and from organizations that represent local officials.

V. Requests for Representation

If you are interested in serving as a member of the committee or in

nominating another person to serve as a member of the committee, you must submit a written nomination to HUD at the address listed in the **ADDRESSES** section of this document. Your nomination for membership on the committee must include:

- (1) The name of your nominee and a description of the interests the nominee would represent;
- (2) Evidence that your nominee is authorized to represent parties with the interests the nominee would represent;
- (3) A written commitment that the nominee will actively participate in good faith in the development of the rule; and
- (4) The reasons that the parties listed in this document do not adequately represent your interests.

HUD will determine, in consultation with the CBI conveners, whether a proposed member should be included in the makeup of the committee. HUD will make that decision based on whether a proposed member would be significantly affected by the proposed rule and whether the interest of the proposed member could be represented adequately by other members.

VI. Substantive Issues for Negotiation

The subject and scope of the rule to be considered is the development of a methodology for allocating funding to renew assistance contracts under the tenant-based Section 8 program, in accordance with the criteria described in section 556 of the Public Housing Reform Act.

VII. Final Notice Regarding Committee Establishment

After reviewing any comments on this Notice and any requests for representation, HUD will issue a final notice. That notice will announce the final composition of the Negotiated Rulemaking Advisory Committee and the firm date, time, and place of the initial meeting.

VIII. Tentative Schedule

At this time, HUD's tentative plan is to hold the first meeting of the committee on April 27 and 28, 1999. On April 27, 1999, the meeting is expected to start at 9:00 am and run until completion; on April 28, 1999, the meeting is expected to start at 9:00 am and run until approximately 3:00 pm. HUD has not yet selected a site for the meetings. The purpose of the meeting will be to orient members to the neg-reg process, to establish a basic set of understandings and ground rules (protocols) regarding the process that will be followed in seeking a consensus, and to begin to address the issues. This

meeting will be open to the public. In the event that the date and times of these meetings are changed, HUD will advise the public through a **Federal Register** notice.

Decisions with respect to future meetings will be made at the first meeting and from time to time thereafter. Notices of future meetings will be published in the **Federal Register**.

Dated: March 16, 1999.

Harold Lucas,

Assistant Secretary for Public and Indian Housing

[FR Doc. 99-6852 Filed 3-18-99; 8:45 am]

BILLING CODE 4210-33-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

24 CFR Chapter IX

[Docket No. FR-4423-N-01]

Capital Fund Rule; Notice of Intent to Establish a Negotiated Rulemaking Committee and Notice of First Meeting

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, HUD.

ACTION: Notice of intent to establish a Negotiated Rulemaking Advisory Committee and notice of first meeting.

SUMMARY: HUD is establishing a Negotiated Rulemaking Advisory Committee under the Federal Advisory Committee Act. The establishment of the committee is required by the Quality Housing and Work Opportunity Act of 1998, which requires issuance of regulations under the Negotiated Rulemaking Act of 1990. The purpose of the Committee is to discuss and negotiate a proposed rule that would change the current method of determining the allocation of capital funds to public housing agencies (PHAs). The Committee will consist of representatives with a definable stake in the outcome of a proposed rule. In accordance with 5 U.S.C. 564 (section 564 of the Negotiated Rulemaking Act of 1990), this document: advises the public of the establishment of the committee; provides the public with information regarding the committee; solicits public comment on the proposed membership of the committee; explains how persons may be nominated for membership on the committee; and solicits public comment on specific agenda items to be considered by the committee.

DATES: *Comment due date:* April 19, 1999. HUD's tentative plan is to hold the first meeting of the committee on

April 28–29, 1999. Additional committee meetings are tentatively scheduled for May 11–12 and May 25–26, 1999.

ADDRESSES: The tentative location for the first committee meeting is the U.S. Department of Housing and Urban Development, 451 Seventh St., SW, Washington, DC 20410.

Interested persons are invited to submit comments regarding the Committee and its proposed members to the Regulations Division, Office of General Counsel, Room 10276, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, DC 20410–0500. Comments or any other communications submitted should refer to the above docket number and title. Facsimile (FAX) comments are *not* acceptable. The docket will be available for public inspection and copying between 7:30 a.m. and 5:30 p.m. weekdays at the above address.

FOR FURTHER INFORMATION CONTACT: William Flood, Director, Office of Capital Improvements, Public and Indian Housing, Room 4134, Department of Housing and Urban Development, 431 Seventh Street, SW, Washington, DC 20410–0500; telephone (202) 708–1640 ext. 4185 (this telephone numbers is not toll-free). Hearing or speech-impaired individuals may access this number via TTY by calling the toll-free federal Information Relay Service at 1–800–877–8339.

SUPPLEMENTARY INFORMATION:

I. Background

HUD currently uses a formula approach called the Comprehensive Grant Program (CGP) to distribute capital funds to large public housing agencies (PHAs) (i.e. PHAs with 250 units or more) and a competitive program called the Comprehensive Improvement Assistance Program (CIAP) for small PHAs (i.e., PHAs with less than 250 units). A regulatory description of the CGP and CIAP can be found at 24 CFR part 968. Generally, the amount of capital funding received by a PHA is based on the number of units, type of units, condition of its units, cost of construction in the area and prior funding. While the amount can vary, it is the only source of capital funding that most PHAs receive to make major capital investments in its public housing stock. For example, in 1998, HUD distributed over \$2.1 billion in capital funds for CGP and \$307 million for CIAP to PHAs for 830 PHAs and over 900 PHAs respectively.

On October 21, 1998, the Congress enacted the Quality Housing and Work

Responsibility Act of 1998 (Pub.L. 105–276, 112 Stat. 2461) (the “Public Housing Reform Act”). The Public Housing Reform Act makes extensive changes to HUD’s public and assisted housing programs. These changes include the establishment of a Capital Fund for the purpose of making assistance available to PHAs for capital and management activities of public housing under Section 9(d) of the U.S. Housing Act of 1937, as amended. The assistance to be made available from that fund is to be determined using a formula developed through negotiated rule-making procedures. The effective date of the formula (the beginning date of the fiscal year for which PHAs will determine their capital eligibility using the new formula) is October 1, 1999. Accordingly, HUD hopes to publish a final rule that will take effect by October 1, 1999 to implement these statutory changes.

II. Regulatory Negotiation

Negotiated rulemaking, or “neg-reg,” is a relatively new process for HUD. The basic concept of neg-reg is to have the agency that is considering drafting a rule bring together representatives of affected interests for face-to-face negotiations that are open to the public. The give-and-take of the negotiation process is expected to foster constructive, creative and acceptable solutions to difficult problems.

In anticipation of possible Congressional action, HUD entered into an interagency agreement in June 1998 with the Federal Mediation and Conciliation Service (FMCS) for convening and facilitation services associated with a negotiated rulemaking regarding a possible capital and operating fund proposed rule. FMCS met with HUD in November 1998 to discuss the use of its services for the capital fund. The meeting reached the conclusion that it was feasible to assemble the committee, and HUD would propose a list of individual PHAs and organizations that represented a wide range of interests willing and able to work within a consensus framework on a new Capital Fund formula.

III. Committee Membership

HUD has independent of the FMCS consulted with the industry groups, its field staff and chosen 26 persons to be named to represent various organizations that would be affected by the capital fund rule. Three national PHA associations—the Council of Large Public Housing Authorities (CLPHA), the National Association of Housing and Redevelopment Officials (NAHRO), and the Public Housing Authority Directors

Association (PHADA) suggested executive directors of PHAs for committee membership that would reflect a balance among PHAs in terms of size and number of developments and units. The national associations also indicated a willingness to serve on the committee, as did the National Organization of African Americans in Housing (NOAAH). In addition, HUD consulted with groups concerned with issues relating to residents of public housing and identified four resident representatives to serve on the committee. Further, HUD has identified three committee participants from groups which have had less direct involvement in public housing programs in the past, but which can provide other valuable perspectives on the issues to be considered by the committee.

After reviewing the recommendations of the staff and industry groups, HUD has tentatively identified the following list of possible interests and parties.

• **Housing Agencies**

1. Philadelphia Housing Authority
2. Chicago Housing Authority
3. Dallas Housing Authority
4. Puerto Rico Housing Authority
5. Seattle Housing Authority
6. New York City Housing Authority
7. Dayton Housing Authority
8. Greensboro Housing Authority
9. Jersey City Housing Authority
10. San Diego Housing Authority
11. Sanford (ME) Housing Authority
12. Macon (GA) Housing Authority
13. San Benito (TX) Housing Authority

• **Tenant Organizations**

1. New York City Public Housing Residents Alliance, Brooklyn, NY
2. Guinotte Manor Tenant Association, Kansas City, MO
3. Hillside Family Resource Center, Milwaukee, WI
4. Mount Pleasant Estates Tenant Association, Newark, NJ

• **National PHA Associations**

1. Public Housing Authority Directors Association (PHADA)
2. National Association of Housing and Redevelopment Officials (NAHRO)
3. Council of Large Public Housing Authorities (CLPHA)
4. National Organization of African Americans in Housing (NOAAH)

• **Other Groups**

1. National Housing Conference
2. Conference of Mayors
3. Fannie Mae
4. National Low Income Housing Coalition

• **Federal Government**

1. U.S. Department of Housing and

Urban Development

We invite you to give us comments and suggestions on this tentative list of committee members. We do not believe that each potentially affected organization or individual must necessarily have its own representative. However, we must be satisfied that the group as a whole reflects a proper balance and mix of interests. Accordingly, the composition of the final membership list may be different from this tentative membership list. Negotiation sessions will be open to members of the public, so individuals and organizations that are not members of the committee may attend all sessions and communicate informally with members of the committee. HUD may also invite a group of technical advisors to participate in Committee deliberations. This group may consist of non-profit and for-profit developers and other individuals who have had experience in mixed-finance development, the HOPE VI program, or other relevant experience.

IV. Requests for Representation

If you are interested in serving as a member of the committee or in nominating another person to serve as a member of the committee, you must submit a written nomination to HUD at the address listed in the **ADDRESSES** section of this document. Your nomination for membership on the committee must include:

- (1) The name of your nominee and a description of the interests the nominee would represent;
- (2) Evidence that your nominee is authorized to represent parties with the interests the nominee would represent;
- (3) A written commitment that the nominee will actively participate in good faith in the development of the rule; and
- (4) The reasons that the parties listed in this document do not adequately represent your interests.

HUD will determine, in consultation with the FMCS conveners, whether a proposed member should be included in the makeup of the committee. HUD will make that decision based on whether a proposed member would be significantly affected by the proposed rule and whether the interest of the proposed member could be represented adequately by other members.

V. Substantive Issues for Negotiation

The subject and scope of the proposed rule to be considered is the development of a capital fund formula for the purpose of determining the amount of assistance provided to PHAs for capital and management activities of

public housing, which shall include a mechanism to reward performance. The issues considered by the negotiated rulemaking committee in the development of the formula will include determining the factors and weighting of those factors to be used in determining the formula allocation for each PHA (including those factors listed in Section 519 of the Public Housing Reform Act. HUD invites suggestions on specific agenda items to be considered by the negotiated rulemaking committee.

VI. Tentative Schedule

At this time, HUD's tentative plan is to hold the first meeting of the committee on April 28–29, 1999. On both days, the meeting is expected to run for the full day, starting at approximately 10:00 a.m. until completion. The tentative location for the first meeting is the U.S. Department of Housing and Urban Development, 451 Seventh St., SW, Washington, DC 20410. The purpose of the meeting will be to orient members to the neg-reg process, to establish a basic set of understandings and ground rules (protocols) regarding the process that will be followed in seeking a consensus, and to begin to address the issues. This meeting will be open to the public.

Decisions with respect to future meetings will be made at the first meeting and from time to time thereafter. Additional committee meetings are tentatively scheduled for May 11–12 and May 25–26, 1999. Notices of future meetings will be published in the **Federal Register**.

VII. Final Notice Regarding Committee Establishment

After reviewing any comments on this Notice and any requests for representation, HUD will issue a final notice. That notice will announce the final composition of the Negotiated Rulemaking Advisory Committee and the firm date, time, and place of the initial meeting.

Dated: March 12, 1999.

Harold Lucas,

Assistant Secretary for Public and Indian Housing.

Deborah Vincent,

General Deputy Assistant Secretary for Public and Indian Housing.

[FR Doc. 99–6720 Filed 3–18–99; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Minerals Management Service

30 CFR Part 250

RIN 1010–AC55

Update of Documents Incorporated by Reference

AGENCY: Minerals Management Service (MMS), Interior.

ACTION: Proposed rule.

SUMMARY: MMS is proposing to update one document incorporated by reference and add one new document incorporated by reference in regulations governing oil and gas and sulphur operations in the Outer Continental Shelf (OCS). The new editions of these documents incorporated by reference will ensure that lessees use the best available and safest technologies while operating in the OCS. The proposed updated document is the Second Edition of the American Petroleum Institute's (API) Recommended Practice for Classification of Locations for Electrical Installations at Petroleum Facilities Classified as Class I, Division 1 and Division 2 (API RP 500). The proposed new document is the First Edition of the API's Recommended Practice for Classification of Locations for Electrical Installations at Petroleum Facilities Classified as Class I, Zone 0, Zone 1, and Zone 2 (API RP 505).

DATES: We will consider all comments we receive by June 17, 1999. We will begin reviewing comments then and may not fully consider comments we receive after June 17, 1999.

ADDRESSES: Mail or hand-carry comments (three copies) to the Department of the Interior; Minerals Management Service; Mail Stop 4024; 381 Elden Street; Herndon, Virginia 20170–4817; Attention: Rules Processing Team. The Rules Processing Team's e-mail address is: rules.comments@mms.gov.

FOR FURTHER INFORMATION CONTACT: Joseph Levine, Chief, Operations Analysis Branch, at (703) 787–1032.

SUPPLEMENTARY INFORMATION: We use standards, specifications, and recommended practices developed by standard-setting organizations and the oil and gas industry for establishing requirements for activities in the OCS. This practice, known as incorporation by reference, allows us to incorporate the requirements of technical documents into the regulations without increasing the volume of the Code of Federal Regulations (CFR). We currently incorporate by reference 82 documents into the offshore operating regulations.