

Responses Per Respondent: 1.
Average Burden Per Response: 15 minutes.

Frequency: One time.

SUPPLEMENTARY INFORMATION:

Summary of Information Collection

The Conference Report (Section 571) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 directs the establishment of a five-year pilot program requiring the Military Services to permit home school graduates and General Education Development (GED) certificate holders from the National Guard Youth Challenge Program to enter the military with the same enlistment priority as high school diploma graduates. The Act also includes a requirement that the Government evaluate the program's effectiveness. The proposed survey supports this requirement. The survey will be administered to representatives of home school associations nationwide. The survey will gather information on how military recruiters can effectively reach out to home schoolers. It will also gather information on how military recruiters can identify genuine home school graduates.

Dated: June 25, 1999.

Patricia L. Toppings,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 99-16705 Filed 6-30-99; 8:45 am]

BILLING CODE 5000-10-M

DEPARTMENT OF DEFENSE

Office of the Secretary

U.S. Court of Appeals for the Armed Forces Proposed Rule Changes

ACTION: Notice of proposed changes to the Rules of Practice and Procedure of the United States Court of Appeals for the Armed Forces.

SUMMARY: This notice announces the following proposed changes to Rules 9(d), 30(e), 36, and 39, and new Rule 36A of the Rules of Practice and Procedure, United States Court of Appeals for the Armed Forces for public notice and comment.

Proposed Revision to Rule 9(d)

Rule 9. Clerk

[Amend Rule 9(d) to delete the word "citations" in the first sentence of this subsection.]

Proposed Revision to Rule 30(e)

Rule 30. Motions

[Amend Rule 30(e) to delete the words "other than those to file recent

supplemental citations of authority without additional argument."]

Proposed Rule 36. Filing of Pleadings

(a) *In general.* Pleadings or other papers relative to a case shall be filed in the Clerk's office, 450 E Street, Northwest, Washington, D.C. 20442-0001, either in person or by mail. See Rule 37(b)(2).

(b) *Filing in person.* If a pleading or other paper is filed in person, such filing shall consist of delivery to a member of the Clerk's office during normal business hours. See Rule 9(e).

(c) *Filing by mail.* If a pleading or other paper is filed by mail, such filing shall consist of depositing the pleading or other paper with the United States Postal Service, with no less than first-class postage prepaid, properly addressed to the Clerk's office.

(d) *Time of filing.* Pleadings or other papers shall be deemed to have been filed on the date they are delivered to the Clerk's office under subsection (b) or on the date they are mailed under subsection (c). See Rules 37(b)(1) and 39(e).

(e) *Non-compliant pleadings.* If any pleading or other paper is not filed or offered for filing in compliance with these rules or an order of the Court, the Court may issue an order to show cause, dismiss the proceeding, or return the proffered pleading or paper on its own motion or the motion of a party. See Rules 27(a)(4) and 37(b)(1).

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Proposed Rule 39. Service of Pleadings

(a) *In general.* At or before the filing of any pleading or other paper relative to a case in the Clerk's office, a copy thereof shall be served in person or by mail on all counsel of record, including *amicus curiae* counsel. See Rule 16(b). When a party is not represented by counsel, service shall be made on such party in person or by mail. When reasonable, considering such factors as the immediacy of the relief sought, distance, and cost, service must be at least as expeditious as the manner used to file the pleading or other paper with the Court. See Rule 36.

(b) *Personal service.* If service is made in person, it shall consist of delivery at the office of the counsel of record, either to counsel or to an employee therein. If the party is not represented, service shall consist of delivery to such party.

(c) *Service by mail.* If service is made by mail, it shall consist of depositing the pleading or other paper with the United States Postal Service, with no less than first-class postage prepaid, addressed to the counsel of record or, if the party is

not represented, to such party, at the proper post office address.

(d) *Certificate for review.* In the case of a certificate for review, service of a copy thereof shall be made on appellate defense counsel and appellate government counsel as prescribed in Rule 22(a).

(e) *Form of certificate of filing and service.* A certificate indicating the specific manner of filing under Rule 36 and the specific manner of service under this rule shall be included in any pleading or other paper substantially in the following form:

Certificate of Filing and Service

I certify that the original and seven copies of the foregoing were [delivered] (or) [mailed-specify class of mail] to the Court on

_____ (date) and that a copy of the foregoing was [delivered] (or) [mailed-specify class of mail] to (enter specific name of each counsel of record or party, if not represented) on _____ (date)

(Typed name and signature of certifying person)

(Address and telephone no. of certifying person)

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Proposed Rule 36A. Citations to Supplemental Authorities

If pertinent and significant authorities come to a party's attention after such party has filed a pleading allowed under these Rules, or after oral argument but before a final decision, the party may promptly advise the Clerk by letter, with a copy to all parties, setting forth the citations. The letter must state, without argument, the reasons for each supplemental citation, referring either to the page of the earlier filed pleading or to a point argued orally to which the citation is pertinent. Any response by other parties must be made promptly and must be similarly limited.

DATES: Comments on the proposed changes must be received by August 30, 1999.

ADDRESSES: Forward written comments to Thomas F. Granahan, Clerk of the Court, United States Court of Appeals for the Armed Forces, 450 E Street, Northwest, Washington, D.C. 20442-0001.

FOR FURTHER INFORMATION CONTACT: Thomas F. Granahan, Clerk of the Court, telephone (202) 761-1448 (x600).

SUPPLEMENTARY INFORMATION: The Rules Advisory Committee Comments on the proposed changes to Rules 9(d), 30(e), 36, and 39, and on proposed new Rule 36A are included as an attachment to this notice.

Rules Advisory Committee Comment on Proposed Revision to Rule 9(d)

If proposed Rule 36A is promulgated, the reference to "citations" in Rule 9(d) should be deleted as no longer necessary.

Rules Advisory Committee Comment on Proposed Revision to Rule 30(e)

If proposed Rule 36A is promulgated, the phrase referring to motions "to file recent supplemental citations of authority without additional argument" should be deleted as no longer necessary.

Rules Advisory Committee Comment on Proposed Rule 36

The proposed amendments to Rule 36 set forth the particular methods for filing pleadings or other papers relative to a case in person and by mail and provide that, when a filing is accomplished by mail, it must be made with no less than first-class postage prepaid, properly addressed to the Clerk's office. A similar provision is incorporated in the proposed amendments to Rule 39 for service of pleadings and other papers relative to a case.

Rules Advisory Committee Comment on Proposed Rule 39

The proposed amendments to Rule 39 specify that the service of pleadings or other papers relative to a case, when accomplished by mail, must be made with no less than first-class postage prepaid. A similar provision is incorporated in the proposed amendments to Rule 36 for the filing of pleadings and other papers relative to a case. Rule 36(a) also provides that, where practicable, service of a pleading or other paper should be by a means at least as expeditious as the manner in which the filing of such pleading or paper with the Court is accomplished under Rule 36.

Rules Advisory Committee Comment on Proposed Rule 36A

New Rule 36A substantially tracks Rule 28(j) of the Federal Rules of Appellate Procedure. It is designed to provide a party with an expeditious means of submitting important authorities to the Court that were either previously overlooked or unavailable when an earlier pleading was filed. The rule does not allow additional argument to be made and such letters should not be used for this purpose. If a party believes that supplemental briefing would be appropriate, that party should seek leave of Court to do so on motion under Rule 30 and should not rely on this rule for that purpose.

Dated: June 25, 1999.

Patricia L. Toppings,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 99-16704 Filed 6-30-99; 8:45 am]

BILLING CODE 5000-10-M

DEPARTMENT OF DEFENSE**Department of the Air Force****Air Force Academy Board of Visitors Meeting**

Pursuant to Section 9355, Title 10, United States Code, the Air Force Academy Board of Visitors will meet at the U.S. Air Force Academy, Colorado, August 9-11, 1999. The purpose of the meeting is to consider morale and discipline, the curriculum, instruction, physical equipment, fiscal affairs, academic methods, and other matters relating to the Academy.

A portion of the meeting will be open to the public while other portions will be closed to the public to discuss matters listed in Subsections (2), (4), and (6) of 552b(c), Title 5, United States Code. These closed sessions will include attendance at cadet training programs and discussions with cadets, military staff, and faculty officers involving personal information and opinion, the disclosure of which would result in a clearly unwarranted invasion of personal privacy. Closed sessions will include executive sessions involving discussions of personnel issues, financial topics, and information relating solely to internal personnel rules and practices of the Board of Visitors and the Academy. Closed sessions may also include proprietary information from sources outside the government. Meeting sessions will be held in various facilities throughout the cadet area.

For further information contact Lt Col Wayne A. Schiefer or Ms Deborah Mercurio, Plans and Current Operations Division, HQ USAFA/XPO, 2304 Cadet Drive, Suite 350, USAF Academy, CO 80840-5002, (719) 333-3933.

Janet A. Long,

Air Force Federal Register Liaison Officer.

[FR Doc. 99-16781 Filed 6-30-99; 8:45 am]

BILLING CODE 5001-05-P

DEPARTMENT OF DEFENSE**Department of the Army; Corps of Engineers****Draft Environmental Impact Statement For Proposed Open-Water Placement of Dredged Material At Site 104 Queen Anne's County, Maryland**

AGENCY: U.S. Army Corps of Engineers, DoD.

ACTION: Extension of comment period (July 31, 1999).

SUMMARY: Reference previous **Federal Register** notice, Volume 64, Number 83, page 23285, dated April 30, 1999, announcing the Baltimore District's extension of comment period to July 1, 1999. The Baltimore District is now extending the public comment period for an additional 30 days (July 31, 1999). The purpose of this extension is to provide additional time for public evaluation and comment.

DATES: Comments must be submitted on or before July 31, 1999 to be evaluated and considered in the final environmental impact statement.

ADDRESSES: Questions, comments, or requests for copies of the Draft Environmental Impact Statement should be directed to Mr. Wesley E. Coleman Jr. at the Corps of Engineers, Baltimore District (ATTN: CENAB-PL-P), P.O. Box 1715, Baltimore, MD 21203-1715. Or e-mail wesley.e.coleman@usace.army.mil

FOR FURTHER INFORMATION CONTACT: Mr. Wesley E. Coleman, Jr. at facsimile (410) 962-4698 or 1-800-295-1610.

SUPPLEMENTARY INFORMATION: A Notice of Availability (NOA) and a summary of the proposed action was published in the **Federal Register** (64 FR 9480) on February 26, 1999. The U.S. Army Corps of Engineers, Baltimore District is evaluating the potential use of Site 104 as an open-water placement area. Site 104 is located in the Chesapeake Bay one-half mile north of the Chesapeake Bay Bridge and one mile west of Kent Island. Open-water placement is proposed for approximately 18 million cubic yards of dredged material from the mainstem Chesapeake Bay channels leading to the port of Baltimore. The Maryland Port Administration has recommended the use of Site 104 for open-water placement of clean sediment. No decision has been made to use the site. The Baltimore District will analyze and incorporate all public comments on this Draft Environmental Impact Statement before making a final decision.

The DEIS and associated technical appendices are available at the