

Dated: April 21, 1999.

Harold Lucas,

Assistant Secretary for Public and Indian Housing.

[FR Doc. 99-10463 Filed 4-23-99; 8:45 am]

BILLING CODE 4210-33-P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Chapter I

[USCG-1998-4501]

RIN 2115-AF68

Improvements to Marine Safety in Puget Sound-Area Waters

AGENCY: Coast Guard, DOT.

ACTION: Notice of meeting and availability of Statement of Work.

SUMMARY: The Coast Guard announces a meeting to describe the methodology for a cost-benefit analysis of potential rules that would improve marine safety in Puget Sound-Area waters. The meeting is being held in conjunction with a meeting regarding the Port Access Routes Study; Strait of Juan de Fuca and Adjacent Waters (15 April 1999; 64 FR 18651).

DATES: The meeting will be held on May 12, 1999, from 9 a.m. to 12 p.m. The meeting may conclude early if all questions are addressed before the scheduled end of the meeting.

ADDRESSES: The meeting will be held at the National Oceanic and Atmospheric Administration's Western Regional Center's auditorium in Building 9, 7600 Sand Point Way NE, Seattle, WA 98115.

For a copy of the statement of work for the cost-benefit analysis, contact Commander Timothy M. Close under **FOR FURTHER INFORMATION CONTACT.**

If you would like to submit your questions on the statement of work before the meeting, they may be submitted by mail, fax, or electronic means to Commander Timothy M. Close at the address under **FOR FURTHER INFORMATION CONTACT.**

FOR FURTHER INFORMATION CONTACT: For information concerning the meeting or to obtain a copy of the statement of work, contact Commander Timothy M. Close, Human Element and Ship Design Division (G-MSE-1), U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593-0001, telephone 202-267-2997, fax 202-267-4816, email fldr-he@comdt.uscg.mil.

SUPPLEMENTARY INFORMATION:

Public Participation

The Coast Guard encourages you to participate by attending the meeting.

Background and Purpose

On November 24, 1998, the Coast Guard published an advance notice of proposed rulemaking (ANPRM) (63 FR 6437) seeking public comment on potential rules that would improve marine safety in Puget Sound-Area waters including Puget Sound, the Strait of Juan de Fuca, passages around and through the San Jan Islands, and the Olympic Coast National Marine Sanctuary. The ANPRM also announced the Coast Guard's intention to begin a comprehensive cost-benefit analysis to study the feasibility of implementing new safety measures, including extended tug escort requirements for certain vessels and a dedicated pre-positioned rescue vessel. In the ANPRM, the Coast Guard requested that comments addressing cost-benefit-analysis issues be submitted to the docket by December 24, 1998. The comments received helped us develop the statement of work. The statement outlines the scope, timeline, and methodology for the cost-benefit analysis. It is this statement that will be described at the meeting. Preparation of the cost-benefit analysis, itself, is still underway.

If regulatory changes are eventually proposed, the public will have an additional opportunity to comment on the cost-benefit analysis for the selected regulatory proposals.

Meeting

The meeting is open to the public. The purpose of the meeting is to describe the statement of work and, as time allows, respond to questions on the statement. Questions during the meeting should related to the statement of work. This meeting is being held at the same location and on the same day as a meeting regarding the Port Access Routes Study; Strait of Juan de Fuca and Adjacent Waters (64 FR 18651).

Information of Service for Individuals with Disabilities

For information on facilities or services for individuals with disabilities or to request special assistance at the meeting, contact Commander Timothy M. Close under **FOR FURTHER INFORMATION CONTACT** as soon as possible.

Dated: April 21, 1999.

[FR Doc. 99-10381 Filed 4-23-99; 8:45 am]

BILLING CODE 4910-15-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD 05-99-020]

RIN 2115-AE46

Special Local Regulations for Marine Events; Special Olympics 1999 Summer Sailing Regatta, St. Mary's River, St. Mary's City, MD

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to establish temporary special local regulations for the Special Olympics 1999 Summer Sailing Regatta, a marine event to be held on the waters of the St. Mary's River, St. Mary's City, Maryland. These special local regulations, which will be in effect 6 a.m. EDT (Eastern Daylight Time) to 5 p.m. EDT, daily from June 27 to July 2, 1999, are necessary to provide for the safety of life and property on U.S. navigable waters during the event. The effect will be to restrict general navigation in the regulated area for the safety of spectators, participants, and other vessels transiting the event area.

DATES: Comments must reach the Coast Guard on or before May 26, 1999.

ADDRESSES: You may mail comments to Commander (Aoax), Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004, or hand-deliver to Room 119 at the same address between 9:30 a.m. and 2 p.m., Monday through Friday, except Federal holidays. The telephone number is (757) 398-6204. Commander (Aoax), Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004 maintains the public docket for this rulemaking. Comments, and documents as indicated in this preamble, will become part of this docket and will be available for inspection and copying at the above address between 9:30 a.m. and 2 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: S.L. Phillips, Project Manager, Operations Division, Auxiliary Section, at (757) 398-6204.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written data, views, or arguments. Persons submitting comments should include their names and addresses, identify this rulemaking (CGD 05-99-020) and the specific

section of this proposal to which each comment applies, and give the reason for each comment. Please submit two copies of all comments and attachments in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. Persons wanting acknowledgement of receipt of comments should enclose stamped, self-addressed postcards or envelopes.

The Coast Guard will consider all comments received during the comment period. It may change this proposed rule in view of the comments.

The Coast Guard plans no public hearing. Persons may request a public hearing by writing to the address listed under ADDRESSES. The request should include the reasons why a hearing would be beneficial. If it determines that the opportunity for oral presentations will aid this rulemaking, the Coast Guard will hold a public hearing at a time and place announced by a later notice in the **Federal Register**.

In order to provide notice and an opportunity to comment before issuing an effective rule, the Coast Guard is providing a shorter than normal comment period. A 30-day comment period is sufficient to allow those who might be affected by this rulemaking to submit their comments because extensive advisories will be made to the affected maritime community and there will be local republication in the Local Notice to Mariners.

Background and Purpose

Special Olympics International will sponsor the Special Olympics 1999 Summer Sailing Regatta on the waters of St. Mary's River, St. Mary's City, Maryland from June 27 to July 2, 1999. The event will involve 50 small racing sailboats conducting highly publicized, competitive races. The sailboats will each be crewed by one trained sailor and one Special Olympian. A large fleet of spectator vessels is anticipated. Due to the need for vessel control during the races, general navigation will be temporarily restricted to provide for the safety of spectators, participants and other vessels transiting the event area.

Discussion of Proposed Rule

The Coast Guard will establish temporary special local regulations on specified waters of the St. Mary's River. These special local regulations will be in effect 6 a.m. EDT (Eastern Daylight Time) to 5 p.m. EDT, daily from June 27 to July 2, 1999. The effect will be to restrict general navigation in the regulated area during the races. Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in

the regulated area while the regulations are in effect. These regulations are needed to control vessel traffic during the event to enhance the safety of participants, spectators, and transiting vessels. Since the Coast Guard Patrol Commander may stop the event to assist transit of vessels through the regulated area, normal marine traffic should not be severely disrupted.

Regulatory Evaluation

This proposal is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has been exempted from review by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979).

The Coast Guard expects the economic impact of this proposal to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. This conclusion is based on the fact that the regulated area will only be in effect for a limited amount of time, extensive advisories will be made to the affected maritime community so that they may adjust their schedules accordingly, and the event schedule will allow commercial interests to coordinate their activities to allow for minimum disruption to their enterprise.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard considers whether this proposed rule, if adopted, will have a significant economic impact on a substantial number of small entities. "Small Entities" include small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard expects the impact of this proposed rule to be minimal. The regulated area will only be in effect for a limited amount of time, extensive advisories will be made to the affected maritime community so that they may adjust their schedules accordingly, and the event schedule will allow commercial interests to coordinate their activities to allow for minimum disruption to their enterprise.

Therefore, the Coast Guard certifies under 5 U.S.C. 605(b), that this proposed rule, if adopted, will not have a significant economic impact on a

substantial number of small entities. If, however, you think that your business or organization qualifies as a small entity and that this proposed rule will have a significant economic impact on your business or organization, please submit a comment (see ADDRESSES) explaining why you think it qualifies and in what way and to what degree this proposal will economically affect it.

Assistance for Small Entities

In accordance with section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104-121), the Coast Guard wants to assist small entities in understanding this proposed rule so that they can better evaluate its effects on them and participate in the rulemaking process. If your small business or organization is affected by this rule and you have questions concerning its provisions or options for compliance, please contact S. L. Phillips, Project Manager, Operations Division, Auxiliary Section, at (757) 398-6204.

Unfunded Mandates

Under section 201 of the Unfunded Mandates Reform Act (UMRA) (2 U.S.C. 1531), the Coast Guard assessed the effects of this proposal on State, local and tribal governments, in the aggregate, and the private sector. The Coast Guard determined that this regulatory action requires no written statement under section 202 of the UMRA (2 U.S.C. 1531) because it will not result in the expenditure of \$100,000,000 in any one year by State, local and tribal governments, in the aggregate, or the private sector.

Collection of Information

This proposal does not provide for a collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this proposal under the principles and criteria contained in Executive Order 12612 and has determined that this proposal does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard considered the environmental impact of this proposal and concluded that, under figure 2-2, paragraph (34)(h) of Commandant Instruction M16475.1C, this proposal is categorically excluded from further environmental documentation. Special local regulations issued in conjunction

with a regatta or marine parade are excluded under that authority.

List of Subjects in 33 CFR Part 100

Marine Safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

Temporary Regulations

For the reasons set out in the preamble, the Coast Guard proposes to amend 33 CFR Part 100 as follows:

PART 100—[AMENDED]

1. The authority citation for Part 100 continues to read as follows:

Authority: 33 U.S.C. 1233 through 1236; 49 CFR 1.46 and 33 CFR 100.35.

2. A temporary section, 100.35–T05–020 is added to read as follows:

§ 100.35–T05–020 Special Olympics 1999 Summer Sailing Regatta, St. Mary's River, St. Mary's City, Maryland.

(a) *Definitions:*

(1) *Regulated Area.* The waters of St. Mary's River from shoreline to shoreline, bounded on the north by a line drawn along latitude 38°12'00.0" N and bounded on the south by a line drawn along latitude 38°09'00.0" N. All coordinates reference Datum NAD 1983.

(2) *Coast Guard Patrol Commander.* The Coast Guard Patrol Commander is a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Activities Baltimore.

(b) *Special Local Regulations:*

(1) All persons and vessels not authorized as participants or official patrol vessels are considered spectators. The "official patrol" consists of Coast Guard, public, state, or local law enforcement vessels assigned or approved by Commander, Coast Guard Activities Baltimore.

(2) Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area.

(3) The operator of any vessel in this area shall:

(i) Stop the vessel immediately when directed to do so by any official patrol, including any commissioned, warrant, or petty officer on board a vessel displaying a Coast Guard ensign.

(ii) Proceed as directed by any official patrol, including any commissioned, warrant, or petty officer on board a vessel displaying a Coast Guard ensign.

(4) Spectator vessels may enter and anchor in areas outside the regulated area without the permission of the Patrol Commander. They shall use caution not to enter the regulated area. No vessel shall anchor within a tunnel,

cable or pipeline area shown on a Government chart.

(5) The Coast Guard Patrol Commander will announce the specific time periods during which the regulations will be enforced, by Broadcast Notice to Mariners on channel 22 VHF–FM marine band radio.

(c) *Effective Dates.* The regulated area is effective from 6 a.m. EDT (Eastern Daylight Time) to 5 p.m. EDT, daily from June 27 to July 2, 1999.

Dated: April 6, 1999.

Roger T. Rufe, Jr.,

Vice Admiral, U.S. Coast Guard Commander, Fifth Coast Guard District.

[FR Doc. 99–10428 Filed 4–23–99; 8:45 am]

BILLING CODE 4910–15–M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Chapter I

[CC Docket No. 96–98, FCC 99–70]

Implementation of the Local Competition Provisions of the Telecommunications Act of 1996

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: In response to the Supreme Court's January 25, 1999 decision, the Second Further Notice of Proposed Rulemaking (Second FNPRM) seeks public comment on issues related to how the Commission should identify the network elements incumbent local exchange carriers must make available to requesting carriers, pursuant to sections 251(c)(3) and 251(d)(2) of the Telecommunications Act of 1996. The ability of requesting carriers to use unbundled network elements is integral to achieving Congress' objective of promoting rapid competition in the local telecommunications marketplace. In this proceeding, we seek to move forward to resolve this issue in a timely manner, in order to further reduce uncertainties in the marketplace and to promote robust competition in local telecommunications markets.

DATES: Comments are due on or before May 26, 1999 and reply comments are due on or before June 10, 1999.

ADDRESSES: Federal Communications Commission, Office of the Secretary, 445 Twelfth Street, S.W., Room TW–A325, Washington, D.C. 20554, with a copy to Janice Myles of the Common Carrier Bureau, 445 12th Street, S.W., Room 5–C327, Washington, D.C. 20554. Parties should also file one copy of any documents filed in this docket with the

Commission's copy contractor, International Transcription Services, Inc., 1231 20 St., N.W., Washington, D.C. 20036.

FOR FURTHER INFORMATION CONTACT: Jake Jennings or Claudia Fox, Common Carrier Bureau, Policy and Program Planning Division, (202) 418–1580. Further information may also be obtained by calling the common Carrier Bureau's TTY number: (202) 418–0484.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Second Further Notice of Proposed Rulemaking adopted April 8, 1999, and released April 14, 1999 (FCC 99–70). The full text of this Second FNPRM is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street, S.W., Room CY–A257, Washington, D.C. 20554. The complete text also may be obtained through the World Wide Web, at <http://www.fcc.gov/Bureaus/CommonCarrier/Orders/fcc99070.wp>, or may be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857–3800, 1231 20th St., N.W., Washington, D.C. 20036.

I. Synopsis of Second Further Notice of Proposed Rulemaking

1. On January 25, 1999, the United States Supreme Court upheld all but one of the Commission's local competition rules that had been challenged before the United States Court of Appeals for the Eighth Circuit (Eighth Circuit). The Supreme Court rejected, in part, the Commission's implementation of the network element unbundling obligations set forth in section 251(c)(3) of the Telecommunications Act of 1996, and concluded that section 51.319 of the Commission's rules should be vacated. Section 51.319, which was adopted in the *Local Competition First Report and Order*, CC Docket No. 96–98, sets forth the minimum set of network elements that incumbent local exchange carriers (LECs) must make available on an unbundled basis to requesting carriers pursuant to sections 251(c)(3) and 251(d)(2). The Supreme Court found that the Commission, in determining which network elements must be unbundled pursuant to section 251(c)(3), had not adequately considered the "necessary" and "impair" standards of section 251(d)(2). By this Second Further NPRM, we seek to refresh the record in CC Docket 96–98, specifically on the issues of: (1) how, in light of the Supreme Court ruling, the Commission should interpret the standards set forth in section 251(d)(2); and (2) which specific network elements