

1997, at 62 FR 46682, provided for a 60-day period during which the public could submit comments. That period ended November 3, 1997. Due to the number of comments received, on November 12, 1997, at 62 FR 60672, we extended the public comment period to January 5, 1998. Altogether we received over 1,400 comments, almost all of which expressed opposition to the proposed changes.

Because of the information provided in the comments, we have decided to reconsider this proposal and to withdraw the proposed rules. We thank all those who took the time to submit comments to us.

Dated: February 1, 1999.

**Kenneth S. Apfel,**

*Commissioner of Social Security.*

[FR Doc. 99-3303 Filed 2-10-99; 8:45 am]

BILLING CODE 4190-29-P

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### 25 CFR Part 170

#### Notice of the Proposed Membership of the Negotiated Rulemaking Committee Under Section 1115 of the Transportation Equity Act for the 21st Century (TEA-21)

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice.

**SUMMARY:** As required by the Negotiated Rulemaking Act, the Secretary of the Interior has selected the proposed member of a committee to develop proposed rules for the Indian Reservation Roads program. Tribes in each of the twelve Bureau of Indian Affairs (BIA) Areas were invited to nominate two representatives and two alternates to serve on the committee. After considering nominations, the Secretary proposes to appoint the persons named in this notice as committee members. Tribes, tribal organizations, and individual tribal members who believe that their interests will not be adequately represented by the persons identified in this notice may submit comments on the proposed selection, apply for membership on the committee, or submit other nominations.

**DATES:** Comments on the proposed committee membership to this negotiated rulemaking committee must be received no later than March 13, 1999.

**ADDRESSES:** Send nominations and comments to Mr. LeRoy Gishi, Chief,

Division of Transportation, Bureau of Indian Affairs, U.S. Department of the Interior, MS-4058-MIB, 1849 C Street NW, Washington, DC 20240.

Nominations and comments received by the BIA will be available for inspection at the address listed above from 9:00 a.m. to 4:00 p.m., Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:** Mr. LeRoy Gishi, Chief, Division of Transportation, Bureau of Indian Affairs, at the address listed above, or by telephone at (202) 208-4359 or fax at (202) 208-4696. Additional information may be posted on the Indian Reservation Roads web site at [www.irr.bia.gov](http://www.irr.bia.gov), as it becomes available.

**SUPPLEMENTARY INFORMATION:** As required by 23 U.S.C. section 202, as amended by TEA-21, the Secretary shall, pursuant to a negotiated rulemaking process, issue regulations governing the Indian Reservation Roads program and establish a formula for allocating all contractible funds among Indian tribes for fiscal year 2000 and subsequent years. Section 202 also requires that in establishing this committee, the Secretary will (1) apply the procedures of negotiated rulemaking under subchapter III of chapter 5 of title 5 (the Negotiated Rulemaking Act) in a manner that reflects the unique government-to-government relationship between the Indian tribes and the United States, and (2) ensure that the membership of the committee includes only representatives of the Federal Government and of geographically diverse small, medium, and large Indian tribes.

In negotiating a proposed regulation establishing a funding formula, the committee will base its proposal on factors that reflect (a) the relative needs of the Indian tribes, and reservation or tribal communities, for transportation assistance, and (b) the relative administrative capacities of, and challenges faced by, various Indian tribes, including the cost of road construction in each BIA Area, geographic isolation and difficulty in maintaining all-weather access to employment, commerce, health, safety, and educational resources. Also, the committee will develop a regulation governing the Indian Reservation Roads program.

The Secretary invites organizations and individuals to comment on the nominations in this notice or nominate other persons for membership on the committee. The Secretary intends that the proposed committee (including any

additional members selected) reflect balanced interests as follows:

- (1) Members of geographically diverse small, medium, and large Indian tribes;
- (2) Members of tribes identified as Direct Service, Self-Determination and Self-Governance tribes; and
- (3) Members of tribes with various levels and types of experience in the diverse concerns of transportation development and management (e.g., jurisdictional issues, complexity of transportation systems, climatic concerns, environmental issues, geographic isolation, etc.).

The Secretary has determined that the proper functioning of the committee requires more than the 25 members recommended by the Negotiated Rulemaking Act (5 U.S.C. 565) in order to achieve balanced representation from geographically diverse small, medium, and large Indian tribes as required by Section 1115 of TEA-21. The Secretary has selected 29 tribal representatives and 13 Federal representatives for the committee, for a proposed total of 42 members. The first meeting of the committee is tentatively scheduled for March 16-18, 1999. The following membership for the committee is proposed:

#### Federal Representatives

Robert Baracker, Designated Federal Official, BIA Albuquerque Area Office  
 LeRoy Gishi, Chief, BIA Division of Transportation  
 Justin P. Patterson, Assistant Solicitor, Office of the Solicitor (One representative), BIA Juneau Area Office  
 Cordell Ringel, Area Road Engineer, BIA Billings Area Office  
 Wilfred Frazier, Area Road Engineer, BIA Navajo Area Office  
 Vernon Palmer, Area Road Engineer, BIA Phoenix Area Office  
 Robert Ecoffy, Superintendent, Pine Ridge Agency, BIA Aberdeen Area Office  
 Joel Smith, Superintendent, Minnesota Agency, BIA Minneapolis Area Office  
 Mike Smith, Assistant Area Director, BIA Sacramento Area Office (Three representatives) Department of Transportation

#### Representatives of Tribes, Tribal Organizations, and Individual Indians

##### ABERDEEN AREA

Pete Red Tomahawk, Transportation Planner  
 Standing Rock Sioux Tribe  
 Fort Yates, ND  
 Ted Danks, Transportation Planner  
 Three Affiliated Tribes of Mandan, Arikara and Hidatsa  
 New Town, ND

- Alternates:  
 Fern Peltier, Transportation Planner  
 Turtle Mountain Band of Chippewa  
 Indians  
 Belcourt, ND  
 Diane Zephier, Transportation Planner  
 Oglala Sioux Tribe  
 Pine Ridge, SD  
 ALBUQUERQUE AREA  
 Edward Little, Director, Indian Pueblos  
 Federal Development Corp.  
 All Indian Pueblo Council  
 Albuquerque, NM  
 James Mark Wright, Tribal Roads  
 Engineer  
 Jicarilla Apache Tribe  
 Dulce, NM  
 David Wyaco, Sr, Tribal Council  
 Pueblo of Zuni  
 Zuni, NM  
 Alternates:  
 Delfino Calabaza, AIPC Program  
 Administrator  
 Pueblo of Santo Domingo  
 Santo Domingo Pueblo, NM  
 Robert Goffinett, Tribal Transportation  
 Director  
 Ute Mountain Ute Tribe  
 Towaco, CO  
 ANADARKO AREA  
 Chuck Tsoodle, Tribal Roads & Transit  
 Director  
 Kiowa Tribe of Oklahoma  
 Carnegie, OK  
 Tim Ramirez, Tribal Roads Director  
 Prairie Band of Potawatami Nation  
 Mayetta, KS  
 Alternates:  
 Bill Tall Bear, Program Coordinator-  
 Transportation Planner  
 Cheyenne-Arapaho Tribes of Oklahoma  
 Concho, OK  
 John Barrett, Chairman  
 Citizen Potawatomi Nation  
 Shawnee, OK  
 BILLINGS AREA  
 John Smith, Transportation Planner  
 Shoshone & Arapaho Tribes  
 Fort Washakie, WY  
 Norma Gorneau, Vice Chair  
 Northern Cheyenne Tribe  
 Lame Deer, MT  
 Alternates:  
 John Healy, Transportation Planner  
 Fort Belknap Tribes  
 Harlem, MT  
 Caleb Shields, Tribal Council  
 Ft. Peck Tribe  
 Poplar, MT  
 EASTERN AREA  
 Eddie Tullis, Tribal Chairman  
 Poarch Band of Creek Indians  
 Atmore, AL  
 Jody Clark, Transportation Manager  
 Seneca Nation of Indians  
 Salamanca, NY  
 Alternates:  
 Johnson Owle, Transportation Planner  
 Eastern Band of Cherokee Indians  
 Cherokee, NC  
 Clifford Francis, Tribal Council  
 Pleasant Point Passamaquoddy  
 Perry, ME  
 JUNEAU AREA  
 Loretta Bullard, President  
 Kawarek, INC.  
 Nome, AK  
 Al Ketzler Sr., Chief Administrative  
 Officer  
 Tanana Chiefs Conference  
 Fairbanks, AK  
 Gideon James, Tribal Operations  
 Director  
 Native Village of Venetie Tribal  
 Government  
 Venetie, AK  
 Alternates:  
 Dugan Nielsen, Director, Land &  
 Resources  
 Bristol Bay Native Association  
 Dillingham, AK  
 Edward Thomas, President  
 Central Council Tlingit and Haida  
 Indian Tribes of Alaska  
 Juneau, AK  
 MINNEAPOLIS AREA  
 Jim Garrigan, Director of Tribal Roads  
 Red Lake Band of Chippewa Indians  
 Red Lake, MN  
 Mike Christensen, Tribal Roads  
 Committee  
 Lac Du Flambeau Chippewa  
 Lac du Flambeau, WI  
 Alternates:  
 Bruce Danforth, Public Works Area  
 Manager  
 Oneida Nation  
 Oneida, WI  
 John Stewart, Tribal Engineer  
 Prairie Island Indian Community  
 Welch, MN  
 MUSKOGEE AREA  
 George Almerigi, Second Chief  
 Muskogee Creek Nation  
 Okmulgee, OK  
 Everett Waller, Councilman  
 Osage Nation  
 Pawhuska, OK  
 Alternates:  
 Robert Endicott, Transportation Planner  
 Cherokee Nation  
 Tahlequah, OK  
 Rebecca Torres, Chief  
 Alabama Quassarat Tribal Town  
 Henryetta, OK  
 NAVAJO AREA  
 Sampson Begay, Tribal Council  
 Navajo Nation  
 Window Rock, AZ  
 Andrew Simpson, Tribal Council  
 Navajo Nation  
 Window Rock, AZ  
 Alternates:  
 Alfred Yazzie, Navajo Nation Council  
 Navajo Nation  
 Window Rock, AZ  
 Thomas Christie, Department of Justice  
 Navajo Nation  
 Window Rock, AZ  
 PHOENIX AREA  
 Alex Cabello, Councilman  
 Hualapai Tribe  
 Peach Springs, AZ  
 Robyn Burdette, Chairperson  
 Summit Lake Paiute Tribe  
 Winnemucca, NV  
 Wade Large, Asst. Economic  
 Development Director  
 Uintah & Ouray Ute Tribe  
 Fort Duchesne, UT  
 Alternates:  
 Cecil Antone, Lieutenant Governor  
 Gila River Indian Community  
 Sacaton, AZ  
 Rita Martinez, Councilwoman  
 Tohono O'odham Nation  
 Sells, AZ  
 PORTLAND AREA  
 Michael Marchand, Colville Business  
 Council  
 Confederated Tribes of Colville Indians  
 Nespelem, WA  
 Dave Whitener, Chairman  
 Squaxin Island Tribe  
 Shelton, WA  
 Della Cree, Community Development  
 Planner  
 Nez Perce Tribe  
 Lapwai, ID  
 Alternates:  
 Andy Kampkoff, Construction Manager  
 Lummi Indian Business Council  
 Bellingham, WA  
 Mike Clement, Economic Development  
 Manager  
 Confederated Tribes of Warm Springs  
 Warm Springs, OR  
 SACRAMENTO AREA  
 Anthony Largo, Spokesman  
 Santa Rosa Indian Reservation  
 Hemet, CA  
 Mervin Hess, Chairperson  
 Bishop Indian Reservation  
 Bishop, CA  
 Vlayn McCovey, Council Member  
 Yurok Tribe  
 Eureka, CA  
 Alternates:  
 Mac Hayward, Public Works Director  
 Redding Rancheria  
 Redding, CA  
 Randolph Feliz, Tribal Vice Chair  
 Hopland Band of Pomo Indians  
 Hopland, CA  
 If you believe that your interests will  
 not be adequately represented by any  
 person identified in the committee  
 membership, you may apply or  
 nominate another person for  
 membership on the committee. Each  
 application or nomination must include:  
 (1) The name of the nominee.  
 (2) The tribal interest(s) to be  
 represented by the nominee (based on  
 the interests listed above).  
 (3) Evidence that the applicant or  
 nominee is authorized to represent

parties related to the interest(s) the person proposed to represent.

(4) The reasons that the proposed members of the committee identified in this notice do not represent the interests of the person submitting the application or nomination.

(5) Your name, address, telephone number, and the name of the tribe or tribal organization with which you are affiliated.

To be considered, comments and nominations must be received by the close of business on March 13, 1999, at the location indicated in the "Addresses" section.

Dated: February 4, 1999.

**Kevin Gover,**

*Assistant Secretary—Indian Affairs.*

[FR Doc. 99-3301 Filed 2-10-99; 8:45 am]

BILLING CODE 4310-02-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[CA 164-0112b; FRL-6227-3]

#### Approval and Promulgation of State Implementation Plans; California State Implementation Plan Revision, San Joaquin Valley Unified Air Pollution Control District, Sacramento Metropolitan Air Quality Management District

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve revisions to the California State Implementation Plan (SIP) which concern the control of oxides of nitrogen (NO<sub>x</sub>) emissions from solid fuel fired boilers, steam generators and process heaters within the San Joaquin Valley Unified Air Pollution Control District and from stationary gas turbine operations within the Sacramento Metropolitan Air Quality Management District.

The intended effect of proposing approval of these rules is to regulate emissions of NO<sub>x</sub> in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). In the Final Rules Section of this **Federal Register**, the EPA is approving the state's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for this approval is set forth in the direct final rule. If no adverse comments are received in response to this rule, no further activity is contemplated in

relation to this rule. If EPA receives adverse comments, the direct final rule will not take effect and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this document. Any parties interested in commenting on this action should do so at this time.

**DATES:** Written comments must be received by March 15, 1999.

**ADDRESSES:** Written comments should be addressed to: Andrew Steckel, Rulemaking Office (AIR-4), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901.

Copies of the rule revisions and EPA's evaluation report of each rule are available for public inspection at EPA's Region IX office during normal business hours. Copies of the submitted rules are also available for inspection at the following locations:

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 2020 "L" Street, Sacramento, CA 95814.

San Joaquin Valley Unified Air Pollution Control District, 1999 Tuolumne Street, Suite 200, Fresno, CA 93721.

Sacramento Metropolitan Air Quality Management District, 8411 Jackson Road, Sacramento, CA 95826

#### FOR FURTHER INFORMATION CONTACT:

Andrew Steckel, Rulemaking Office (AIR-4), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901, Telephone: (415) 744-1185.

**SUPPLEMENTARY INFORMATION:** This document concerns San Joaquin Valley Unified Air Pollution Control District's (SJVUAPCD) Rule 4352, Solid Fuel Fired Boilers, Steam Generators and Process Heaters, and Sacramento Metropolitan Air Quality Management District's (SMAQMD) Rule 413, Stationary Gas Turbines. The SJVUAPCD rule was submitted by the California Air Resources Board (CARB) to EPA on March 26, 1996 and the SMAQMD rule was submitted on May 18, 1998. For further information, please see the information provided in the direct final action which is located in the Rules Section of this **Federal Register**.

**Authority:** 42 U.S.C. 7401-7671q.

Dated: January 14, 1999.

**Felicia Marcus,**

*Regional Administrator, Region 9.*

[FR Doc. 99-3144 Filed 2-10-99; 8:45 am]

BILLING CODE 6560-50-P

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Health Care Financing Administration

#### 42 CFR Parts 410, 414, 424, 476, and 498

[HCFA-3002-P]

RIN 0938-A196

#### Medicare Program; Expanded Coverage for Outpatient Diabetes Self-Management Training Services

**AGENCY:** Health Care Financing Administration (HCFA), HHS.

**ACTION:** Proposed rule.

**SUMMARY:** This proposed rule would provide for uniform coverage of outpatient diabetes self-management training services. These services include educational and training services furnished to a beneficiary with diabetes by an entity deemed to meet certain quality standards proposed in this rule. The physician or qualified nonphysician practitioner treating the beneficiary's diabetes would certify that these services are needed as part of a comprehensive plan of care. It sets forth proposed payment amounts that have been established in consultation with appropriate diabetes organizations. It would implement section 4105 of the Balanced Budget Act of 1997.

**COMMENT DATE:** Comments will be considered if we receive them at the appropriate address, as provided below, no later than 5 p.m. on April 12, 1999.

**ADDRESSES:** Mail written comments (1 original and 3 copies) to the following address: Health Care Financing Administration, Department of Health and Human Services, Attention: HCFA-3002-P, PO Box 31850, Baltimore, MD 21207-8850.

If you prefer, you may deliver your written comments (1 original and 3 copies) to one of the following addresses:

Room 309-G, Hubert H. Humphrey Building, 200 Independence Avenue, SW., Washington, DC 20201, or Room C5-09-26, 7500 Security Boulevard, Baltimore, MD 21244-1850.

Because of staffing and resource limitations, we cannot accept comments by facsimile (FAX) transmission. In commenting, please refer to file code HCFA-3002-P. Comments received timely will be available for public inspection as they are received, generally beginning approximately 3 weeks after publication of a document, in Room 309-G of the Department's offices at 200 Independence Avenue,