

253(d) of the Communications Act and to the extent that such moratoria may constitute prohibited CMRS entry regulation, we believe that we have the jurisdiction to preclude them under Section 332(c)(3). In this regard, we tentatively conclude that moratoria that do not specify any fixed length of duration are not "decisions" regarding the placement, construction and modification of personal wireless facilities which, pursuant to Section 332(c)(7)(A) of the Communications Act, are subject to review by the courts. At the same time, we recognize that a moratorium of a fixed duration, which permits local officials a reasonable period of time to study and develop a process for handling wireless siting requests may be a legitimate exercise of local land use authority which may benefit all parties. Therefore, we tentatively conclude that Sections 253(d) and 332(c)(3) do not preclude all local facilities siting moratoria and that some moratoria of a relatively short and fixed duration may serve the public interest.

Through this supplemental public notice, we tentatively conclude that we should preclude local facilities siting moratoria of unlimited or unspecified duration as impermissible CMRS entry regulation in violation of Section 332(c)(3) or barriers to entry under Section 253(a) and seek comment on this tentative conclusion. We also seek comment on whether moratoria of a specified duration, but which exceed a certain length of time, may also constitute impermissible barriers to entry or CMRS entry regulation. If so, at what length of time do moratoria become barriers to entry? We note that CTIA and the supporting parties have argued that moratoria should not exceed 90 days. In *Sprint Spectrum, L.P. v. City of Medina*, a federal district court found that a city's six month moratorium on the issuance of new special use permits for wireless communications facilities did not violate Section 332(c)(3) or 332(c)(7)(A) of the Communications Act. We seek comment as to what constitutes a reasonable period of time to permit local land use authorities to organize their siting efforts and analyze the situation. We request that all commenters supporting a specific length of time provide a detailed justification for that length of time, and we request that state and local governments advocating moratoria of a certain length of time include evidence as to the length of time it has taken historically to develop a process for handling wireless siting requests. We seek to determine also whether such limits should be

applied to all existing moratoria or only to moratoria that are adopted in the future.

In addition, we seek comment as to whether moratoria that are imposed only against the siting of wireless facilities of new CMRS entrants but that permit existing CMRS operators to construct or modify facilities are consistent with Sections 253(a) and 332(c)(3) of the Communications Act. We seek to determine whether such disparate treatment constitutes discrimination against new CMRS providers and is, therefore, invalid entry regulation, or prohibits or has the effect of prohibiting entry.

Finally, we tentatively conclude that moratoria that would otherwise comply with the above-outlined limitations may violate Section 332(c)(7)(B)(iv) of the Communications Act if they are based upon concerns regarding the environmental effects of RF emissions. We seek comment on this tentative conclusion.

Interested parties should file comments on the issues raised in this Public Notice on or before September 11, 1997, and should file reply comments on or before September 26, 1997. Comments and reply comments must be filed with the Secretary, FCC 1919 M Street, N.W., Washington, DC 20554. One copy of comments and reply comments should be sent to Shaun A. Maher, Esq., Policy & Rules Branch, Commercial Wireless Division, Wireless Telecommunications Bureau, Seventh Floor—Room 93, 2100 M Street, N.W., Washington, DC 20554. One copy should also be sent to the Commission's contractor for public service records duplication, International Transcription Service, Inc. (ITS), 1231 20th Street, N.W., Washington, DC 20036. Parties filing comments in this non-docketed proceeding should include the internal reference numbers, DA 96-2140 and FCC 97-264, on their pleadings.

Parties are encouraged to submit comments and reply comments on diskette. Such diskette submissions would be in addition to and not a substitute for the formal filing requirements presented above. Parties submitting diskettes should submit them to Shaun A. Maher, at the above-outlined address. Such a submission should be on a 3.5 inch diskette formatted in an IBM compatible form using Word Perfect 5.1 for Windows software. The diskette should be submitted in "read only" mode, and should be clearly labelled with the party's name, proceeding, type of pleading (comment or reply comment) and date of submission.

The full text of all comments and reply comments will be available for inspection and duplication during regular business hours in the Commercial Wireless Division Public Reference Room, 2025 M Street, N.W., Room 5608, Washington, D.C. 20554. Copies may also be obtained from International Transcription Service, Inc. (ITS), 1231 20th Street, N.W., Washington, D.C. 20036, (202) 857-3800.

We will continue to treat this proceeding as permit-but-disclose for purposes of the Commission's ex parte rules. See generally 47 CFR §§ 1.1200-1.1216.

For further information, contact Shaun A. Maher of the Wireless Telecommunications Bureau, at 202-418-7240 (email: smaher@fcc.gov).

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 97-21372 Filed 8-12-97; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL EMERGENCY MANAGEMENT AGENCY

FEMA Invites State, Tribal, and Local Government Representation in the Radiological Emergency Preparedness (REP) Program Strategic Review

AGENCY: Federal Emergency
Management Agency (FEMA).

ACTION: Notice.

SUMMARY: Under the authority of the Unfunded Mandates Reform Act of 1995 and in order to gather information pursuant to the REP Program strategic review, FEMA has sent out letters inviting States and Indian Tribal nations impacted by the REP Program to designate representatives to assist FEMA in its REP Program strategic review. The designated representatives may be asked to serve on issue teams, contribute ideas toward refining FEMA's exercise evaluation methodology, participate in a focus group discussion that addresses new REP Program recommendations, or participate in conference calls.

FOR FURTHER INFORMATION CONTACT: D. Anne Martin, Deputy Director, Exercises Division, Preparedness, Training and Exercises Directorate, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-2738.

Dated: August 1, 1997.

Kay C. Goss,

Associate Director.

[FR Doc. 97-21383 Filed 8-12-97; 8:45 am]

BILLING CODE 6718-06-P

FEDERAL MARITIME COMMISSION

Notice of Agreement(s) Filed

The Commission hereby gives notice of the filing of the following agreement(s) under the Shipping Act of 1984.

Interested parties can review or obtain copies of agreements at the Washington, DC offices of the Commission, 800 North Capitol Street, N.W., Room 962. Interested parties may submit comments on an agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573, within 10 days of the date this notice appears in the **Federal Register**.

Agreement No.: 217-011585.

Title: APL-NOL Cross-Utilization Agreement.

Parties: American President Lines, Ltd. Neptune Orient Lines, Ltd.

Synopsis: The proposed Agreement would permit the parties to charter space to one another aboard vessels operated by each of them and aboard vessels operated by third parties on which the other party has chartered space in the trade between United States ports and ports in the Far East in the Siberia/Pakistan Range.

Agreement No.: 224-002758-015.

Title: Port of Oakland/APL Terminal Agreement.

Parties: City of Oakland ("Port") American President Lines, Ltd. ("APL").

Synopsis: The proposed modification amends the definition of primary and secondary use, in order to facilitate the operations of the "global alliance" in which APL has entered with certain other shipping lines.

Agreement No.: 224-003038-005.

Title: Oakland/American President Lines Terminal Agreement.

Parties: Port of Oakland American President Lines, Ltd ("APL").

Synopsis: The Amendment modifies the basic Agreement with respect to the definition of primary and secondary use in order to facilitate the operations of the Global Alliance (FMC Agreement No. 203-011468) to which APL is a party.

Agreement No.: 224-201012-001.

Title: Nonexclusive Preferential Crane Assignment Agreement Between Port of Oakland and American President Line, Ltd.

Parties: Port of Oakland "Port" American President Lines, Ltd. ("APL").

Synopsis: The proposed Amendment provides that the Port shall sell to APL three (3) container handling cranes, together with certain space parts ("Equipment") at Berths 60-63 in the Port's Middle Harbor Terminal Area.

Agreement No.: 224-201032.

Title: Port of Palm Beach/Teeters Brothers Lease Agreement.

Parties: Port of Palm Beach District ("Port") Teeters Brothers Contracting Corporation ("Teeters Brothers").

Synopsis: The proposed Agreement authorizes the Port to lease to Teeters Brothers 7,920 square feet of Warehouse A, The Mullins Property, the Interim Property, and the South-East Perry Property, for a period of three years.

Dated: August 7, 1997.

By Order of the Federal Maritime Commission.

Joseph C. Polking,

Secretary.

[FR Doc. 97-21351 Filed 8-12-97; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL RESERVE SYSTEM

Sunshine Act Meeting

Agency Holding the Meeting: Board of Governors of the Federal Reserve System.

Time and Date: 11:00 a.m., Monday, August 18, 1997.

Place: Marriner S. Eccles Federal Reserve Board Building, C Street entrance between 20th and 21st Streets, N.W., Washington, D.C. 20551.

Status: Closed.

Matters to be Considered:

1. Proposal regarding a software contract within the Federal Reserve System.

2. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.

3. Any items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board; (202) 452-3204. You may call (202) 452-3207, beginning at approximately 5 p.m. two business days before this meeting, for a recorded announcement of bank and bank holding company applications scheduled for the meeting.

Dated: August 8, 1997.

Jennifer J. Johnson,

Deputy Secretary of the Board.

[FR Doc. 97-21454 Filed 8-8-97; 4:33 pm]

BILLING CODE 6210-01-P

GENERAL SERVICES ADMINISTRATION

Budget Concepts Branch; Cancellation of Standard Form

AGENCY: Office of Management and Budget.

ACTION: Notice.

SUMMARY: The following Standard Form is cancelled: SF 132, Apportionment and Reapportionment Schedule. This form is replaced by a format prescribed in OMB Circular A-34.

DATES: Effective August 13, 1997.

FOR FURTHER INFORMATION CONTACT:

Ms. Betty Ing Bradshaw, Office of Management and Budget, (202) 395-3146.

Dated: July 24, 1997.

Barbara M. Williams,

Deputy Standard and Optional Forms Management Officer.

[FR Doc. 97-21417 Filed 8-12-97; 8:45 am]

BILLING CODE 6820-34-M

GENERAL SERVICES ADMINISTRATION

Office of Acquisition Policy, FAR Secretariat; Revision of SF 129, Solicitation Mailing List Application

AGENCY: General Services Administration.

ACTION: Notice.

SUMMARY: The General Services Administration/FAR Secretariat has revised SF 129, Solicitation Mailing List Application.

The form is now authorized for local reproduction. You can obtain the updated camera copy in three ways:

On the internet. Address: <http://www.gsa.gov/forms>;

From CARM, Attn.: Barbara Williams, (202) 501-0581; or

From the "U.S. Government Management Policy CD-ROM.

FOR FURTHER INFORMATION CONTACT: FAR Secretariat, (202) 501-4755.

DATES: Effective August 13, 1997.

Dated: July 31, 1997.

Barbara M. Williams,

Deputy Standard and Optional Forms Management Officer.

[FR Doc. 97-21414 Filed 8-12-97; 8:45 am]

BILLING CODE 6820-34-M