

5. Multilateral settlement systems should have objective and publicly-disclosed criteria for admission which permit fair and open access.

6. Multilateral settlement systems should ensure the operational reliability of technical systems and the availability of backup facilities capable of completing daily processing requirements.

**Risk management measures:** For systems that the Board has determined are required to meet the Lamfalussy Minimum Standards, systems and their participants should consider the following risk management measures: (1) to the extent that participants have significant credit and liquidity exposures to other participants, establish bilateral net credit limits vis-à-vis each other participant in the system; (2) establish and monitor in real-time system-specific net debit limits for each participant; (3) establish real-time controls to reject or hold any payment or foreign exchange contract that would cause a participant's position to exceed the relevant bilateral and net debit limits; (4) establish liquidity resources, such as cash, committed lines of credit secured by collateral, or a combination thereof, at least equal to the largest single net debit position; and (5) establish rules and procedures for the sharing of credit losses among the participants in the netting system.<sup>24</sup>

Alternative risk management measures may provide an equivalent level of assurance that the Lamfalussy Minimum Standards are met, depending on the nature and scope of the system. However, the Board strongly encourages systems to develop real-time risk management controls where necessary to provide an appropriate level of risk control. The Board may also encourage or require higher risk management standards, such as the ability to ensure timely multilateral settlement in the event of multiple defaults, of individual systems that present a potentially high degree of systemic risk, by virtue of their high volume of large-value transactions or central role in the operation of the financial markets.

#### Offshore Systems

The Board has a long-standing concern that steps taken to reduce systemic risk in U.S. large-dollar payments systems may induce the further development of multilateral systems for settling U.S. dollar payments that are operated outside the

United States. Such systems, if implemented with inadequate attention to risk management, may increase risks to the international banking and financial system. In addition, offshore arrangements have the potential to operate without sufficient official oversight.

As a result, the Board has determined that offshore, large-dollar multilateral settlement systems and multicurrency clearing and settlement systems should at a minimum be subject to oversight or supervision, as a system, by the Federal Reserve, or by another relevant central bank or supervisory authority. The Board recognizes that central banks have common policy objectives with respect to large-value clearing and settlement arrangements. Accordingly, the Board expects that it will cooperate, as necessary, with other central banks and foreign banking supervisors in the application of the Lamfalussy Minimum Standards to offshore and multicurrency systems. In this regard, the Principles for Co-operative Central Bank Oversight outlined in the Lamfalussy Report provide an important international framework for cooperation.

By order of the Board of Governors of the Federal Reserve System, June 18, 1998.

**Jennifer J. Johnson,**  
*Secretary of the Board.*

[FR Doc. 98-16694 Filed 6-25-98; 8:45 am]

BILLING CODE 6210-01-P

## GENERAL SERVICES ADMINISTRATION

### Environmental Considerations in Decisionmaking and Compliance With the National Environmental Policy Act

**SUMMARY:** The General Services Administration (GSA) has rewritten its Orders establishing policy and assigning responsibilities for implementing the National Environmental Policy Act (NEPA), its implementing regulations, related laws, executive orders, and regulations in the decisionmaking process of the GSA. Order ADM 1095.1E, "Environmental Preparation of Environmental Assessments and Environmental Impact Statements," July 24, 1985, have been revised and are to be reissued as GSA Order ADM 1095.1F and GSA PBS 1095.4C. Few changes were made to GSA Order ADM 1095.1E. Revisions to this document are mainly in the Responsibility section. Substantial changes were made to PBS P 1095.4B. The revision, PBS 1095.4C, was reduced to an overview of GSA's NEPA procedural requirements. The instructional step-by-step portion of the document has been removed and

expanded into a new comprehensive PBS NEPA Desk Guide. The PBS NEPA Desk Guide, used in conjunction with PBS 1095.4C, is intended to provide an increased level of NEPA guidance to GSA.

#### WRITTEN COMMENTS/FURTHER

**INFORMATION:** As part of the public review process required prior to the implementation of new orders by Title 40 CFR 1507.3, "Agency Procedures", GSA solicits your written comments on the revised orders at the following address: Colin Wagner, NEPA Liaison, GSA, PBS, PXSC, room 2312, 1800 F Street, Washington, DC 20007. Written comments should be received no later than July 27, 1998. Requests for the PBS NEPA Desk Guide and/or further information may also be forwarded to this address. Both the Orders and the accompanying PBS NEPA Desk Guide can be found and downloaded from the GSA NEPA CALL-IN web site at [www.gsa.gov/pbs/pt/call-in/nepa.htm](http://www.gsa.gov/pbs/pt/call-in/nepa.htm).

**MAILING LIST:** If you wish to be placed on the project mailing list to receive the final Orders and Desk Guide, contact Colin Wagner at the address noted above.

Dated: June 11, 1998.

**Wm. Colin Wagner,**  
*GSA NEPA Liaison.*

ADM 1095.1F

GSA ORDER

SUBJECT: Environmental considerations in decisionmaking

1. Purpose. This order establishes policy and assigns responsibility for implementing the National Environmental Policy Act (NEPA), its implementing regulations, and related laws, executive orders, and regulations in the decisionmaking processes of the General Services Administration (GSA).

2. Cancellation. ADM 1095.1E, dated December 8, 1995, is canceled.

3. Background. The National Environmental Policy Act (NEPA) and the Government wide implementing regulations of the Council on Environmental Quality (40 CFR 1500-1508, hereinafter, the CEQ regulations) require that each Federal agency consider the impact of its actions on the human environment, and prescribes procedures to be followed in doing so. Other laws, executive orders, and regulations provide related direction. Each Federal agency is required to implement internal procedures to ensure that the requirements of NEPA are met. Existing orders are out of date and do not provide for current requirements.

4. Nature of revision. This revision reflects a thorough internal review of GSA's systems for implementing NEPA. It replaces an interim order, ADM 1095.1E, which was adopted to govern GSA's compliance with NEPA while this review took place. This revised order is issued in coordination with

<sup>24</sup> The term "largest single net debit position" means the largest intraday net debit position of any individual participant at any time during the daily operating hours of the netting system.

PBS 1095.4C and an explanatory desk guide to NEPA review, which together provide GSA with an efficient, up-to-date NEPA compliance system that is consistent with principles of accountability, flexibility, and environmental responsibility.

5. Policy: In all its decisionmaking, GSA will attend carefully to the National Environmental Policy set forth in Section 101 of NEPA. To the maximum extent practicable, GSA will ensure that its actions protect and where possible improve the quality of the human environment, including the built and sociocultural environments of the nation's urban areas. GSA decisionmakers will use the NEPA review process prescribed in the CEQ regulations as a practical planning tool, and integrate both the NEPA review process and the Section 101 National Environmental Policy into decisionmaking in an efficient, cost-effective manner. The NEPA review process will be initiated at the earliest possible stage in planning any GSA action, and will be carried forward in coordination with other planning activities. Decisionmakers will ensure that they have reviewed and fully understand the environmental impacts of each decision, before making any such decision. All managers responsible for decisionmaking on GSA actions will be accountable for being knowledgeable about, and attendant to, the requirements of NEPA and the National Environmental Policy that these requirements are designed to advance.

#### 6. Responsibilities.

6.a. Commissioner, Public Buildings Service (PBS). The Commissioner acts for the Administrator, GSA, on matters relating to NEPA implementation, and oversees implementation of this order. PBS orders and related direction governs GSA compliance with NEPA and related legal authorities.

6.b. Assistant Commissioner, Office of Business Performance (PX).

6.b.(1) Is the principal GSA advisor on NEPA-related requirements, including but not limited to compliance with NEPA and the coordination of NEPA compliance with the requirements of the laws and regulations listed in Appendix 1 of the NEPA Desk Guide.

6.b.(2) Provides expert advice on NEPA-related matters to GSA Heads of Services, Business Lines, and Regional Administrators.

6.b.(3) Provides intra-agency and interagency liaison and coordination on NEPA-related matters on a national basis.

6.b.(4) Provides and periodically updates GSA program guidance, after consultation with the General Counsel, Heads of Services, Business Lines, and Regional Administrators.

6.b.(5) Provides education and training within GSA pertinent to implementation of NEPA and related authorities.

6.b.(6) Coordinates with the Office of Business Performance's (PX) Environmental Executive regarding areas of shared or related responsibility, in maintaining a record of GSA's environmental activities, and in advancing the national environmental policy articulated in NEPA and other statutes and executive orders.

6.b.(7) Serves as GSA representative in coordination with outside groups at the national level regarding NEPA-related matters.

6.c. Regional Administrators.

6.c.(1) Are accountable for execution of GSA's responsibilities under NEPA and related authorities with respect to actions under their jurisdiction.

6.c.(2) Serve as the responsible agency official under CEQ regulations with respect to the environmental effects of actions under their jurisdiction.

6.c.(3) Maintain NEPA Regional Environmental Quality Advisors (REQA) within their staffs, augmented as necessary through interagency agreements and contracts, to ensure regional interdisciplinary competence in environmental matters. To promote nationwide consistency, the REQA should reside in Portfolio Management (PT), although each business line should maintain its own environmental expertise for project development and execution.

6.c.(4) In consultation with PT, ensure that all regional staff with responsibility for planning, approving, and implementing construction, repair, alteration, site and facility acquisition, real property management, maintenance, and real property disposal receive appropriate training in how to carry out GSA's responsibilities under NEPA and related authorities.

6.d. GSA Environmental Executive.

6.d.(1) Serves as GSA's Environmental Executive under Executive Order 12873.

6.d.(2) Coordinates with PT Liaison to ensure agency-wide consistency in areas of shared or related responsibility, and in advancing the national environmental policy articulated in NEPA and other statutes and executive orders.

6.e. Heads of Services and Business Lines.

6.e.(1) Serve as the responsible agency officials under CEQ regulations for actions subject to their approval.

6.e.(2) Ensure accountability for implementation of the policy set forth in this order.

6.e.(3) In consultation with PT, ensure that staff responsible for supporting the functions of the responsible agency official under CEQ and related authorities receive appropriate training in how to carry out GSA's responsibilities.

6.f. The Office of General Counsel.

6.f.(1) Is responsible for legal interpretation of NEPA and related authorities, and represents GSA in litigation under such authorities.

6.f.(2) Advises PT during the development and delivery of guidance and training.

7. Administrative Guidance.

7.a. Central Office, Office of Business Performance (PX) is the Agency center of expertise for NEPA and, as such, has overall program responsibility for establishing procedures, training, and professional standards, and for maintaining interagency administrative responsibilities and relationships. These functions will be carried out at the working level by a professional NEPA Liaison staff.

7.b. Heads of Services and Business Lines will assist and cooperate with PT in the development and delivery of training, as well as procedural and program guidance, and act as coordinators for program needs of the Services and Business lines on a national basis.

7.c. Regional Business Lines have responsibility for ensuring that NEPA compliance responsibilities are satisfied, and the policy articulated in paragraph 5 of this order is followed, with respect to their programs and projects. In consultation with the REQA, the Business Lines will utilize interdisciplinary professional expertise in their implementation of NEPA responsibilities.

8. Implementation of NEPA and related authorities.

8.a. In accordance with applicable regulations and standards, and with program guidance provided by PT, the responsible agency official shall:

8.a.(1) Ensure that the applicable requirements of NEPA and related authorities are met in a timely manner during planning for any GSA action, in a manner consistent with the policy articulated in paragraph 5 of this order.

8.a.(2) Ensure that mitigation measures established through review of actions under NEPA and related authorities are carried out as part of implementing the actions.

8.a.(3) Ensure that the means by which GSA has met its responsibilities, and the costs involved in doing so, are fully documented.

8.b. The procedures set forth in PBS Order P 1095.4C shall be followed in implementing NEPA and related authorities.

9. Effective Date. Every effort shall be made to implement the provisions of this order immediately.

Administrator

PBS 1095.4C

#### COMPLIANCE WITH THE NATIONAL ENVIRONMENTAL POLICY ACT

1. Purpose. This order provides direction for carrying out the procedural requirements of the National Environmental Policy Act (NEPA) and related legal authorities, in furtherance of the policy and direction provided in ADM 1095.1F.

2. Background. NEPA establishes as policy that the Federal government will: "use all practicable means, consistent with other essential considerations of national policy, to improve and coordinate Federal plans, functions, programs, and resources to the end that the Nation may:

(1) Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;

(2) Assure for all Americans safe, healthful, productive, and esthetically and culturally pleasing surroundings;

(3) Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;

(4) Preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment which supports diversity, and variety of individual choice;

(5) Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and

(6) Enhance the quality of renewable resources and approach the maximum

attainable recycling of depletable resources." (42 U.S.C. 4321(a))

As an important means of carrying out this policy, NEPA requires Federal agencies to analyze the impacts of their proposed actions (activities, programs, projects, legislation) on the environment, and on the relationship of people with the environment. This analysis is to be undertaken early in planning any such action, as an aid to deciding whether or not the action will go forward, and if so how. Consideration must be given to practicable alternative means of achieving the purpose and need for the proposed action, and to the alternative of not taking any action. The analysis is to be completed, and used to inform the decisionmaker and make the public aware of the action's potential impacts, before the decision is made about whether and how to proceed with the action.

Analysis of environmental impacts must: "utilize a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and in decisionmaking which may have an impact on man's environment" (42 U.S.C. 4322(2)(A))

NEPA also requires that, to the fullest extent possible, analyses and consultations required by other environmental laws be coordinated with those required under NEPA, to reduce redundancy, paperwork, time, and cost.

Requirements for compliance with the procedural provisions of NEPA are set forth in regulations issued by the Council on Environmental Quality (40 CFR 1500-11508, hereinafter the CEQ regulations). ADM 1095.1F contains GSA's general policy regarding NEPA implementation, and assigns responsibilities to the Administrator, the Regional Administrators, Heads of Services and Business Lines, the Commissioner, Public Buildings Service (PBS), and the Office of Business Performance (PX) in PBS. This order provides further detail regarding the conduct of NEPA impact analyses.

### 3. Responsibilities

3.a. Assistant Commissioner, Office of Business Performance (PX)

3.a.(1) Advises the Commissioner, other Heads of Services and Business Lines, Regional Administrators, and other GSA managers and staff regarding NEPA implementation and related matters.

3.a.(2) Maintains a professional NEPA Liaison staff to carry out this responsibility.

3.b. NEPA Liaison

3.b.(1) Coordinates compliance with NEPA and related authorities throughout GSA on a day-to-day basis.

3.b.(2) Provides advice and assistance to Regional Office NEPA Regional Environmental Quality Advisor (REQA).

3.b.(3) With the cooperation of Services, Business Lines, and Regional Offices, provides guidance, education and training, and advice about education and training standards and opportunities to GSA personnel who have responsibilities to which NEPA requirements may pertain.

3.b.(4) Coordinates with the Council on Environmental Quality (CEQ) and other national oversight bodies;

3.b.(5) Represents GSA in interagency coordination on NEPA and related matters on a national basis.

3.b.(6) Routinely solicits and acts upon the advice of REQAs in developing program direction and carrying out the responsibilities of the NEPA Liaison.

3.b.(7) Promulgates, maintains, and when necessary updates a "NEPA Desk Guide" providing detailed direction and advice regarding NEPA implementation.

3.c. Regional Administrators.

3.c.(1) Are the responsible officials for compliance with NEPA on actions under their jurisdiction.

3.c.(2) Maintain a NEPA Regional Environmental Quality Advisor (REQA) as described below.

3.c.(3) Ensure that the REQA is empowered to advise and assist in planning and decisionmaking on actions that could affect the human environment, in a way and at a time in the planning and decisionmaking process that maximizes the effectiveness of the REQA's advice and assistance.

3.c.(4) Ensure that all Regional program staff involved in planning and decisionmaking about actions that could affect the human environment are made aware of GSA's responsibilities under NEPA and related authorities, are acquainted with this order, ADM 1095.1F, and the NEPA Desk Guide, are held accountable for the quality of their actions and decisions, and are required to coordinate effectively with the REQA.

3.d. NEPA Regional Environmental Quality Advisor (REQA).

3.d.(1) Is the center of expertise maintained at the Regional Office (RO) in which expertise in NEPA and related authorities such as the National Historic Preservation Act and the Endangered Species Act is maintained.

3.d.(2) Is located within PT or elsewhere in the RO organizations where it can influence decisionmaking early in GSA's planning or preparation for any action subject to review under NEPA and related authorities.

3.d.(3) Is responsible for participation in GSA planning and decisionmaking, for advising the Regional Administrator (RA), Assistant Regional Administrator (ARA), and other decisionmakers, and for providing training and technical assistance to all pertinent GSA employees and contractors.

3.d.(4) Maintains interdisciplinary expertise in environmental matters, through the employment of qualified staff and/or by interagency agreement or under contract.

3.d.(5) Reviews all documentary products of GSA NEPA analyses, and assists program staff in ensuring that such products, and the analyses they report, are adequate and defensible.

3.d.(6) Maintains records of GSA NEPA compliance activities.

3.d.(7) Routinely interacts with and is assisted by, the NEPA Liaison.

3.d.(8) Maintains an up-to-date NEPA Desk Guide and other needed guidance material.

3.d.(9) Develops and maintains an up-to-date checklist for use in determining whether an action requires an environmental assessment or impact statement (the CATEX Checklist; see paragraph 4.b.(2)(a)).

3.e. Program Staff.

3.e.(1) For the purposes of this order, include all GSA employees responsible for the management and implementation of program actions, such as project planning and development, project management, leasing, and disposal of real property.

3.e.(2) Are responsible for:

3.e.(2)(a) With the assistance of the NEPA Liaison and REQAs, developing and maintaining a thorough understanding of NEPA requirements and the requirements of related authorities, and of the policy articulated in ADM 1095.1F, as these pertain to their program areas.

3.e.(2)(b) Ensuring that NEPA and related authorities are complied with to the best of their abilities, as early as possible in planning any action within their program areas.

3.e.(2)(c) Coordinating their programs, activities, and projects with REQAs.

3.e.(2)(d) Implementing all mitigation and other commitments resulting from NEPA compliance for actions under their authority.

4. Implementation of NEPA and related authorities.

4.a. Classification of GSA actions.

4.a.(1) All GSA actions fall into one of the following three classes, in terms of requirements for review under NEPA: categorical exclusions, environmental assessments, and environmental impact statements.

4.a.(2) Program staff, in consultation with the REQA, are responsible for classifying actions and undertaking the level of analysis, consultation, and review appropriate to each.

4.b. Categorical Exclusions (CATEX)

4.b.(1) A categorical exclusion (CATEX) is a category of actions which do not individually or cumulatively have a significant effect on the human environment, except under extraordinary circumstances (42 CFR 1508.4). Because they lack the potential for effect, they do not require detailed analysis under NEPA.

4.b.(2) GSA recognizes two types of CATEX:

4.b.(2)(a) The Automatic CATEX: a category of action that is so unlikely to have an effect on the environment that an action falling into this category may be automatically assumed to require no further review under NEPA, unless the responsible program staff determine that an extraordinary circumstance may exist, whereupon a CATEX Checklist must be prepared (see below). The likelihood of such a circumstance is judged to be so low that no specific environmental analysis is required.

4.b.(2)(b) The Checklist CATEX: a category of action that is generally very unlikely to have a significant effect on the environment, but that requires a cursory review to ensure that no extraordinary circumstances exist. For an action falling into such a category, a CATEX Checklist is completed, leading to a conclusion by program staff, concurred in by the REQA, as to whether the action needs further review under NEPA. The CATEX Checklist is developed and maintained by the REQA, based on a model in the NEPA Desk Guide.

4.b.(3) Both Automatic and Checklist CATEXs are listed in Appendix 1 and in the NEPA Desk Guide.

#### 4.c. Environmental Assessment (EA).

4.c.(1) An Environmental Assessment (EA) is a concise public document prepared by or on behalf of GSA that assists GSA in deciding whether there may be significant effects requiring a more detailed Environmental Impact Statement is necessary, and where such a Statement is not necessary, supports GSA's compliance with the requirements of NEPA and related authorities.

4.c.(2) The analysis required for an EA leads either to a Finding of No Significant Impact (FONSI) or a Notice of Intent (NOI) to prepare an Environmental Impact Statement.

4.c.(3) Directions for preparing an EA are found in the NEPA Desk Guide.

#### 4.d. Environmental Impact Statement (EIS).

4.d.(1) An Environmental Impact Statement (EIS) is a detailed analysis and report, meeting standards set forth in the CEQ regulations, that details the environmental effects of a proposed action and its alternatives. An EIS is prepared for any GSA action that may have significant effects on the quality of the human environment.

4.d.(2) Certain actions always are likely to have significant effects on the quality of the human environment, and hence always require an EIS. These classes of action are listed in Appendix 2.

4.d.(3) Where an action does not fall into one of the classes listed in Appendix 2, the responsible GSA official shall ensure that an EIS is prepared if it appears that the action is likely to have significant effects on the quality of the human environment. An EA may be prepared to aid in deciding whether an EIS is needed, or the responsible official may decide to prepare an EIS without preparing an EA.

4.d.(4) Direction for preparing, circulating, finalizing, and using an EIS in decisionmaking are found in the NEPA Desk Guide, and in the CEQ regulations.

#### 4.e. Using NEPA in decisionmaking.

4.e.(1) Each Head of Service, Business Line, and Regional Office shall establish internal systems to ensure that the requirements of NEPA, related authorities, the CEQ regulations, ADM 1095.1F, and this order are carried out.

4.e.(2) Each such system shall ensure that:

4.e.(2)(a) Compliance with NEPA and related authorities begins at the earliest point in planning any action, when the widest reasonable range of alternatives is open for consideration.

4.e.(2)(b) The NEPA review process is carried out in coordination with continued planning.

4.e.(2)(c) All personnel involved in planning actions should view NEPA review as part of effective planning, not as a mere documentation requirement.

4.e.(2)(d) Outside agencies, state and local governments, Indian tribes, and the public are afforded reasonable opportunities to participate in NEPA review, and to influence GSA decisions.

4.e.(2)(e) The results of NEPA review are fully considered by each GSA decisionmaker before making a decision on an action subject to such review.

4.e.(2)(f) Executives and other employees responsible for aspects of NEPA review are held accountable for the performance of such responsibilities, through performance reviews and other administrative mechanisms.

#### 5. Coordination with other authorities.

5.1. To the maximum extent feasible, NEPA review shall be coordinated with review of proposed actions under other environmental legal authorities, including but not limited to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), the National Historic Preservation Act (NHPA), the Endangered Species Act (ESA), Executive Orders 11988 and 13006, and other authorities listed in the NEPA Desk Guide.

5.2. In effecting such coordination, responsible GSA officials will ensure that the substantive and procedural requirements of each other authority are met, together with the requirements of NEPA. It will be explicitly understood that compliance with NEPA does not substitute for compliance with another authority, nor does compliance with such other authority substitute for compliance with NEPA.

#### 6. Public involvement.

6.1. As part of its system for NEPA compliance, each Head of Service, Business Line, and Regional Office shall provide for levels and kinds of public involvement appropriate to the class of action and its likely effects, taking into account the recommendations regarding public involvement found in the NEPA Desk Guide.

6.2. Where a related authority provides specific procedures for public involvement, the responsible GSA official shall ensure that such procedures are addressed in the process of NEPA review.

6.3. Public involvement in GSA decisionmaking shall have as its purpose the full disclosure of GSA actions and alternatives to the public, within the constraints of GSA program authorities, and giving the public a full opportunity to influence GSA decisions, subject to the same constraints and the requirements of the Federal Advisory Committees Act (FACA).

6.4. Pursuant to Executive Order 12898, special efforts will be made to involve members of potentially affected low-income and minority communities in NEPA review and decisionmaking. Such efforts may include, but are not limited to, special programs of community outreach, including cross-cultural programs, translations of pertinent documents, and ensuring that translators are available at public meetings.

#### 7. Cooperating agencies.

7.1. The responsible GSA official may invite other agencies to serve as cooperating agencies in the conduct of NEPA review on a GSA action.

7.2. At a minimum, GSA will invite agency customers for GSA services to participate as cooperating agencies. Other agencies with jurisdiction by law or expertise may also be invited to serve as cooperating agencies.

8. GSA Participation in NEPA compliance by other agencies.

8.1. GSA may participate in the NEPA process as a cooperating agency for another lead agency's project, or as a commenter /

reviewer of another agency's NEPA document. GSA may also participate in environmental studies carried out by non-federal parties (for example, a local government conducting studies under a State environmental policy law) where such studies are relevant to GSA's interests or may be incorporated by GSA into its own studies under NEPA. Where GSA will be responsible for a decision on a project that is the subject of such a study, and has the authority to do so, GSA will require that the study and its resulting documents meet the standards set forth in the NEPA Desk Guide and related GSA standards.

8.2. As a cooperating agency, GSA participates in the NEPA process as requested by the lead agency, in accordance with 40 CFR 1501.6 of the CEQ regulations. Tasks may include participating in meetings and providing specific information relevant to the matters over which it has jurisdiction by law or expertise.

8.3. The responsible GSA official (Head of Service, Business Line, or Regional Office) may provide comments and/or reviews of another agency's NEPA documents, and/or other Federal and State environmental documents. Such comments or reviews shall be provided where the other agency so requests and the responsible official determines that GSA has jurisdiction by law or special expertise, and may be provided in other cases where the responsible official or designee determines that GSA has an interest in the action covered by the environmental document.

8.4. GSA has jurisdiction by law or expertise on the following topics, as listed in 40 CFR Ch. V, Appendix II of the CEQ regulations: Federal land management, Community development, Historic, architectural, and archaeological resources.

8.5. GSA comments shall be provided in accordance with 40 CFR 1503.3 of the CEQ regulations.

8.6. GSA comments shall be prepared in consultation with, or by, the pertinent REQA and/or the Central Office NEPA Liaison.

#### 9. NEPA Desk Guide.

All Heads of Service, Business Lines, and Regional Offices will employ the NEPA Desk Guide issued and periodically updated by the NEPA Liaison as guidance in carrying out this order and ADM 1095.1F.

Robert Peck,

*Commissioner.*

## Appendix 1: Categorical Exclusions

### 1.1 PURPOSE

The stated purpose of Categorical Exclusions (CATEXs) is to limit extensive NEPA analysis to those actions that may be major Federal actions significantly affecting the quality of the human environment, thus streamlining the NEPA process, saving time, effort, and taxpayer dollars.

### 1.2 DEFINITION

An action is categorically excluded from the requirement to prepare an EA or an EIS if it meets the following definition:

"Categorical exclusion" means a category of actions which do not individually or cumulatively have a significant effect on the human environment and which have been

found to have no such effect in procedures adopted by a Federal agency [ . . . ] and for which, therefore, neither an Environmental Assessment nor an Environmental Impact Statement is required. 40 CFR 1508.4

GSA has identified two types of CATEXs: (1) the "automatic" CATEX, that by its very nature cannot be a major Federal action significantly affecting the quality of the human environment, and (2) the "checklist" CATEX, which requires completion of an environmental checklist to ensure no "extraordinary circumstances" exist indicating the need for an EA or EIS.

### 1.3 AUTOMATIC CATEXs

The following are automatic CATEXs, requiring no checklist.

(a) Issuance of easements, licenses, or outleases for use of space in existing Federal office buildings, where consistent with local planning and zoning, provided Section 106 of the NHPA is complied with where applicable.

(b) Acquisition of space within an existing structure, either by purchase or lease, where no change in the general type of use and only minimal change from previous occupancy level is proposed (previous occupant need not have been a Federal tenant).

(c) Relocation of employees into existing Federally controlled space, that does not involve a substantial change in the number of employees or motor vehicles.

(d) Reductions in force or other personnel, administrative, or ministerial actions, including bargaining with employee unions and managing routine activities normally conducted to protect or maintain GSA-controlled properties (e.g., security and custodial services).

(e) Lease extensions, renewals, or succeeding leases.

(f) Outlease or license of government-controlled space, or sublease of government-leased space to a non-Federal tenant when the use will remain substantially the same.

(g) Acquisition of land or easements that result in no immediate change in use and where subsequent compliance with NEPA and other applicable laws and regulations will take place as needed.

(h) Site characterization studies and environmental monitoring, including siting, construction, operation, and dismantling or closing of characterization and monitoring devices. Such activities include, but are not limited to:

(1) Site characterization and environmental monitoring activities under RCRA and CERCLA;

(2) Geological, geophysical, geochemical, and engineering surveys and mapping, including the establishment of survey marks;

(3) Installation and operation of field instruments, such as streamgauging stations or flowmeasuring devices, telemetry systems, geochemical monitoring tools, and geophysical exploration tools;

(4) Drilling of wells for sampling or monitoring of groundwater, well logging, and installation of waterlevel recording devices in wells;

(5) Aquifer response testing;

(6) Installation and operation of ambient air monitoring equipment;

(7) Sampling and characterization of water, soil rock, or contaminants;

(8) Sampling and characterization of water effluents, air emissions, or solid waste streams;

(9) Sampling of flora or fauna; and  
(10) Archeological, historic, and cultural resource identification and evaluation studies in compliance with 36 CFR part 800 and 43 CFR part 7.

(i) Administrative actions such as procurement of consultant services for appraisal or environmental analysis.

(j) Repair and alteration projects involving, but not adversely affecting, properties listed on or eligible for the National Register of Historic Places, when there is no evidence of community controversy or other environmental issues. The process required by Section 106 of the National Historic Preservation Act (NHPA) must be followed; see ADM 1020.2.

(k) Repairs and alterations or modernization conducted in accordance with applicable plans, such as Facility Master Plans, where such plans have been reviewed under NEPA and there is no evidence of community controversy or unresolved environmental issues. The process required by Section 106 of the NHPA must be followed; see ADM 1020.2.

(l) Repair to or replacement in kind of equipment or components in GSA-controlled facilities without change in location, e.g. HVAC, electrical distribution systems, windows, doors or roof.

(m) Facility maintenance, custodial, and groundskeeping activities not involving environmentally sensitive areas (such as eroded areas, wetlands, cultural sites, etc.), including window washing, lawn mowing, trash collecting, and snow removal.

(n) Procurement contracts for professional services and supplies not addressed elsewhere here.

(o) Preparation of implementation guidance.

(p) Studies that involve no commitment of resources other than manpower and funding.

(q) Assisting Federal agencies in public utilities management (excluding communications), negotiating for public utility services on behalf of Federal agencies, and providing expert testimony before public utility regulatory bodies.

r. Federal real property utilization surveys in accordance with Executive Order 12348.

s. Real property inspections for compliance with deed restrictions.

t. Administrative action by GSA to remove clouds on titles.

u. Disposal of real property required by public law wherein Congress has specifically exempted the action from the requirements of NEPA.

### 1.4 CHECKLIST CATEXs

The following are categorical exclusions that require preparation of a checklist to ensure that no extraordinary circumstances exist that would require preparation of an EA or EIS.

a. Acquisition of land which is not in a floodplain or other environmentally sensitive area and does not result in condemnation.

b. Acquisition of space by Federal construction or lease construction, or

expansion or improvement of an existing facility where all of the following conditions are met:

1. The structure and proposed use are substantially in compliance with local planning and zoning and any applicable State or Federal requirements;

2. The proposed use will not substantially increase the number of motor vehicles at the facility;

3. The site and the scale of construction are consistent with those of existing adjacent or nearby buildings; and

4. There is no evidence of community controversy or other environmental issues.

c. Property disposal actions undertaken for another Federal agency, where that agency has already documented compliance with applicable legal requirements such as NEPA, NHPA, CERCLA, Endangered Species Act. (See ADM 1095.1d.)

d. Transfers of real property to Federal, State, and local agencies, and Indian Tribes.

e. Assignments of real property to another Federal agency for subsequent conveyance to a State or local agency, or to eligible non-profit institutions for health, educational, or park and recreation uses.

f. Disposal of real property to State or local agencies for wildlife conservation and historic monument purposes.

g. Disposal of real property required by public law wherein Congress has not specifically exempted the action from the requirements of NEPA.

h. Issuance of easements, licenses, or outleases for use of space in Federal facilities other than existing office buildings.

i. Disposal of related personal property, demountable structures, transmission lines, utility poles, railroad ties, and track.

j. Disposal of properties where the size, area, topography, and zoning are similar to existing surrounding properties and/or where current and reasonable anticipated uses are or would be similar to current surrounding uses (e.g., commercial store in a commercial strip, warehouse in an urban complex, office building in downtown area, row house or vacant lot in an urban area).

k. Abrogation of use restrictions contained in the conveyance documents of previous disposals when:

l. Upon request of another Federal agency for concurrence, GSA only provides concurrence subject to the requesting agency's compliance with NEPA, or

m. GSA has no reason to believe that the abrogation will result in a significant change in property use, or

n. The abrogation is for a reduction in time only.

o. Sale of improvements to underlying property fee owner and disposal of fee ownership to parties who have had possession and/or use of the property for five years or more through permit, lease, license, or easement.

## Appendix 2: Actions Requiring Environmental Impact Statement

The following actions are considered to be major Federal actions significantly affecting the quality of the human environment, and therefore must be the subjects of Environmental Impact Statements (EIS), as

must any other action that an Environmental Assessment (EA) indicates may have significant environmental effects:

- Master plans for Federally owned major buildings, building complexes, and sites (Note: EIS should be designed so that subsequent EISs and EAs can be tiered off it).

- Acquisition of space by Federal construction or lease construction, or expansion or improvement of an existing facility, where one or more of the following applies:

- The structure and/or proposed use are not substantially consistent with local planning and zoning or any applicable State or Federal requirements.

- The proposed use will substantially increase the number of motor vehicles at the facility.

- The site and scale of construction are not consistent with those of existing adjacent or nearby buildings.

- There is evidence of current or potential community controversy about environmental justice or other environmental issues.

- Space acquisition programs projected for a substantial geographical area (e.g., a metropolitan area) for a 3-to-5-year period or greater (Note: a PEIS is often appropriate here, off which subsequent EISs and EAs can be tiered).

[FR Doc. 98-16304 Filed 6-25-98; 8:45 am]

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Meeting of the National Bioethics Advisory Commission (NBAC)

**SUMMARY:** Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is given of a meeting of the National Bioethics Advisory Commission. The Commission will continue addressing (1) The protection of the rights and welfare of human subjects in research including research involving persons with mental disorders affecting decisionmaking capacity, (2) issues in the research use of human biological materials, and (3) a proposed project on the ethical and legal issues in international research supported and/or conducted by the United States. The Commission also plans to hear presentations on the ethical principles expressed in the seminal Belmont Report, the Inspector General's Report on Institutional Review Boards, and research concerns in Native American communities. The meeting is open to the public and opportunities for statements by the public will be provided on July 15, 1998 from 11:30 am to 12 Noon.

#### Dates/Times:

July 14, 1998, 1:00 pm–5:00 pm and  
July 15, 1998 8:00 am–5:00 pm.

#### Location:

Oregon Ballroom, Salon F, Portland Marriott, and 1401 Naito Parkway, Portland, Oregon.

**SUPPLEMENTARY INFORMATION:** The President established the National Bioethics Advisory Commission (NBAC) on October 3, 1995 by Executive Order 12975 as amended. The mission of the NBAC is to advise and make recommendations to the National Science and Technology Council, its Chair, the President and other entities on bioethical issues arising from the research on human biology and behavior, and from the applications of that research and makes its recommendations available to the public.

#### Public Participation

The meeting is open to the public with attendance limited by the availability of space on a first come, first serve basis. Members of the public who wish to present oral statements should contact Ms. Patricia Norris by telephone, fax machine, or mail as shown below at least 4 days before the meeting and as soon as possible. The Chair will reserve time for presentations by persons requesting to speak and requests that oral statements be limited to five minutes. The order of persons wanting to make a statement will be assigned on a first come, first serve basis. Individuals unable to make oral presentations can mail or fax their comments to the NBAC staff office at least five business days prior to the meeting for distribution to the Commission and inclusion in the public record. The Commission also accepts general comments at its website at [bioethics.gov](http://bioethics.gov). Persons needing special assistance, such as sign language interpretation or other special accommodations, should contact NBAC staff at the address or telephone number listed below as soon as possible.

**FOR FURTHER INFORMATION CONTACT:** Ms. Patricia Norris, National Bioethics Advisory Commission, 6100 Executive Boulevard, Suite 5B01, Rockville, Maryland 20892-7508, telephone 301-402-4242, fax number 301-480-6900.

**Henrietta D. Hyatt-Knorr,**

*Deputy Executive Director, National Bioethics Advisory Commission.*

[FR Doc. 98-16623 Filed 6-25-98; 8:45 am]

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Disease Control and Prevention

[Program Announcement 98046]

### National Comprehensive Cancer Control Program; Notice of Availability of Funds for Fiscal Year 1998; Amendment

A notice announcing the availability of Fiscal Year 1998 funds for cooperative agreements to implement comprehensive cancer control plans was published in the **Federal Register** on May 13, 1998, (63 FR 26614). The notice is amended as follows:

On page 26614, in the announcement title, Announcement number is changed to 99046.

On page 26614, third column, under the heading Availability of Funds the first paragraph should read: Approximately \$1.5 million is available in FY 1999 to fund approximately 5 awards \* \* \*. Line seven should read: on or about October 30, 1998 \* \* \*.

On page 26619, under the heading Application Submission and Deadline the first paragraph should read: The original and two copies of the completed CDC 0.1246 must be submitted to \* \* \* on or before July 27, 1998.

On page 26619, under the heading Where to Obtain Additional Information, the third paragraph should read: Please refer to Program Announcement Number 99046 when requesting information and submitting an application.

On page 26620, under the heading Eligibility Assurance Form, the third subparagraph, on the third line should read: an up-to-date detailed final draft ready for implementation by October 30, 1998.

All other information and requirements of the notice remain the same.

Dated: June 22, 1998.

**Joseph R. Carter,**

*Acting Associate Director for Management and Operations, Centers for Disease Control and Prevention (CDC).*

[FR Doc. 98-17089 Filed 6-25-98; 8:45 am]

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