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Margaret Milner Richardson,

Commissioner of Internal Revenue.

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DEPARTMENT OF EDUCATION

Office of Elementary and Secondary Education

34 CFR Parts 200, 201, 203, and 212

Title I—Helping Disadvantaged Children Meet High Standards

AGENCY: Department of Education.

ACTION: Notice of meetings to conduct a negotiated rulemaking process.

SUMMARY: The Assistant Secretary for Elementary and Secondary Education (Assistant Secretary) of the U.S. Department of Education (Department) will convene a negotiating group—including Federal, State, and local education administrators, parents, teachers, and members of local boards of education—to participate in a negotiated rulemaking process prior to publishing proposed regulations to implement the programs under Title I (formerly Chapter 1 of Title I), of the Elementary and Secondary Education Act of 1965, as recently amended. Programs under Title I are designed to help disadvantaged children meet high academic standards and include programs operated by local educational

agencies in high-poverty schools (Part A), Even Start family literacy programs (Part B), programs for migratory children (Part C), and prevention and intervention programs for children and youth who are neglected, delinquent, or at risk of dropping out (Part D). The group will review draft proposed regulations developed on selected issues involving a minimum of two key provisions of the statute—"schoolwide programs" and "standards and assessment."

DATES: The meetings of the negotiating group are scheduled for January 11-13 and January 18-19, 1995.

ADDRESSES: The meetings will be held at the Sheraton City Centre, 1143 New Hampshire Avenue, N.W., Washington, D.C. 20047. Other meetings may be recommended and called by the Department, if necessary. The meetings are open to the public for individuals who wish to observe the process.

FOR FURTHER INFORMATION CONTACT: Mary Jean LeTendre, Director, Compensatory Education Programs, Office of Elementary and Secondary Education, U.S. Department of Education, 600 Independence Avenue S.W., Portals Building, room 4400, Washington, D.C. 20202-6132. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

SUPPLEMENTARY INFORMATION:

Background

On October 20, 1994, the President signed into law Pub. L. 103-382, the Improving America's Schools Act of 1994 (IASA), amending the Elementary and Secondary Education Act of 1965 (ESEA). The IASA reauthorizes—for a five-year period—programs currently under Chapter 1 of Title I of the ESEA.

Section 1601 of Title I of the ESEA requires that, before publishing any proposed regulations to implement programs under Title I, the Assistant Secretary establish a negotiated rulemaking process on issues involving a minimum of two key provisions in the statute—"schoolwide programs" and "standards and assessment." The regulatory negotiation process is to be conducted in a timely manner to ensure that final regulations are issued by the Secretary of Education not later than July 1, 1995. In accordance with section 1601(b)(4)(B) of the ESEA, the process is not subject to the Federal Advisory Committee Act, but will otherwise follow the provisions of the Negotiated Rulemaking Act of 1990 (5 U.S.C. 561 *et seq.*).

On October 28, 1994, the Assistant Secretary published a notice in the **Federal Register** (59 FR 54372) requesting advice and recommendations on regulatory issues under Title I of the ESEA. The Assistant Secretary has selected individuals to participate in the negotiated rulemaking sessions from among the individuals and groups

providing advice and recommendations in response to the notice, including representation from all geographic regions of the United States. The Assistant Secretary has also considered suggestions for more and different negotiators who would contribute to the diversity and expertise of the group. The following organizations were requested to submit nominations of participants:

National Education Association
 American Federation of Teachers
 National Association of Elementary School Principals
 National Association of Secondary School Principals
 National School Boards Association
 National Parent Teachers Association
 National Coalition of Chapter 1/Title I Parents
 Council of Chief State School Officers
 National Association of State Coordinators of Compensatory Education
 American Association of School Administrators
 National Association of Federal Education Program Administrators
 Council of the Great City Schools
 Council of American Private Education
 Representing the Federal Government will be:

Thomas W. Payzant, Assistant Secretary of Elementary and Secondary Education, U.S. Department of Education

Mary Jean LeTendre, Director, Compensatory Education Programs, U.S. Department of Education

If, in response to this notice, an additional individual or representative of an interest group requests representation in the negotiated rulemaking process, the negotiating group will determine whether that individual should be added to the group. The negotiating group will make that decision based on factors such as whether the individual or representative—(1) Would be substantially affected by the rule; (2) Is not already adequately represented by the group; and (3) Meets the requirements of section 1601 of the ESEA.

The Department intends to encourage broad State and local flexibility in implementing programs under Title I. In particular, the Department intends to issue regulations only where absolutely necessary—for example, where the statute requires a regulation or where a regulation would provide flexibility for States, school districts, and schools. The Department will also provide nonbinding guidance respecting legal and policy issues under the Title I programs. This nonregulatory guidance

can serve to inform parents, schools, school districts, States, and other affected parties of the flexibility that exists under the statute, including multiple approaches that may be available in carrying out the statute's requirements.

Topics Selected for Negotiation

The following topics related to the Title I program in local educational agencies have been selected for the negotiated rulemaking process.

- (1) Schoolwide programs.
- (2) Standards and assessment.

Discussions at the negotiated rulemaking meetings may cover other subjects as necessary or as raised by participants.

Facilitator

The Department has retained the services of a professional mediator who will serve as a neutral convenor and facilitator for the negotiations. The facilitator will not be involved with the substantive development of the regulations. The facilitator's role is to—(1) Chair negotiating sessions; (2) Help the negotiating process run smoothly; and (3) Help participants define issues and reach consensus.

The facilitator will keep a record of the negotiated rulemaking meetings. The record will be placed in the Department's rulemaking docket for this regulatory action.

(Catalog of Federal Domestic Assistance Numbers: 84.010, Educationally Deprived Children in Local Educational Agencies; 84.011, Migrant Education Basic State Formula Grant Program; 84.013, Chapter 1 Program for Neglected or Delinquent Children; 84.213, Even Start Program)

Dated: December 22, 1994.

Thomas W. Payzant,

Assistant Secretary for Elementary and Secondary Education.

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ADVISORY COUNCIL ON HISTORIC PRESERVATION

36 CFR Part 800

Protection of Historic Properties

AGENCY: Advisory Council on Historic Preservation.

ACTION: Acceptance of supplemental comments on proposed revision of current regulations.

SUMMARY: The Advisory Council on Historic Preservation (Council) issued a notice of proposed rulemaking, 59 FR 50396, October 3, 1994, on changes to

its regulations on protection of historic properties, with 60 days provided for public comment. In response to numerous requests for extension of time to comment beyond the December 2, 1994 deadline, the Council extended the comment period for an additional 30 days. The current January 3, 1995 deadline remains in effect and will not be extended further. However, in recognition of the concerns expressed by some commenters for additional time to do detailed analyses, the Council will accept supplemental submissions from any commenters who wish to amplify or amend their initial comments. Accordingly, the Council will keep the record open through February 2, 1995 for the purpose of receiving these submissions. Any materials received on or before that date will be fully considered as part of the public comment record as the Council moves forward with its consideration of regulatory revisions.

DATES: The date on or before which comments must be received remains January 3, 1995. The Council will keep the record open through February 2, 1995 for consideration of materials supplementing comments received on or before January 3, 1995.

ADDRESSES: Comments should be addressed to the Executive Director, Advisory Council on Historic Preservation, 1100 Pennsylvania Avenue NW., Suite 809, Washington, DC 20004. Fax 202-606-8647 or 8672.

FOR FURTHER INFORMATION CONTACT: Stephanie Woronowicz, Information Assistant, Advisory Council on Historic Preservation, 1100 Pennsylvania Avenue, NW., Suite 809, Washington, DC 20004, (202) 606-8503.

Robert D. Bush,

Executive Director.

[FR Doc. 94-32313 Filed 12-30-94; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA 96-1-6799b; FRL-5131-1]

Approval and Promulgation of State Implementation Plans; California State Implementation Plan Revision, Mojave Desert Air Quality Management District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to act on revisions to the California State Implementation Plan (SIP) which