

For the Commission.

**Ida L. Castro,**  
Chairwoman.

For the reasons set forth in the preamble, EEOC proposes to amend Chapter XIV of Title 29 of the Code of Federal Regulations as follows:

**PART 1614—FEDERAL SECTOR EQUAL EMPLOYMENT OPPORTUNITY**

1. the authority citation for part 1614 continues to read as follows:

**Authority:** 29 U.S.C. 206(d), 633(a), 791 and 794a; 42 U.S.C. 2000e-16; E.O. 10577, 3 CFR 1954-1958 Comp., p. 218; E.O. 11222, 3 CFR, 1964-1965 Comp., p. 306; E.O. 11478, 3 CFR, 1969 Comp., p. 133; E.O. 12106, 3 CFR 1978 Comp., p. 263; Reorg. Plan No. 1 of 1978, 3 CFR 1978 Comp., p. 321.

**§ 1614.102 [Amended]**

2. Section 1614.102 is amended by removing paragraph (a)(9) and redesignating paragraphs (a)(10) through (a)(14) as paragraphs (a)(9) through (a)(13), respectively.

3. Section 1614.203 is revised to read as follows:

**§ 1614.203 Rehabilitation Act.**

(a) *Model employer.* The Federal Government shall be a model employer of individuals with disabilities. Agencies shall not discriminate against qualified individuals with disabilities. Agencies shall give full consideration to the hiring, placement, and advancement of qualified individuals with disabilities.

(b) *ADA standards.* (1) The standards used to determine whether section 501 of the Rehabilitation Act of 1973 has been violated in a complaint alleging nonaffirmative action employment discrimination under this part shall be the standards applied under Titles I and V of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101-12102, 12111-12117, 12201-12213) as such sections relate to employment. These standards are set forth in the Commission's ADA regulations at 29 CFR part 1630.

(2) Agencies must provide reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability, unless the agency can demonstrate that the accommodation would impose an undue hardship. Reasonable accommodation may include reassignment to a vacant position. Reassignment is the reasonable accommodation of last resort and is required only after it has been determined either that:

(i) There are no effective accommodations that will enable the employee to perform the essential functions of his/her current position; or

(ii) All other accommodations would impose an undue hardship.

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**POSTAL SERVICE**

**39 CFR Part 20**

**International Postal Rates; Proposed Changes**

**AGENCY:** Postal Service.

**ACTION:** Proposed changes in international postal rates.

**SUMMARY:** Pursuant to its authority under 39 U.S.C. 407, the Postal Service is proposing changes in international postal rates for certain surface mail categories. As required under the Postal Reorganization Act, the proposed changes will result in international postal rates that do not apportion the costs of the service so as to impair the overall value of the service to the users, are fair and reasonable, and are not unduly or unreasonably discriminatory or preferential.

**DATES:** Comments on the proposed changes must be received on or before March 31, 2000.

**ADDRESSES:** Written comments should be sent to the Manager, International Pricing, International Business, U.S. Postal Service, 475 L'Enfant Plaza SW Room 370-IBU, Washington DC 20260-6500. Copies of all written comments will be available for public inspection between 9:00 a.m. and 4:00 p.m., Monday through Friday, in International Business, 10th Floor, 901 D Street SW, Washington DC.

**FOR FURTHER INFORMATION CONTACT:** John Alepa, (202) 268-4071.

**SUPPLEMENTARY INFORMATION:** The proposed international rates, shown in the tables below, are needed by the Postal Service to accommodate changes in the cost of providing international mail service.

The Postal Service is proposing to change only the rates contained in the charts below. These rates include the surface rates for regular printed matter and small packets to Mexico; the publishers' periodicals surface rates for Mexico and all other countries except Canada; and the books and sheet music surface rates for Mexico and all other countries except Canada. No other rates are changed at this time. Although the Postal Service is exempted by 39 U.S.C. 410(a) from the advance notice requirements of the Administrative Procedure Act regarding proposed rulemaking (5 U.S.C. 553), the Postal

Service invites public comment at the above address.

The Postal Service proposes to adopt the following rates and to amend the International Mail Manual, which is incorporated by reference in the Code of Federal Regulations. See 39 CFR 20.1.

**List of Subjects in 39 CFR Part 20**

Foreign relations, International postal services.

**PART 20—[AMENDED]**

1. The authority citation for 39 CFR part 20 continues to read as follows:

**Authority:** 5 U.S.C. 552(a); 39 U.S.C. 401, 404, 407, 408.

2. The International Mail Manual will be amended to incorporate the following postage rates:

**MEXICO—REGULAR PRINTED MATTER AND SMALL PACKETS (SURFACE)**

Weight not over—		Rate
Lb.	Oz.	
0	1 .....	\$0.72
0	2 .....	0.96
0	3 .....	1.27
0	4 .....	1.50
0	5 .....	1.80
0	6 .....	1.80
0	7 .....	2.22
0	8 .....	2.22
0	9 .....	2.63
0	10 .....	2.63
0	11 .....	2.96
0	12 .....	2.96
0	13 .....	3.37
0	14 .....	3.37
0	15 .....	3.77
1	0 .....	3.77
1	2 .....	4.12
1	4 .....	4.46
1	6 .....	4.81
1	8 .....	5.16
1	10 .....	5.50
1	12 .....	5.84
1	14 .....	6.19
2	0 .....	6.54
3	0 .....	8.84
4	0 .....	11.15
Each additional pound or fraction of a pound .....		2.30

(Note: Maximum weight is 4 pounds for small packets and 11 pounds for regular printed matter.)

**PUBLISHERS' PERIODICALS (SURFACE)**

Weight not over—		Mexico	All other <sup>1</sup>
Lb.	Oz.		
0	1 .....	\$0.48	\$0.44
0	2 .....	0.60	0.55
0	3 .....	0.78	0.71
0	4 .....	0.90	0.83
0	5 .....	1.13	1.05
0	6 .....	1.13	1.05
0	7 .....	1.36	1.27

PUBLISHERS' PERIODICALS (SURFACE)—Continued

Weight not over— Lb. Oz.	Mexico	All other <sup>1</sup>
0 8 .....	1.36	1.27
0 9 .....	1.57	1.50
0 10 .....	1.57	1.50
0 11 .....	1.80	1.71
0 12 .....	1.80	1.71
0 13 .....	2.03	1.93
0 14 .....	2.03	1.93
0 15 .....	2.26	2.15
0 16 .....	2.26	2.15
0 18 .....	2.46	2.36
0 20 .....	2.68	2.56
0 22 .....	2.88	2.77
0 24 .....	3.10	2.98
0 26 .....	3.30	3.19
0 28 .....	3.52	3.39
0 30 .....	3.72	3.60
0 32 .....	3.94	3.81
3 0 .....	5.38	5.13
4 0 .....	6.82	6.45
5 0 .....	8.26	7.77
6 0 .....	9.70	9.10
7 0 .....	11.14	10.42
8 0 .....	12.58	11.74
9 0 .....	14.02	13.06
10 0 .....	15.46	14.39
11 0 .....	16.90	15.71
Each additional pound or fraction of a pound .....	1.44	1.32

<sup>1</sup>All other countries (except Canada and Mexico).

BOOKS AND SHEET MUSIC (SURFACE)

Weight not over (lbs.)	Mexico	All other <sup>1</sup>
1 .....	\$2.26	\$2.24
2 .....	3.94	3.97
3 .....	5.38	5.35
4 .....	6.82	6.73
5 .....	8.26	8.11
6 .....	9.70	9.49
7 .....	11.14	10.87
8 .....	12.58	12.25
9 .....	14.02	13.63
10 .....	15.46	15.01
11 .....	16.90	16.39
Each additional pound or fraction of a pound .....	1.44	1.38

<sup>1</sup>All other countries (except Canada and Mexico).

Stanley F. Mires,

Chief Counsel, Legislative.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 51

[FRL-6542-8]

RIN 2060-AH88

Stay of the Eight-Hour Portion of the Findings of Significant Contribution and Rulemaking for Purposes of Reducing Interstate Ozone Transport

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

**SUMMARY:** In today's action, EPA is proposing to amend a final rule it issued under section 110 of the Clean Air Act (CAA) related to interstate transport of pollutants. The EPA is proposing to stay its finding in the nitrogen oxides State Implementation Plan Call (NO<sub>x</sub> SIP Call) related to the 8-hour ozone standards.

In the final NO<sub>x</sub> SIP Call, EPA found that emissions of NO<sub>x</sub> from 22 States and the District of Columbia (23 States) significantly contribute to downwind areas' nonattainment of the 1-hour ozone National Ambient Air Quality Standards (NAAQS). The EPA also separately found that NO<sub>x</sub> emissions from the same 23 States significantly contribute to downwind nonattainment of the 8-hour ozone NAAQS. The EPA's findings under the 8-hour standards were completely separate from its 1-hour findings and were an independent basis for the rule.

Subsequently, the revised 8-hour ozone standards were remanded in *American Trucking Associations, Inc. v. EPA*, 175 F.3d 1027 (D.C. Cir. 1999). On October 29, 1999, a panel of the U.S. Court of Appeals for the District of Columbia Circuit (D.C. Circuit) granted in part and denied in part EPA's rehearing request in that case, and the full Court denied EPA's request for rehearing *en banc*. The panel granted rehearing as to certain parts of its original opinion which address EPA's authority to implement the 8-hour ozone NAAQS. The rehearing decision continues to create uncertainty with respect to EPA's ability to rely upon the 8-hour standards as an alternative basis for the NO<sub>x</sub> SIP Call at this time.

**DATES:** The comment period on this notice of proposed rulemaking (NPR) ends on April 17, 2000. Comments must be postmarked by the last day of the comment period and sent directly to the Docket Office listed in **ADDRESSES** (in duplicate form if possible). The EPA must receive requests for a hearing by March 13, 2000. Please refer to

**SUPPLEMENTARY INFORMATION** for additional information on the comment period and public hearing.

**ADDRESSES:** Comments may be submitted to the Air and Radiation Docket and Information Center (6102), Attention: Docket No. A-96-56, U.S. Environmental Protection Agency, 401 M Street SW, room M-1500, Washington, DC 20460, telephone (202) 260-7548. Comments and data may also be submitted electronically by following the instructions under **SUPPLEMENTARY INFORMATION** of this document. No confidential business information (CBI) should be submitted through e-mail.

Documents relevant to this action are available for inspection at the Air and Radiation Docket and Information Center (6102), Attention: Docket No. A-96-56, at the above address between 8 a.m. and 5:30 p.m., Monday through Friday, excluding legal holidays. A reasonable fee may be charged for copying.

**FOR FURTHER INFORMATION CONTACT:** Questions concerning today's action should be addressed to Kimber Scavo, Office of Air Quality Planning and Standards, Air Quality Strategies and Standards Division, MD-15, Research Triangle Park, NC, 27711, telephone (919) 541-3354, e-mail at scavo.kimber@epa.gov.

**SUPPLEMENTARY INFORMATION:**

**Public Hearing**

If you contact EPA requesting a public hearing, it will be held at Research Triangle Park, NC. If you wish to attend the hearing or wish to present oral testimony, you should notify Ms. Joann Allman, Office of Air Quality Planning and Standards, Air Quality Strategies and Standards Division, MD-15, Research Triangle Park, NC 27711, telephone (919) 541-1815, e-mail allman.joann@epa.gov. The EPA will publish a notice of a hearing if a hearing is requested, in the **Federal Register**. Any hearing will be strictly limited to the subject matter of the proposal, the scope of which is discussed below. Any member of the public may file a written statement by the close of the comment period. Written statements (duplicate copies preferred) should be submitted to Docket No. A-96-56 at the above address. A verbatim transcript of the hearing, if held, and written statements will be made available for copying during normal working hours at the Air and Radiation Docket and Information Center at the above address.

**Availability of Related Information**

The official record for the NO<sub>x</sub> SIP Call rulemaking as well as the public