

| State   | City/town/county                         | Source of flooding | Location  | #Depth in feet above ground. *Elevation in feet. (NGVD) |          |
|---|--|--------------------|---|---|----------|
|   |  |                    |   | Existing  | Modified |
|   |  |                    | Approximately 100 feet downstream of 5900 South Street.               | *4,351  | *4,347   |
| Maps are available for inspection at the Office of the City Engineer, 4646 South 500 West, Murray, Utah.<br>Send comments to The Honorable Dan Snarr, Mayor, City of Murray, 5025 South State Street, Murray, Utah 84157-0000.                    |  |                    |   |   |          |
| Utah  | South Salt Lake (City).                  | Mill Creek         | At confluence with Jordan River                                       | *4,233  | *4,233   |
|   |  |                    | Just downstream of State Street                                       | *4,252  | *4,251   |
|   |  |                    | Approximately 300 feet downstream of 3300 South Street.               | *4,263  | *4,263   |
| Maps are available for inspection at 220 East Morris Avenue, South Salt Lake, Utah 85115.<br>Send comments to The Honorable Randy Fitts, Mayor, City of South Salt Lake, 220 East Morris Avenue, South Salt Lake, Utah 85115.                     |  |                    |   |   |          |
| Washington  | College Place (City) Walla Walla County. | Garrison Creek     | Approximately 3,300 feet upstream of Mission Road.                    | None  | *703     |
|   |  |                    | Approximately 6,400 feet upstream of Mission Road.                    | None  | *723     |
| Maps are available for inspection at City Hall, South College Avenue, College Place, Washington.<br>Send comments to The Honorable Thor Bakland, Mayor, City of College Place, 625 South College Avenue, College Place, Washington 99324.         |  |                    |   |   |          |
| Washington  | Washtucna (Town) Adams County.           | Washtucna Coulee   | Approximately 2,700 feet downstream of Cooper Street.                 | None  | +1,002   |
|   |  |                    | Just downstream of Canal Street                                       | None  | +1,023   |
|   |  |                    | At confluence with Staley Coulee                                      | None  | +1,023   |
|   |  |                    | Approximately 800 feet upstream of the confluence with Staley Coulee. | None  | +1,025   |
|   |  | Staley Coulee      | Just upstream of Canal Street   | None  | +1,023   |
|   |  |                    | Approximately 800 feet upstream of North Street.                      | None  | +1,023   |
| Maps are available for inspection at the Washtucna Town Hall, 165 Southeast Main Street, Washtucna, Washington.<br>Send comments to The Honorable Neil G. Todd, Mayor, Town of Washtucna, 165 Southeast Main Street, Washtucna, Washington 99371. |  |                    |   |   |          |

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance.")  
 Dated: November 8, 2000.  
**Michael J. Armstrong,**  
*Associate Director for Mitigation.*  
 [FR Doc. 00-29127 Filed 11-14-00; 8:45 am]  
**BILLING CODE 6718-04-P**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**45 CFR Parts 74 and 92**

**Uniform Administrative Requirements for Awards and Subawards to Institutions of Higher Education, Hospitals, Other Nonprofit Organizations, and Commercial Organizations; and Certain Grants and Agreements With States, Local Governments and Indian Tribal Governments and Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments**

**AGENCY:** Department of Health and Human Services (HHS).

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** The Department of Health and Human Services proposes to revise its grants management regulations in order to bring the entitlement grant programs it administers under the same regulations that already apply to non-entitlement programs for grants and cooperative agreements to State, local, and tribal governments.

**DATES:** Comments must be submitted by January 16, 2001.

**ADDRESSES:** Comments must be in writing and should be mailed or faxed to Charles Gale, Director, Office of Grants Management, HHS, Room 517-D, 200 Independence Avenue SW, Washington, D.C. 20201; Fax (202) 690-6902. Written comments may be inspected at the identified address during agency business hours from 9:30 am to 5:30 p.m., Monday through Friday, Federal Holidays excepted.

**FOR FURTHER INFORMATION CONTACT:** Charles Gale, Director, Office of Grants Management at the above address; (202) 690-6377. For the hearing impaired only: TDD (202) 690-6415. These are not toll-free numbers.

**SUPPLEMENTARY INFORMATION:**

**Background and Purpose**

On March 11, 1988, HHS joined other Federal agencies in publishing a final grants management "common rule" which provides a uniform system for the administration of grants and cooperative agreements, and by subawards thereunder, to State, local, and tribal governments. Prior to that date, administrative requirements for awards and subawards under all HHS programs were codified under 45 CFR Part 74. HHS implemented the Common Rule at 45 CFR Part 92. At the time, entitlement grant programs of the Social Security Act (the Act) administered by HHS and the Department of Agriculture were excepted from the common rule, because it was believed that the States operated entitlement programs differently than non-entitlement programs. Therefore, Subpart E was reserved in the rule to subsequently address provisions specific to entitlement programs. Pending the publication of Subpart E to Part 92, the HHS entitlement programs have remained under Part 74. As cited in 45 CFR 92.4, these programs included:  
 (1) Aid to Needy Families with Dependent Children (Title IV-A of the

Act, not including the Work Incentive Program (WIN) authorized by section 402(a)(19)(G));

(2) Child Support Enforcement and Establishment of Paternity (Title IV–D of the Act);

(3) Foster Care and Adoption Assistance (Title IV–E of the Act);

(4) Aid to the Aged, Blind, and Disabled (Titles I, X, XIV, and XVI–AABD of the Act);

(5) Medical Assistance (Medicaid) (Title XIX of the Act) not including the State Medicaid Fraud Control program authorized by section 1903(a)(6)(B); and

(6) Certain grant funds awarded under subsection 412(e) of the Immigration and Nationality Act and subsection 501(a) of the Refugee Education Assistance Act of 1980.

Experimental, pilot, or demonstrations involving the above programs also remained under Part 74.

Although it was initially believed that States operated entitlement programs differently than non-entitlement programs, over the years we have found that belief to be untrue. Based upon our experience, we believe that States operate entitlement grant programs like non-entitlement programs. Furthermore, HHS and USDA consulted with State officials and their staffs and found that they applied the same fundamental administrative rules to both entitlement and non-entitlement programs. Since the States are currently applying the substance of the common rule requirements to their entitlement programs, HHS and USDA plan to synchronize the administrative requirements for all entitlement grant programs by bringing them under the common rule. USDA issued a final rule which applies its Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments to its entitlement grant programs. 65 Fed. Reg. 49474 (August 14, 2000). By way of this proposed rule, HHS is likewise proceeding with application of the common rule to its entitlement grant programs.

This proposed rule would expand the scope of 45 CFR Part 92 to include the entitlement grant programs cited above and remove such programs from the scope of Part 74. Therefore, both entitlement and non-entitlement awards to State, local, and tribal governments will be under the same administrative rules. This will enable State, local, and tribal grantees and other affected parties, such as auditors, to use the same administrative rules for the vast majority of their Federal programs. This action will also reduce unnecessary

confusion and inefficiency in program administration.

There are technical distinctions between Part 74 and Part 92, e.g., wording and format. Also, while the substance of the cost principles and audit requirements remains the same, there are differences in wording and organization. While the wording and organization are different, we believe there are no significant differences in the meaning of these standard administrative provisions. With respect to program income, for example, while Part 92 provides more specific information and Part 74 is different with respect to research grants, there is no practical difference in the way States will treat program income earned under the entitlement programs. That is, unless instructed otherwise by the HHS awarding agency or superseded by other legislative requirements, States will use the deduction alternative. Similarly, with respect to termination for convenience, while Part 92 covers the subject as a separate section, the requirements in Part 74 provide for essentially the same treatment in such cases. That is, termination for convenience may occur upon mutual consent between the HHS awarding agency and the grantee or upon written notification on the part of the grantee under certain conditions. We invite comment on the effect of these examples and any other differences detected. Additionally, HHS has decided to apply the rule prospectively to grants awarded after the effective date of the rule. We welcome questions regarding the application of the rule to specific types of entitlement grant programs.

In publishing this proposed rule, HHS solicits comments on applying the provisions of Part 92 to HHS entitlement program awards and subawards to State, local, and tribal governmental organizations. This proposed rule will not affect HHS non-entitlement grant programs. As noted above, Part 92 has covered grants and subgrants to State, local, and tribal governments relating to non-entitlement grant programs since its publication. HHS also solicits comments regarding whether certain provisions of the common rule should not be applied to entitlement grant programs but whether, instead, certain provisions of 45 CFR Part 74 should remain applicable.

### Regulatory Impact Analysis

#### *Executive Order 12866*

In accordance with the provisions of Executive Order 12866, the Office of Management and Budget did not review this rule because it is not a significant

regulatory action as defined in Executive Order 12866.

#### *Regulatory Flexibility Act*

In accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), the Secretary has reviewed this proposed rule before publication and, by approving it, certifies that it will not have a significant impact on a substantial number of small entities. The proposed rule does not affect the amount of funds provided in the covered programs but, instead, modifies and updates the administrative and procedural requirements.

#### *Unfunded Mandates Reform Act*

The Department has determined that this proposed rule is not a significant regulatory action within the meaning of the Unfunded Mandates Reform Act of 1995, 2 U.S.C. 1501, *et seq.*, because it will not result in State, local, or tribal government expenditures of \$100 million or more.

#### *Paperwork Reduction Act of 1995*

The reporting and recordkeeping requirements of this rule are the same as those required by OMB Circulars A–102 and A–110 and have already been cleared by OMB. Therefore, HHS believes this rule will not impose additional information collection requirements on grantees and subgrantees.

#### List of Subjects

##### *45 CFR Part 74*

Accounting, Administrative practice and procedure, Colleges and universities, Grant programs, Hospitals, Indians, Intergovernmental relations, Nonprofit organizations, and Reporting and recordkeeping requirements.

##### *45 CFR Part 92*

Accounting, Grant programs, Indians, Intergovernmental relations, Reporting and recordkeeping requirements. (Catalog of Federal Domestic Assistance number does not apply.)

Dated: November 2, 2000.

**Donna E. Shalala,**  
*Secretary.*

Accordingly, for the reasons set forth above it is proposed that Title 45 of the Code of Federal Regulations be amended as follows:

**PART 74—UNIFORM ADMINISTRATIVE REQUIREMENTS FOR AWARDS AND SUBAWARDS TO INSTITUTIONS OF HIGHER EDUCATION, HOSPITALS, OTHER NONPROFIT ORGANIZATIONS, AND COMMERCIAL ORGANIZATIONS**

1. The heading of part 74 is revised to read as set forth above.
2. The authority citation for Part 74 is revised to read as follows:

**Authority:** 5 U.S.C. 301; OMB Circular A-110 (58 FR 62992, November 29, 1993), as amended (64 FR 54926, October 8, 1999).

3. In 74.1 remove paragraph (a)(3).

**PART 92—UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND COOPERATIVE AGREEMENTS TO STATE, LOCAL, AND TRIBAL GOVERNMENTS**

1. The authority citation for part 92 would continue to read as follows:

**Authority:** 5 U.S.C. 301.

2. In 92.4 remove paragraphs (a)(3), (7) and (8) and redesignate paragraphs (a)(4) through (10) as (a)(3) through (7) and remove and reserve paragraph (b).
3. Remove Subpart E, Entitlement.

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 660**

[I.D. 110300B]

**Western Pacific Fishery Management Council; Public Meeting**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of public meeting/public hearing.

**SUMMARY:** The Western Pacific Fishery Management Council (Council) will hold its 107th meeting November 28 through December 1, 2000, in Honolulu, HI. A public hearing will be held on a framework amendment to add new entry criteria for the Mau Zone limited entry bottomfish fishery in the Northwestern Hawaiian Islands (NWHI).

**DATES:** The Council's Standing Committees will meet on November 28, 2000, from 7:30 a.m. to 5:30 p.m. The full Council meeting will be held on November 29, 2000, from 9 a.m. to 5 p.m. and November 30 to December 1, 2000, from 8:30 a.m. to 5 p.m. A public hearing will be held on November 29,

2000 at 3 p.m. on a framework amendment to add new entry criteria for the Mau zone limited entry bottomfish fishery in the NWHI. See **SUPPLEMENTARY INFORMATION** for specific dates and times for these meetings and the hearings.

**ADDRESSES:** The Council meeting, Standing Committee meetings, and public hearing will be held at the Ala Moana Hotel, 410 Atkinson Drive, Honolulu, HI; telephone: 808-955-4811. Copies of the framework document proposing new entry criteria for the Mau Zone are available from and written comments can be sent to the Western Pacific Fishery Management Council, 1164 Bishop St., Suite 1400, Honolulu, HI 96813.

**FOR FURTHER INFORMATION CONTACT:** Kitty M. Simonds, Executive Director; telephone: 808-522-8220.

**SUPPLEMENTARY INFORMATION:**

**Dates and Times of Committee Meetings**

The following Standing Committees of the Council will meet on November 28, 2000. Enforcement/Vessel Monitoring System from 7:30 a.m. to 9:30 a.m.; International Fisheries/Pelagics from 9:30 a.m. to 11:30 a.m.; Executive/Budget and Program from 11:30 a.m. to 1:30 p.m.; Precious Corals from 1:30 p.m. to 3 p.m.; Crustaceans from 1:30 p.m. to 3 p.m.; Bottomfish from 3 p.m. to 4:30 p.m.; Ecosystem and Habitat from 3 p.m. to 4:30 p.m.; and Fishery Rights of Indigenous People from 4:30 p.m. to 5:30 p.m.

**Public Hearings**

A public hearing on new entry criteria for the Mau Zone bottomfish fishery will be held on Wednesday, November 29, 2000, at 3 p.m.

In addition, the Council will hear recommendations from its advisory panels, plan teams, scientific and statistical committee, and other ad hoc groups. The order in which agenda items are addressed may change. The Council will meet as late as necessary to complete scheduled business.

**Agenda**

1. *Introductions*
2. *Approval of Agenda*
3. *Approval of 105th and 106th Meeting Minutes*
4. *Island Reports*
  - A. American Samoa
  - B. Guam
  - C. Hawaii
  - D. Commonwealth of the Northern Mariana Islands (CNMI)
5. *Federal Agency and Organization Reports*

- A. Department of Commerce
  - (1) NMFS
    - (a) Southwest Region, Pacific Island Area Office
    - (b) Southwest Fisheries Science Center, La Jolla and Honolulu Laboratories
  - (2) NOAA General Counsel, Southwest Region

- B. Department of the Interior
  - (1) U.S. Fish and Wildlife Service

- C. U.S. State Department

**6. Enforcement**

- A. U.S. Coast Guard activities
- B. NMFS activities

- C. Commonwealth, Territories, and State activities

- D. Cooperative agreements for Guam/CNMI

- E. Status of violations

**7. Vessel Monitoring System (VMS)**

- A. Hawaii VMS report

- B. Report on national VMS efforts

**8. Presentation on Transition Zone Chlorophyll Front**

**9. Precious Corals**

- A. Status of framework amendment regarding new harvesting requirements

- B. Status of framework adjustment regarding Hawaiian Islands exploratory area quota increase

- C. New bed definition and associated permitting

- D. Precious Coral draft environmental impact statement

**10. Bottomfish Fisheries**

- A. Update on State of Hawaii area closures

- B. Mau Zone framework amendment

- C. Status of litigation

- D. Status of section 7 consultation

- E. Draft Bottomfish EIS

- F. Observer program

- G. Public hearing on new entry criteria for the Mau Zone bottomfish fishery

The Council has developed a framework amendment to the Fishery Management Plan for Bottomfish and Seamount Groundfish Fisheries of the Western Pacific Region. The amendment will establish criteria for new entry into the limited access Mau Zone bottomfish fishery around the NWHI. In developing the framework document, the Council considered a range of alternatives and impacts on NWHI bottomfish fishery. Currently, there are no Federal regulations that specify how new permits are to be issued for the Mau Zone fishery once the number of vessels in the Zone falls below the target