

### § 3.11 Phased Implementation of the Program.

(a) *First phase—eighteen month period.* The guidelines will apply initially, during a first phase of eighteen months' duration, only to contracts involving industries whose two digit Standard Industrial Classification ("SIC") Code major group identifiers are listed below. Each agency will establish procedures to ensure that the Empowerment Contracting program is applied to approximately 25 percent of the dollar value of its eligible procurements in these SIC codes, and will inform the Department of Commerce as to how it will ensure that this is done.

(b) At the end of the first year of the program, the Department of Commerce, in coordination with the agencies listed in Executive Order 13005, will evaluate the program and develop any necessary changes to improve performance. The revised procedures will become effective in the second phase.

(c) The two digit SIC code major group identifiers to which the first phase will apply are:

- 15—Construction
- 20—Food and Kindred Products
- 23—Apparel and Other Textile Products
- 25—Furniture and Fixtures
- 27—Printing and Publishing
- 30—Rubber and Miscellaneous
- 34—Fabricated Metal Products
- 42—Trucking and Warehousing
- 51—Wholesale Trade and Durable Goods
- 73—Business Services
- 87—Management Consulting Services

(d) *Second phase—further implementation.* Further implementation of the order will be instituted in the second phase of the program, which will begin after the first phase of the program has ended, and will extend for a period of 5 years. If the evaluation of phase one so justifies, the second phase of the program will be applied to a larger number of contracts within selected two digit SIC Code industries involved in competitive Federal procurements, consistent with efficient administration of the program and the development of new sources of supplies and services. Industries included in the second phase will be identified in advance of being included. The efficacy of the program will be monitored and evaluated during the second phase, subject to the criteria set forth in the "Monitoring and Evaluation" section of these guidelines. At the end of this five-year period, the Department of Commerce in consultation with the agencies designated in the Executive Order will ascertain whether the program is meeting its goals. Specifically, it will be

determined whether the program stimulated economic activity (through, among other things, job creation or new business investment) in areas of general economic distress and benefited the federal procurement system. If the program meets these objectives, it will be expanded to other selected industries for similar implementation and evaluation.

**William M. Daley,**

*Secretary of Commerce.*

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## DEPARTMENT OF LABOR

### Employment Standards Administration

#### 20 CFR Parts 718, 722, 725, 726 and 727

RIN 1215-AA99

#### Regulations Implementing the Federal Coal Mine Health and Safety Act of 1969, as Amended; Notice of Public Hearings

**AGENCY:** Employment Standards Administration, Labor.

**ACTION:** Proposed rule; Notice of Public Hearings.

**SUMMARY:** The Employment Standards Administration (ESA) will hold public hearings on its proposed regulations implementing the Black Lung Benefits Act. The proposed regulations reflect the program's suggestions for change in the processing and adjudication of individual claims for black lung benefits. The proposal also revises the criteria governing the responsibility of coal mine operators to secure the payment of benefits to their employees and reflects many decisions issued by the Benefits Review Board and U.S. courts of appeals over the past thirteen years. ESA proposed these regulations with the goal of improving services, streamlining the adjudication process and updating the regulations' content. The purpose of the hearing is to receive comments on the proposed changes.

**DATES:** A hearing will be held on Thursday, June 19, 1997, in Charleston, West Virginia, from 9 a.m. to 5 p.m. A second hearing will be held in Washington, DC with the procedures, date and time to be announced in a later notice. Requests to make oral presentations for the record at the first hearing should be received by Friday, June 13, 1997. Any unallotted time at the end of the hearing will be made available to persons present and wishing to speak who have not made timely requests.

**ADDRESSES:** The first hearing will be held at the Charleston Civic Center, 2nd Floor, 200 Civic Center Drive, Charleston, West Virginia 25301. Requests to make oral presentations should be sent to James L. DeMarce, Director, Division of Coal Mine Workers' Compensation, Room C-3520, Frances Perkins Building, 2000 Constitution Avenue, NW., Washington, DC 20210, FAX Number 202-219-8568.

**FOR FURTHER INFORMATION CONTACT:** James L. DeMarce, Director, Division of Coal Mine Workers' Compensation, (202) 219-6692.

**SUPPLEMENTARY INFORMATION:** On January 22, 1997, ESA published a proposed rule (62 FR 3338-3435) intended to amend and revise the regulations implementing the Black Lung Benefits Act, subchapter IV of the Federal Coal Mine Health and Safety Act of 1969, as amended. The comment period originally closed on March 24, 1997, but was extended through May 23, 1997 by subsequent notice (62 FR 8201 (Feb. 24, 1997)). The comment period was extended once again through August 21, 1997.

The Department has received requests for public hearings from the United Mine Workers of America, the National Black Lung Association and the National Mining Association. These organizations represent both individuals and companies with a strong interest in the proposed regulations. The Department deems it desirable to provide the interested community with the opportunity to make oral comment on the proposed regulations.

The first hearing will be conducted in an informal manner by an ESA official. The formal rules of evidence will not apply. The Department may ask questions of expert or technical witnesses. The order of appearance of persons making presentations will be determined by the Agency. The presiding official may exercise discretion in excluding irrelevant or unduly repetitious material and in ensuring the orderly progress of the hearing. The hearing will provide the opportunity for members of the public to make oral presentations. At the discretion of the presiding official, speakers may be limited to a maximum of 20 minutes for their presentations. Individuals with disabilities, who need special accommodations, should contact James L. DeMarce by Friday, June 13, at the address indicated in this notice.

Verbatim transcripts of the proceedings will be prepared and made a part of the rulemaking record. ESA will also accept additional written comments and other appropriate data

from any interested party, including those not presenting oral statements, until expiration of the comment period on August 21, 1997. Written comments and data submitted by ESA will be included in the rulemaking record.

Signed at Washington, DC, this 15th day of May, 1997.

**Gene Karp,**

*Deputy Assistant Secretary for Employment Standards.*

[FR Doc. 97-13166 Filed 5-19-97; 8:45 am]

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 1

[REG-252665-96]

RIN 1545-AU82

#### Intangibles Under Sections 1060 and 338; Hearing Cancellation

**AGENCY:** Internal Revenue Service, Treasury.

**ACTION:** Cancellation of notice of public hearing on proposed regulations.

**SUMMARY:** This document provides notice of cancellation of a public hearing on proposed regulations relating to purchase price allocations in taxable asset acquisitions and deemed asset purchases.

**DATES:** The public hearing originally scheduled for Thursday, May 22, 1997, beginning at 10:00 a.m. is cancelled.

**FOR FURTHER INFORMATION CONTACT:** Mike Slaughter of the Regulations Unit, Assistant Chief Counsel (Corporate), (202) 622-7190, (not a toll-free number).

**SUPPLEMENTARY INFORMATION:** The subject of the public hearing is proposed regulations under sections 1060 and 338 of the Internal Revenue Code. A notice of proposed rulemaking by cross-reference to temporary regulations and notice of public hearing appearing in the **Federal Register** on Thursday, January 16, 1997 (62 FR 2335), announced that the public hearing on proposed regulations under sections 1060 and 338 of the Internal Revenue Code would be held on Thursday, May 22, 1997, beginning at 10:00 a.m., in the Commissioner's Conference Room, Room 3313, Internal Revenue Building, 1111 Constitution Avenue, NW, Washington, D.C.

The public hearing scheduled for Thursday, May 22, 1997 is cancelled.

**Cynthia E. Grigsby,**

*Chief, Regulations Unit, Assistant Chief Counsel (Corporate).*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

#### 43 CFR Parts 3400, 3410, 3420, 3440, 3450, 3460, 3470, 3480

[WO-320-1320-02-1A]

RIN 1004-AD11

#### Coal Management Regulations

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Advance notice of proposed rulemaking; reopening of comment period.

**SUMMARY:** The Bureau of Land Management (BLM) is reopening for 60 additional days the comment period for the advance notice of proposed rulemaking (ANPR) concerning the revision of its regulations governing coal operations on Federally leased lands. BLM published the ANPR on April 9, 1997. The reopening is in response to a request from a representative of interested parties for additional time to provide information.

**DATES:** BLM will accept comments until 5 p.m. Eastern time on July 21, 1997. BLM will not necessarily consider comments received after this time in developing the proposed rule or include them in the administrative record.

**ADDRESSES:** Commenters may mail written comments to the Bureau of Land Management, Administrative Record, Room 401LS, 1849 C Street, NW, Washington, DC 20240; or hand-deliver written comments to the Bureau of Land Management, Administrative Record, Room 401, 1620 L Street, NW, Washington, D.C. Comments will be available for public review at the L Street address from 7:45 a.m. to 4:15 p.m. Eastern time, Monday through Friday, excluding Federal holidays. See the **SUPPLEMENTARY INFORMATION** section for the electronic access and filing address.

**FOR FURTHER INFORMATION CONTACT:** Bill Radden-Lesage, (202) 452-0350 (Commercial or FTS).

#### SUPPLEMENTARY INFORMATION:

##### Electronic Access and Filing Address

Commenters may transmit comments electronically via the Internet to:

WOCComment@wo.blm.gov. Please submit comments as an ASCII file and avoid the use of special characters or encryption. Please include your name and address in your message. If you do not receive a confirmation from the system that we have received your Internet message, contact the Administrative Record at (202) 452-5030.

On April 9, 1997, BLM published an advance notice of proposed rulemaking requesting comments to assist in the revision of its regulations governing coal operations on Federally leased lands. Interested persons were given 30 days, until May 9, 1997, to submit comments. See 62 FR 17141 for additional information and public comment procedures.

BLM has received a request from the National Mining Association for a 60-day extension of the comment period. The request states that an extension would allow the organization to conduct additional research, gathering, and evaluation of quantitative information necessary to document changes in the electric utility industry. After careful consideration of the request, BLM has decided to accept comments for an additional 60 days. Because the original 30-day comment period has now closed, we are reopening, rather than extending, the comment period on the ANPR.

Dated: May 14, 1997.

**Sylvia V. Baca,**

*Assistant Secretary for Land and Minerals Management.*

[FR Doc. 97-13198 Filed 5-19-97; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 24

[GEN Docket No. 90-314; ET Docket No. 92-100; PP Docket No. 93-253; FCC 97-140]

#### Narrowband Personal Communications Services

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This *FNPRM* addresses eligibility and service area issues for the narrowband Personal Communications Services (narrowband PCS) channels and response channels, proposes changes to the Commission's build-out requirements, proposes a partitioning and disaggregation scheme, and proposes modifications to certain provisions of narrowband competitive