

Executive Order 13084 requires EPA to develop an effective process permitting elected officials and other representatives of Indian tribal governments "to provide meaningful and timely input in the development of regulatory policies on matters that significantly or uniquely affect their communities." Today's rule does not significantly or uniquely affect the communities of Indian tribal governments. Accordingly, the requirements of section 3(b) of Executive Order 13084 do not apply to this rule.

E. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) generally requires an agency to conduct a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and small governmental jurisdictions. This rule will not have a significant impact on a substantial number of small entities because disapprovals of SIP revisions under section 110 and subchapter I, part D of the Clean Air Act do not affect any existing requirements applicable to small entities. Any existing Federal requirements will remain in place. Federal disapproval of the State SIP submittal will not affect State-enforceability. Moreover, EPA's disapproval of the submittal would not impose any new Federal requirements. Therefore, I certify that this action will not have a significant economic impact on a substantial number of small entities.

F. Unfunded Mandates

Under section 202 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated annual costs to State, local, or tribal governments in the aggregate; or to private sector, of \$100 million or more. Under section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that this disapproval action does not include a

Federal mandate that may result in estimated annual costs of \$100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector. The disapproval will not change existing requirements and imposes no new requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

G. Submission to Congress and the Comptroller General

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This rule is not a "major" rule as defined by 5 U.S.C. 804(2).

H. National Technology Transfer and Advancement Act

Section 12 of the National Technology Transfer and Advancement Act (NTTAA) of 1995 requires Federal agencies to evaluate existing technical standards when developing a new regulation. To comply with NTTAA, EPA must consider and use "voluntary consensus standards" (VCS) if available and applicable when developing programs and policies unless doing so would be inconsistent with applicable law or otherwise impractical.

The EPA believes that VCS are inapplicable to this action. Today's action does not require the public to perform activities conducive to the use of VCS.

I. Petitions for Judicial Review

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by May 1, 2000. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not

be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Intergovernmental relations, Oxides of nitrogen, Ozone, Particulate matter, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: February 15, 2000.

Felicia Marcus,

Regional Administrator, Region IX.

Part 52, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart F—California

2. Part 52 is amended by adding § 52.242 to read as follows:

§ 52.242 Disapproved rules and regulations.

(a) The following Air Pollution Control District rules are disapproved because they do not meet the requirements of section 110 of the Clean Air Act.

(1) South Coast Air Quality Management District.

(i) Rule 1623, Credits for Lawn and Garden Equipment, submitted on August 28, 1996 and adopted on May 10, 1996.

[FR Doc. 00-4785 Filed 2-28-00; 8:45 am]

BILLING CODE 6560-50-P

LEGAL SERVICES CORPORATION

45 CFR Part 1611

Eligibility: Income Level for Individuals Eligible for Assistance

AGENCY: Legal Services Corporation.

ACTION: Final rule.

SUMMARY: The Legal Services Corporation ("Corporation") is required by law to establish maximum income levels for individuals eligible for legal assistance. This document updates the specified income levels to reflect the annual amendments to the Federal Poverty Guidelines as issued by the Department of Health and Human Services.

EFFECTIVE DATE: February 29, 2000.

FOR FURTHER INFORMATION CONTACT: Victor M. Fortuno, General Counsel,

Legal Services Corporation, 750 First Street NE, Washington, DC 20002-4250; (202) 336-8800.

SUPPLEMENTARY INFORMATION: Section 1007(a)(2) of the Legal Services Corporation Act ("Act"), 42 U.S.C. 2996f(a)(2), requires the Corporation to establish maximum income levels for individuals eligible for legal assistance, and the Act provides that other specified factors shall be taken into account along with income.

Section 1611.3(b) of the Corporation's regulations establishes a maximum income level equivalent to one hundred and twenty-five percent (125%) of the Federal Poverty Guidelines. Since 1982, the Department of Health and Human Services has been responsible for updating and issuing the Poverty Guidelines. The revised figures for 2000 set out below are equivalent to 125% of the current Poverty Guidelines as published on February 15, 2000 (65 FR 7555-57).

List of Subjects in 45 CFR Part 1611

Legal services.

For reasons set out in the preamble, 45 CFR part 1611 is amended as follows:

PART 1611—ELIGIBILITY

1. The authority citation for Part 1611 continues to read as follows:

Authority: Secs. 1006(b)(1), 1007(a)(1) Legal Services Corporation Act of 1974, 42 U.S.C. 2996e(b)(1), 2996f(a)(1), 2996f(a)(2).

2. Appendix A of Part 1611 is revised to read as follows:

Appendix A of Part 1611—Legal Services Corporation 2000 Poverty Guideline¹

Size of family unit	48 contiguous states ²	Alaska ³	Hawaii ⁴
1	\$10,438	\$13,038	\$11,988
2	14,063	17,575	16,163
3	17,688	22,113	20,338
4	21,313	26,650	24,513
5	24,938	31,188	28,688
6	28,563	35,725	32,863
7	32,188	40,263	37,038
8	35,813	44,800	41,213

¹ The figures in this table represent 125% of the poverty guidelines by family size as determined by the Department of Health and Human Services.

² For family units with more than eight members, add \$3,625 for each additional member in a family.

³ For family units with more than eight members, add \$4,538 for each additional member in a family.

⁴ For family units with more than eight members, add \$4,175 for each additional member in a family.

Dated: February 23, 2000.

Victor M. Fortuno,
Vice President for Legal Affairs, General Counsel & Corporate Secretary.
 [FR Doc. 00-4803 Filed 2-28-00; 8:45 am]
BILLING CODE 7050-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 1

[FCC 00-22]

Implementation of the Satellite Home Viewer Improvement Act of 1999; Enforcement Procedures for Retransmission Consent Violations

AGENCY: Federal Communications Commission.

ACTION: Final rule; procedures.

SUMMARY: This document adopts procedural rules to implement certain aspects of the Satellite Home Viewer Improvement Act of 1999, which was enacted on November 29, 1999. Among other things, the act authorizes satellite carriers to add more local and national broadcast programming to their offerings and seeks to place satellite carriers on an equal footing with cable operators with respect to availability of broadcast programming. This document discusses specifically the implementation of regulations that would apply enforcement procedures for retransmission consent violations.

DATES: Effective May 30, 2000, except for § 1.6010 which contains information collection requirements that are not effective until approved by the Office of Management and Budget. The Commission will publish a document in the **Federal Register** announcing the effective date of § 1.6010. Written comments by the public on the new and/or modified information collections are due May 1, 2000.

ADDRESSES: Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554. In addition to filing comments with the Secretary, a copy of any comments on the information collections contained herein should be submitted to Judy Boley, Federal Communications Commission, Room 1-C804, 445 12th Street, SW, Washington DC 20554, or via the Internet at jboley@fcc.gov.

FOR FURTHER INFORMATION CONTACT: Eloise Gore at (202) 418-7200 or via the Internet at egore@fcc.gov. For additional information concerning the information collection(s) contained in this document, contact Judy Boley at (202)

418-0214, or via the Internet at jboley@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Order ("Order"), FCC 00-22, adopted January 27, 2000; released January 28, 2000. The full text of the Commission's Order is available for inspection and copying during normal business hours in the FCC Reference Center (Room CY-A257) at its headquarters, 445 12th Street, SW, Washington, D.C. 20554, or may be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857-3800, 1231 20th Street, NW, Washington, D.C. 20036, or may be reviewed via Internet at <http://www.fcc.gov/csb/>.

Synopsis of the Order

I. Introduction

1. In this order, we adopt procedural rules to implement new Section 325(e) of the Communications Act of 1934, as amended, added by Section 1009 of the Satellite Home Viewer Improvement Act ("SHVIA"). Section 325(e) provides the procedures by which the Commission shall process complaints by television broadcast stations alleging that a satellite carrier has retransmitted local television signals without the stations' consent in violation of Section 325(b)(1) of the Act, as amended by the SHVIA.

II. Background

2. Section 1009 of SHVIA amends Section 325(b)(1) of the Communications Act to provide, inter alia, that satellite carriers may not retransmit the signal of a broadcast station, or any part thereof, except: (1) With the express authority of the originating station; or (2) if the station has asserted must carry rights under Section 338. Section 1009 further provides that, pursuant to Section 325(b)(2), retransmission consent is not required for satellite retransmission of noncommercial stations; certain superstations under specified circumstances; and, until December 31, 2004, network stations retransmitted outside the station's local market to "unserved" households. In addition, for six months following enactment of the SHVIA, retransmission consent is not required for satellite retransmission of a local station within the station's local market. After the conclusion of this six month period, satellite carriers will be required to obtain retransmission consent to carry these local-into-local retransmissions.

3. Section 1009 also adds a new paragraph (e) to Section 325 of the Communications Act. New paragraph 325(e) creates a set of expedited