

Dated: April 16, 1996.
William K. Stowers,
Lands Team Lead.
[FR Doc. 96-10327 Filed 4-25-96; 8:45 am]
BILLING CODE 4310-HC-P

National Park Service

Revision of Handcraft Exemption Policy

AGENCY: National Park Service, Interior.

ACTION: Revision of Policy on the Exemption of Handcraft Sales from Franchise Fee Calculation.

SUMMARY: The National Park Service (NPS) authorizes private businesses known as concessioners to provide necessary and appropriate visitor facilities and services in areas of the National Park System. NPS is undertaking a review of its policies concerning concession management activities. Pending completion of a full review, NPS has amended its policy regarding the exemption of gross receipts from the sale of United States Indian and native handicrafts from franchise fee calculations.

EFFECTIVE DATE: April 26, 1996.

FOR FURTHER INFORMATION CONTACT: Robert Yearout, Chief, Concession Program Division, National Park Service, P.O. Box 37127, Washington, D.C. 20013-7127, Tele. (202) 343-3784.

SUPPLEMENTARY INFORMATION: On January 17, 1995, the National Park Service published for public comment in the Federal Register proposed amendments to certain concession policies. Two of these policy amendments were adopted under separate notice published on July 20, 1995. The remaining policy amendment proposed to eliminate the exemption from franchise fee computation of gross receipts from the sale of Native American handicrafts. In reviewing comments received on this proposal, NPS noted that the notice incorrectly limited this exclusion to Native American handicrafts, although the Standard NPS Concession Contract refers to "genuine United States Indian and native handicraft." Because this is a much broader category than indicated in the January 17, 1995, Federal Register notice, NPS published a revised policy amendment for comment in the Federal Register of July 20, 1995.

NPS received 23 comments concerning its proposal to eliminate the handcraft exemption from gross receipts for the purpose of franchise fee calculation. Ten of these comments came from NPS concessioners or associated companies, 2 from

associations representing groups of NPS concessioners, one from an interested environmental organization, one from an Indian Tribe, one from a State agency, one from an individual, and 7 from craftspersons or groups representing craftspersons.

Analysis of Comments

The following is an analysis of the comments received on the policy proposal NPS is adopting under this notice.

Sixteen commenters felt that elimination of the franchise fee exemption would diminish the extent to which handcrafts are marketed and sold within the parks, or that elimination of the exemption reflects a departure from a long-established objective of NPS to encourage handcrafts and merchandise appropriate to the park and region. One of these commenters felt that NPS should continue to do everything possible to continue to promote the sale of Native American handcrafts in the parks. Elimination of the exemption does not change the NPS objective of encouraging handcrafts and merchandise appropriate to the park and region. It is important to note that this policy revision is prospective in nature. Existing contracts which provide for the exemption will not be affected by this policy change. However, new contracts will contain a provision requiring that concessioners implement a plan to assure that all gift merchandise is theme oriented specifically to the park in which they operate. A wide range of specific local themes such as geology, wildlife, plant life, archaeology, applicable local or Native American culture, and themes which enhance the idea of conservation and national park values will be used to establish the types of merchandise to be sold. NPS believes that this is a more positive approach to assuring that appropriate merchandise of all types is offered for sale within the parks than simply exempting gross receipts from the sale of certain items from franchise fees. This approach was also supported by one commenter, who felt that concessioners should be encouraged to sell native handcrafts through other means.

Two commenters suggested that NPS should strengthen its policy by providing more attention to enforcement and implementation, by narrowing the scope of the exemption to encourage the sale in particular parks of genuine handcrafts native to their regions, and by prohibiting the sale, outright, of imitation arts and crafts within the national parks. Again, NPS feels that its planned approach to the sale of

merchandise, including handcrafts, will accomplish these objectives to a much greater extent than the exemption has in the past.

Nine commenters expressed concern that elimination of the exemption may result in less sales of handcrafts, and that gains in franchise fees may be offset by increased costs in entitlement programs for craftspersons who lose sales. They also expressed concern about the effect this might have on artisans in rural communities. NPS intends to take an increased proactive role in encouraging the development and sale of theme-related handcrafts within the parks, and does not anticipate that the sale of handcrafted items will be significantly reduced or eliminated as a result of eliminating the exemption. Rather, the emphasis that will be placed on merchandise thematically related to the park and its resources is likely to increase the sale of handcrafts and related items in most areas.

Three commenters indicated that they felt that NPS efforts to extend franchise fees to concessioner sales from facilities outside the parks would be illegal. Elimination of the exemption has no effect on operations outside of park boundaries, and NPS does not intend to extend franchise fees to sales from facilities outside the parks.

One commenter stated that finding quality handcrafts and the individual selection required is costly and time-consuming, and that the proposal will penalize concessioners who endeavor to present the finest of American workmanship to park visitors. NPS believes that, in most cases, concessioners have already identified and selected sources for handcrafted, theme-related items and, consequently, the costs associated with finding suppliers of appropriate handcraft items have been incurred while the exemption was still in effect. As indicated previously, existing contracts which permit the exemption will not be affected by this policy change, and new contracts will provide for a more proactive approach to assuring that merchandise offered for sale is related to the park theme. Accordingly, existing concessioners will have the remainder of their existing contract terms with the exemption still in effect to refine their handcraft purchasing strategies.

Finally, one commenter suggested that NPS should postpone policy changes in view of the legislative proposals currently under consideration by the Congress. NPS disagrees, as none of these legislative proposals would directly affect this policy revision.

In consideration of the foregoing, the exclusion of gross receipts from the sale of United States Indian and native handicrafts for purposes of franchise fee calculation is hereby eliminated from NPS Management Policies, Chapter 10, Section 9(d)(1) of the standard concession contract language and Chapters 24 and 28 of NPS-48, the Concessions Guideline.

Dated: April 8, 1996.

John Reynolds,

Director, National Park Service.

[FR Doc. 96-10312 Filed 4-25-96; 8:45 am]

BILLING CODE 4310-70-M

Delaware Water Gap National Recreation Area Citizens Advisory Commission Meeting

AGENCY: National Park Service, Interior.

ACTION: Notice of meeting.

SUMMARY: This notice announces three upcoming meetings of the Delaware Water Gap National Recreation Area Citizens Advisory Commission. Notice of these meetings is required under the Federal Advisory Committee Act (Pub. L. 92-463).

Meeting Date and Time: Thursday, June 6, 1996 at 7:00 p.m.

Address: Walpack Church, Walpack Center NJ 07881.

Meeting Date and Time: Thursday, September 5, 1996 at 7:00 p.m.

Address: Bushkill School, Bushkill PA 18324

Meeting Date and Time: Saturday, January 11, 1997 at 9:00 a.m.

Address: Walpack Church, Walpack Center NJ 07881.

Snow Date: January 18, 1997 at 9:00 a.m.

The agenda for the meeting consists of reports from Citizen Advisory Commission committees including: By-Laws, Natural Resources, Recreation, Cultural and Historical Resources, Intergovernmental and Public Affairs, Construction and Capital Project Implementation, as well as Special Committee Reports. Superintendent Roger K. Rector will give a report on various park issues.

SUPPLEMENTARY INFORMATION: The Delaware Water Gap National Recreation Area Citizens Advisory Commission was established by Public Law 100-573 to advise the Secretary of the Interior and the United States Congress on matters pertaining to the management and operation of the Delaware Water Gap National Recreation Area, as well as on other matters affecting the Recreation Area and its surrounding communities.

The meeting will be open to the public. Any member of the public may file a written statement concerning

agenda items with the Commission. The statement should be addressed to The Delaware Water Gap National Recreation Area Citizens Advisory Commission, P.O. Box 284, Bushkill, PA 18324. Minutes of the meeting will be available for inspection four weeks after the meeting at the permanent headquarters of the Delaware Water Gap National Recreation Area located on River Road 1 mile east of U.S. Route 209, Bushkill, Pennsylvania.

FOR FURTHER INFORMATION CONTACT: Superintendent, Delaware Water Gap National Recreation Area, Bushkill, PA 18324, 717-588-2418.

Dated: April 16, 1996.

Warren D. Beach,

Associate Field Director, Northeast Field Area.

[FR Doc. 96-10309 Filed 4-25-96; 8:45 am]

BILLING CODE 4310-10-M

Upper Delaware Scenic and Recreational River Citizens Advisory Council

AGENCY: National Park Service, Interior.

ACTION: Notice of meeting.

SUMMARY: This notice sets forth the date of the meetings of the Upper Delaware Citizens Advisory Council for calendar year 1996.

Dates	Type of meeting	"Rain" date	Address
Apr. 9, 1996	Business	None	NPS Resource Management Office, River Road, Milanville, Pennsylvania.
June 11, 1996	Business	None	NPS Headquarters, River Road, Beach Lake, Pennsylvania.
Sept. 10, 1996	Business	None	NPS Headquarters, River Road, Beach Lake, Pennsylvania.
Nov. 12, 1996	Business	None	Zane Grey House and Museum, Delaware Drive, Lackawaxen, Pennsylvania.

Press Releases containing specific information regarding the subject of each meeting, as well as special informational programs, will be published in the following area newspapers:

The Sullivan County Democrat
The Times Herald Record
The River Reporter
The Tri-state Gazette
The Pike County Dispatch
The Wayne Independent
The Hawley News Eagle
The Weekly Almanac

Announcements of cancellation due to inclement weather will be made by radio stations WDNH, WDLC, WSUL, WJFF and WVOS.

FOR FURTHER INFORMATION CONTACT:

Calvin F. Hite, Superintendent; Upper Delaware Scenic and Recreational River, RR2, Box 2428, Beach Lake PA 18405-9737; 717-729-8251.

SUPPLEMENTARY INFORMATION: The Advisory Council was established under section 704 (f) of the National Parks and Recreation Act of 1978, Public Law 95-625, 16 USC s1724 note, to encourage maximum public involvement in the development and implementation of the plans and programs authorized by the Act. The Council is to meet and report to the Delaware River Basin Commission, the Secretary of the Interior, and the Governors of New York and Pennsylvania in the preparation and implementation of the management plan, and on programs which relate to land and water use in the Upper Delaware Region.

All meetings are open to the public. Any member of the public may file with the Council a written statement concerning agenda times. The statement should be addressed to the Upper Delaware Citizens Advisory Council, P.O. Box 84, Marrowsburg, NY 12764.

Minutes of the meeting will be available for inspection four weeks after the meeting, at the permanent headquarters of the Upper Delaware Scenic and Recreational River; River Road, 1¾ miles north of Narrowsburg, New York; Damascus Township, Pennsylvania.

Dated: April 16, 1996.

Warren Beach,

Assistant Field Director, Northeast Field Area.

[FR Doc. 96-10310 Filed 4-25-96; 8:45 am]

BILLING CODE 4310-70-M

Availability of Plan of Operations; Mining Operation; Jo Claim Group; Death Valley National Park; Inyo & San Bernardino Counties, CA and Esmeralda & Nye Counties, NV

Notice is hereby given in accordance with Section 9.17(a) of Title 36 of the Code of Federal Regulations, Part 9, Subpart A, that the National Park