

Gallup, NM. The DFR was to provide adequate controlled airspace extending upward from 700 feet above the surface for Instrument Flight Rules (IFR) operations at Gallup Municipal Airport, Gallup, NM. The description of the airspace in the DFR incorrectly described the airspace necessary to contain aircraft IFR operations at Gallup, NM. Accordingly, the DFR as published, is withdrawn.

DATES: The direct final rule published at 62 FR 65606 is withdrawn on March 17, 1998.

FOR FURTHER INFORMATION CONTACT:

Donald J. Day, System Management Branch, Federal Aviation Administration, Southwest Region, Fort Worth, TX 76193-0530 telephone 817-222-5593.

SUPPLEMENTARY INFORMATION: On December 15, 1997 (62 FR 65606), a DFR was published in the **Federal Register** to revise Class E airspace at Gallup, NM. The intended effect of the DFR was to provide adequate controlled airspace extending upward from 700 feet or more above the surface for IFR operations at Gallup Municipal Airport, Gallup, NM. The description of the airspace in the DFR incorrectly described the airspace necessary to contain aircraft IFR operations at Gallup, NM. Accordingly, the DFR published in the **Federal Register** on December 15, 1997 (62 FR 65606) is withdrawn. Since this action only withdraws a DFR, it is neither a proposed nor a final rule and therefore is not covered under Executive Order 12866, the Regulatory Flexibility Act, or DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979).

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Withdrawal of Direct Final Rule

Accordingly, pursuant to the authority delegated to me, Airspace Docket No. 97-ASW-25, as published in the **Federal Register** on December 15, 1997 (62 FR 65606), is withdrawn.

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854; 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

Issued in Fort Worth, TX, on March 4, 1998.

Albert L. Viselli,

Acting Manager, Air Traffic Division, Southwest Region.

[FR Doc. 98-6816 Filed 3-16-98; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 97-ASW-26]

Revision of Class E Airspace; Eastland, TX

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Direct Final Rule; Withdrawal.

SUMMARY: This action withdraws the Direct Final Rule (DFR) published in the **Federal Register** on February 12, 1998, which revised Class E airspace at Eastland, TX. The DFR was to provide adequate controlled airspace extending upward from 700 feet above the surface for Instrument Flight Rules (IFR) operations at Eastland Municipal Airport, Eastland, TX. The description of the airspace in the DFR incorrectly described the airspace necessary to contain aircraft IFR operations at Eastland, TX. Accordingly, the DFR as published, is withdrawn.

DATES: The direct final rule published at 63 FR 7063 is withdrawn on March 17, 1998.

FOR FURTHER INFORMATION CONTACT:

Donald J. Day, Airspace Branch, Federal Aviation Administration, Southwest Region, Fort Worth, TX 76193-0530; telephone 817-222-5593.

SUPPLEMENTARY INFORMATION: On February 12, 1998 (63 FR 7063), a DFR was published in the **Federal Register** to revise Class E airspace at Eastland, TX. The intended effect of the DFR was to provide adequate controlled airspace extending upward from 700 feet or more above the surface for IFR operations at Eastland Municipal Airport, Eastland, TX. The description of the airspace in the DFR incorrectly described the airspace necessary to contain aircraft IFR operations at Eastland Municipal Airport, Eastland, TX. Accordingly, the DFR published in the **Federal Register** on February 12, 1998, is withdrawn. Since this action only withdraws a DFR, it is neither a proposed nor a final rule and therefore is not covered under Executive Order 12866, the Regulatory Flexibility Act, or DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979).

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Withdrawal of Direct Final Rule

Accordingly, pursuant to the authority delegated to me, Airspace Docket No. 97-ASW-26, as published in

the **Federal Register** on February 12, 1998 (63 FR 7063), is withdrawn.

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854; 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

Issued in Fort Worth, TX, on March 4, 1998.

Albert L. Viselli,

Acting Manager, Air Traffic Division, Southwest Region.

[FR Doc. 98-6817 Filed 3-16-98; 8:45 am]

BILLING CODE 4910-13-M

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

14 CFR Part 1274

Miscellaneous Revisions to the NASA Grant and Cooperative Agreement Handbook, Section D

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Final rule.

SUMMARY: The NASA Grant and Cooperative Agreement Handbook regulation is published in the Code of Federal Regulations. This is a final rule to amend the Handbook to: require the centers to discuss whether any special provisions might be needed for a cooperative agreement which extends over three years or requires a NASA cash contribution of more than \$20M; require that NASA non-cash contributions reflect the total cost of those contributions; require that a NASA Form 1678 be used to designate the NASA Technical Officer on cooperative agreements; require that a new provision be used which summarizes the reports required to be submitted under the cooperative agreement; and miscellaneous changes made to conform to the new FAR Part 15.

EFFECTIVE DATE: March 17, 1998.

FOR FURTHER INFORMATION CONTACT: Thomas L. Deback, NASA, Office of Procurement, Contract Management Division (Code HK), (202) 358-0431.

SUPPLEMENTARY INFORMATION:

Background

The NASA Grant and Cooperative Agreement Handbook is the NASA regulation for awarding and administering grants and cooperative agreements (14 CFR Part 1260). Subpart D provides the policy and text of provisions for cooperative agreements with commercial firms and addresses NASA's authority, definitions, applicability, amendments, publications, deviations, pre-award

requirements and post-award requirements.

Impact

NASA certifies that this regulation will not have a significant economic impact on a substantial number of small business entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). This final rule does not impose any reporting or recordkeeping requirements subject to the Paper Reduction Act.

List of Subjects in 14 CFR Part 1274

Grant programs—science and technology.

Tom Luedtke,

Associate Administrator for Procurement.

Accordingly, 14 CFR Part 1274 is amended as follows:

1. The authority citation for 14 CFR Part 1274 continues to read as follows:

Authority: 42 U.S.C 2473(c)(1).

2. In § 1274.105, paragraph (b)(8) is added to read as follows:

§ 1274.105 Approval of Cooperative Agreement Notices (CANs) and cooperative agreements.

* * * * *

(b) * * *

(8) If the term of the cooperative agreement is anticipated to exceed 3 years and/or if the Government cash contribution is expected to exceed \$20M, address anticipated changes, if any, to the provisions (see § 1274.202(f)).

* * * * *

3. In § 1274.202, paragraph (c)(6) is amended by adding three sentences at the end of the paragraph, and a new paragraph (f) is added to read as follows:

§ 1274.202 Solicitations and proposals.

* * * * *

(c) * * *

(6) * * * The Government's resource share should fully reflect the total cost of the cash and non-cash contributions. With respect to the non-cash contribution, a fully burdened cost estimate of personnel, facilities, and other expenses should be utilized. It is recognized that this will be an estimate in some cases, but the cost principles in Section 9091-5 of the NASA Financial Management Manual should be adhered to.

* * * * *

(f) The provisions set forth in § 1274.901 are generally considered appropriate for agreements not exceeding 3 years and/or a Government cash contribution not exceeding \$20M. For cooperative agreements expected to be longer than 3 years and/or involve a Government cash contribution exceeding \$20M, consideration should be given to provisions which place additional restrictions on the recipient in terms of validating performance and accounting for funds expended.

4. In § 1274.204, paragraph (b)(1), the third and last sentences in paragraph (b)(3), and the last sentence in paragraph (d)(2) are revised to read as follows:

§ 1274.204 Evaluation and selection.

* * * * *

(b) * * * (1) Competitive technical proposal information shall be protected in accordance with 48 CFR (FAR) 15.207, Handling proposals and information. Unsolicited proposals shall be protected in accordance with 48 CFR (FAR) 15.608, Prohibitions, and 48 CFR (FAR) 15.609, Limited use of data.

* * * * *

(3) * * * The use of outside evaluators shall be approved in accordance with 48 CFR (NFS) 1815.207-70(b). * * * A cover sheet with the following legend

shall be affixed to data provided to outside evaluators:

Government Notice for Handling Proposals

This proposal shall be used and disclosed for evaluation purposes only, and a copy of this Government notice shall be applied to any reproduction or abstract thereof. Any authorized restrictive notices which the submitter places on this proposal shall also be strictly complied with.

* * * * *

(d) * * *

(2) * * * An analysis consistent with 48 CFR (FAR) 15.404-1(c), 15.404-1(c), and 15.404-2 should be performed.

* * * * *

5. In § 1274.301, the following sentence is added at the end of the paragraph to read as follows:

§ 1274.301 Delegation of administration.

* * * NASA Form 1678 will be used to delegate responsibilities to the NASA Technical Officer.

6. In § 1274.901, the second sentence is revised to read as follows:

§ 1274.901 Other provisions and special conditions.

* * * The provisions at §§ 1274.902 through § 1274.909 and the provision at § 1274.933 are to be incorporated in full text substantially as stated in this part.

* * * * *

7. Section 1274.933 is added to read as follows:

§ 1274.933 Summary of recipient reporting responsibilities.

Summary of Recipient Reporting Responsibilities (DEC 1997)

This cooperative agreement requires the recipient to submit a number of reports. These reporting requirements are summarized below. In the event of a conflict between this provision and other provisions of the cooperative agreement requiring reporting, the other provisions take precedence.

[The Grants Officer may add/delete reporting requirements as appropriate.]

Report	Frequency	Reference
Report of Joint NASA/Recipient Inventions.	As required	1274.911 Patent Rights (Paragraph (b)(4).
Interim Report of Reportable Items.	Every 12 months	1274.912 Patent Reportable Items Rights—Retention by the Recipient (Large Business) (Paragraph (e)(3)(i)).
Final Report of Reportable Items	3 months after completion	1274.912 Patent Rights—Retention by the Recipient (Large Business) (Paragraph (e)(3)(ii)).
Disclosure of Subject Inventions	Within 2 months after inventor discloses it to Recipient.	1274.912 Patent Rights—Retention by the Recipient (Large Business) (Paragraph (c)(2)) or 1274.913 Patent Rights—Retention by the Recipient (Small Business) (Paragraph (c)(1)).
Election of Title Subject Invention	1 year after disclosure of the subject invention if a statutory bar exists, otherwise within 2 years.	1274.913 Patent Rights—Retention by the Recipient (Small Business) (Paragraph (c)(2)).
Listing of Subject Inventions	Every 12 months from the date of the agreement	1274.913 Patent Rights—Retention by the Recipient (Small Business) (Paragraph (f)(5)(i)).
Subject Inventions Final Report ..	Prior to close-out of the agreement	1274.913 Retention by the Recipient (Small Business) (Paragraph (f)(5)(ii)).

[The Grants Officer may add/delete reporting requirements as appropriate.]

Report	Frequency	Reference
Notification of Decision to forego Patent Protection.	30 days expiration of the response period	1274.913 Patent Rights—Retention by the Recipient (Small Business) (Paragraph (f)(3)).
Notification of a Subcontract Award.	Promptly upon award of a subcontract	1274.912 Patent Rights—Retention by the Recipient (Large Business) (Paragraph (g)(3)) or 1274.913 Patent Rights—Retention by the Recipient (Small Business) (Paragraph (g)(3)).
Utilization of Subject Invention	Annually	1274.913 Patent Rights—Retention by the Recipient (Small Business) (Paragraph (h)).
Notice of Proposed Transfer of Technology.	Prior to transferring technology to foreign firm or institution.	1274.915 Restrictions on Sale or Transfer of Technology to Foreign Firms or Institutions (Paragraph (b)).
Performance Report	60 days prior to the anniversary date of the agreement (except final year).	1274.921 Publications Reports: Non-Proprietary Research Results (Paragraph (d)(1)).
Summary of Research	90 days after completion of agreement	1274.921 Publications and Reports: Non-Proprietary Research Results (Paragraph (d)(2)).
Annual Inventory Report	Annually by October 31	1274.923 Equipment and Other Property (Paragraph (g)).
Final Inventory Report	60 days after expiration date of agreement	1274.923 Equipment and Other Property (Paragraph (g)).

[FR Doc. 98-6675 Filed 3-16-98; 8:45 am]
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DEPARTMENT OF THE TREASURY

Customs Service

[T.D. 98-24]

19 CFR Part 101

Customs Service Field Organization; Designation of Kodiak, Alaska, as a Customs Port of Entry

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Final rule.

SUMMARY: This document amends the Customs Regulations pertaining to the field organization of Customs by designating Kodiak, Alaska, as a Customs port of entry and removing its designation as a Customs station. As part of the Treasury and General Government Appropriations Act, 1998 (Pub. L. 105-61 of October 10, 1997), Congress directed the Secretary of the Treasury to establish Kodiak, Alaska, as a port of entry.

EFFECTIVE DATE: April 16, 1998.

FOR FURTHER INFORMATION CONTACT: Harry Denning, Office of Field Operations, (202) 927-0196.

SUPPLEMENTARY INFORMATION:

Background

Section 123 of the Treasury and General Government Appropriations Act, 1998 (Pub. L. 105-61 of October 10, 1997), provides:

Notwithstanding any other provision of law, the Secretary of the Treasury shall establish the port of Kodiak, Alaska as a port of entry and United States Customs Service personnel in Anchorage, Alaska shall service

such port of entry. There are authorized to be appropriated such sums as necessary to cover the costs associated with the performance of customs functions using such United States Customs Service personnel.

This document amends § 101.3, Customs Regulations (19 CFR 101.3) to establish a port of entry at Kodiak, Alaska, in accordance with the Congressional direction set forth in Pub. L. 105-61. The port of Kodiak, Alaska, will be serviced by United States Customs Service personnel from Anchorage, Alaska. This document also amends § 101.4, Customs Regulations (19 CFR 101.4) to remove the listing of Kodiak as a Customs station with Anchorage as its supervisory port of entry.

Port Limits

The port limits of the port of Kodiak, Alaska, will be the Kodiak city limits.

Regulatory Flexibility Act

Because this document relates to agency management and organization and because this amendment is directed by Congress, this document is not subject to the notice and public procedure requirements of 5 U.S.C. 553. Accordingly, this document is not subject to the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

Executive Order 12866

This document does not meet the criteria for a "significant regulatory action" as specified in Executive Order 12866.

Drafting Information: The principal author of this document was Janet L. Johnson. However, personnel from other offices participated in its development.

List of Subjects in 19 CFR Part 101

Customs duties and inspection, Customs ports of entry, Exports, Imports, Organization and functions (Government agencies).

Amendment To The Regulations

Accordingly, part 101 of the Customs Regulations is amended as set forth below.

PART 101—GENERAL PROVISIONS

1. The general authority citation for part 101 and the specific authority citation for § 101.3 continue to read as follows:

Authority: 5 U.S.C. 301, 19 U.S.C. 2, 66, 1202 (General Note 20, Harmonized Tariff Schedule of the United States), 1623, 1624.

Sections 101.3 and 101.4 also issued under 19 U.S.C. 1 and 58b;

* * * * *

§ 101.3 [Amended]

2. Section 101.3(b)(1) is amended by adding, in alphabetical order under the state of Alaska, the listing "Kodiak" in the "Ports of entry" column and, adjacent to this entry, "T.D. 98-24" in the "Limits of port" column.

§ 101.4 [Amended]

3. Section 101.4(c) is amended by removing in the list of Customs stations the entry under the State of Alaska for Kodiak.

Samuel H. Banks,

Acting Commissioner of Customs.

Approved: February 26, 1998.

Dennis M. O'Connell,

Acting Deputy Assistant Secretary of the Treasury.

[FR Doc. 98-6879 Filed 3-16-98; 8:45 am]

BILLING CODE 4820-02-P