

e. *Maximum punishment.*

Dishonorable discharge, forfeiture of all pay and allowances, and confinement for 1 year.

Add the following subparagraph to the analysis of Article 134 (Adultery) found at appendix 23, page A23-16 of the MCM.

"c. *Explanation.*

(1) Subparagraph (2) is based on *United States v. Snyder*, 4 C.M.R. 15 (1952); *United States v. Ruiz*, 46 M.J. 503 (A.F.Ct.Crim.App. 1997); *United States v. Green*, 39 M.J. 606 (A.C.M.R. 1994); *United States v. Collier*, 36 M.J. 501 (A.F.C.M.R. 1992); *United States v. Perez*, 33 M.J. 1050 (A.C.M.R. 1991); *United States v. Linneer*, 16 M.J. 628 (A.F.C.M.R. 1983); Part IV, paragraph 60c(2)(a) of MCM. Subparagraph (3) is based on *United States v. Poole*, 39 M.J. 819 (A.C.M.R. 1994). Subparagraph (4) is based on *United States v. Fogarty*, 35 M.J. 885 (A.C.M.R. 1992); Military Judges' Benchbook, DA PAM 27-9, paragraph 3-62-1 and 5-11-2 (30 Sep. 1996). See R.C.M. 916(j) and (l)(1) for a general discussion of mistake of fact and ignorance, which cannot be based on a negligent failure to discover the true facts.

(2) When determining whether adulterous acts constitute the offense of adultery under Article 134, commanders should consider the listed factors. Each commander has discretion to dispose of offenses by members of the command. As with any alleged offense, however, under R.C.M. 306(b) commanders should dispose of an allegation of adultery at the lowest appropriate level. As the R.C.M. 306(b) discussion states, many factors must be taken into consideration and balanced, including, to the extent practicable, the nature of the offense, any mitigating or extenuating circumstances, the character and military service of the military member, any recommendations made by subordinate commanders, the interests of justice, military exigencies, and the effect of the decision on the military member and the command. The goal should be a disposition that is warranted, appropriate, and fair. In the case of officers, also consult the explanation to paragraph 59 in deciding how to dispose of an allegation of adultery.

Dated: August 7, 1998.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 98-21807 Filed 8-13-98; 8:45 am]

BILLING CODE 5000-04-M

DEPARTMENT OF DEFENSE

Office of the Secretary

Meeting of the DOD Advisory Group on Electron Devices

AGENCY: Department of Defense, Advisory Group on Electron Devices.

ACTION: Notice.

SUMMARY: Working Group C (Electro-Optics) of the DoD Advisory Group on Electron Devices (AGED) announces a closed session meeting.

DATES: The meeting will be held at 0900, Tuesday, August 24, 1998.

ADDRESSES: The meeting will be held at Palisades Institute for Research Services, 1745 Jefferson Davis Highway, Suite 500, Arlington, VA 22202.

FOR FURTHER INFORMATION CONTACT:

Elise Rabin, AGED Secretariat, 1745 Jefferson Davis Highway, Crystal Square Four, Suite 500, Arlington, Virginia 22202.

SUPPLEMENTARY INFORMATION: The mission of the Advisory Group is to provide advice to the Under Secretary of Defense for Acquisition and Technology, to the Director of Defense Research and Engineering (DDR&E), and through the DDR&E to the Director, Defense Advanced Research Projects Agency and the Military Departments in planning and managing an effective and economical research and development program in the area of electron devices.

The Working Group C meeting will be limited to review of research and development programs which the Military Departments propose to initiate with industry, universities or in their laboratories. This opto-electronic device area includes such programs as imaging device, infrared detectors and lasers. The review will include details of classified defense programs throughout.

In accordance with Section 10(d) of Pub. L. 92-463, as amended, (5 U.S.C. App. § 10(d)(1994)), it has been determined that this Advisory Group meeting concerns matters listed in 5 U.S.C. 552b(c)(1) (1994), and that accordingly, this meeting will be closed to the public.

Dated: August 10, 1998.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 98-21805 Filed 8-13-98; 8:45 am]

BILLING CODE 5000-04-M

DEPARTMENT OF DEFENSE

Office of the Secretary

Department of Defense Wage Committee; Notice of Closed Meetings

Pursuant to the provisions of section 10 of Public Law 92-463, the Federal Advisory Committee Act, notice is hereby given that closed meetings of the Department of Defense Wage Committee will be held on September 1, 1998; September 8, 1998; September 15, 1998; and September 22, 1998, September 29, 1998 at 10:00 a.m. in Room A105, The Nash Building, 1400 Key Boulevard, Rosslyn, Virginia.

Under the provisions of section 10(d) of Public Law 92-463, the Department of Defense has determined that the meetings meet the criteria to close meetings to the public because the matters to be considered are related to internal rules and practices of the Department of Defense and the detailed wage data to be considered were obtained from officials of private establishments with a guarantee that the data will be held in confidence.

However, members of the public who may wish to do so are invited to submit material in writing to the chairman concerning matters believed to be deserving of the Committee's attention.

Additional information concerning the meetings may be obtained by writing to the Chairman, Department of Defense Wage Committee, 4000 Defense Pentagon, Washington, DC 20301-4000.

Dated: August 10, 1998.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 98-21804 Filed 8-13-98; 8:45 am]

BILLING CODE 5000-04-M

DEPARTMENT OF DEFENSE

Office of the Secretary

Performance Review Board Membership

AGENCY: Defense Finance and Accounting Service.

ACTION: Notice.

SUMMARY: Notice is given of the names of members of the Performance Review Board for the Defense Finance and Accounting Service.

EFFECTIVE DATE: August 14, 1998.

FOR FURTHER INFORMATION CONTACT:

Sandra L. Burrell, Defense Finance and Accounting Service, DFAS-HQ-H, 1931 Jefferson Davis Highway, Arlington, VA 22240-5291.

SUPPLEMENTARY INFORMATION: Section 4314(c) (1) through (5) of Title 5, U.S.C., requires each agency to establish, in accordance with regulations, one or more Senior Executive Service Performance Review Boards. The boards shall review and evaluate the initial appraisal of senior executives' performance by supervisors and make recommendations to the appointing authority or rating official relative to the performance of these executives:

Brigadier General Roger W. Searce, Deputy Director, Defense Finance and Accounting Service

Leon Krushinski, Deputy Director—Cleveland Center, Defense Finance and Accounting Service

Steve Turner, Director—Denver Center, Defense Finance and Accounting Service

Ida Faye Groves, Deputy Director—Columbus Center, Defense Finance and Accounting Service

David Harris, Deputy Director—Denver Center, Defense Finance and Accounting Service

David Burman, Deputy Director—Indianapolis Center, Defense Finance and Accounting Service

Lydia Moschkin, Director for Systems Integration, Defense Finance and Accounting Service

C. Vance Kauzlarich, Director for Information and Technology, Defense Finance and Accounting Service

Edward Harris, Deputy Director for Accounting, Defense Finance and Accounting Service

John Barber, Deputy Director for Customer Service and Administration, Defense Finance and Accounting Service

Robert McNamara, Special Assistant for Consolidation Management, Defense Finance and Accounting Service.

Dated: August 10, 1998.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 98-21808 Filed 8-13-98; 8:45 am]

BILLING CODE 5000-04-M

DEPARTMENT OF DEFENSE

Department of the Navy

Notice of Availability of the Revised Draft Environmental Impact Statement (DEIS) for Military Training in the Marianas, Territory of Guam and Commonwealth of the Northern Mariana Islands (CNMI)

AGENCY: U.S. Pacific Command (USCINCPAC), DOD.

ACTION: Notice.

SUMMARY: The USCINCPAC announces that a Revised DEIS has been prepared and filed with the U.S. Environmental Protection Agency (EPA). This Revised DEIS concerns ongoing and proposed military training in the Marianas, Territory of Guam, and CNMI. The Revised DEIS supersedes the original DEIS filed in February 1997. Limited copies of the Revised DEIS are available upon request and public comments are solicited.

DATES: Submit comments on or before September 28, 1998.

ADDRESSES: Requests for single copies of the Revised DEIS and submittal of written comments for inclusion into the official record should be forwarded to Mr. Fred Minato (Code 231FM), Pacific Division, Naval Facilities Engineering Command, Pearl Harbor, Hawaii 96860-7300 or via electronic mail (see **SUPPLEMENTARY INFORMATION** for electronic filing address).

FOR FURTHER INFORMATION CONTACT: Mr. Fred Minato (808) 471-9338.

SUPPLEMENTARY INFORMATION: Pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969, as implemented by the Council on Environmental Quality regulations (40 CFR Parts 1500-1508), the USCINCPAC has prepared and filed with the U.S. EPA the above referenced Revised DEIS.

The Revised DEIS is based on both oral and written comments received on the original DEIS. The Notice of Announcement of Public Hearing and Availability of the original DEIS of January 1997 was published in the **Federal Register** on February 11, 1997 (62 FR 6228) and local newspapers on February 14 through 16, 1997, and Public Meetings were conducted during the period March 3 through 6, 1997, on Guam, Rota, Tinian, and Saipan.

The Revised DEIS has been distributed to various federal, territorial, and commonwealth agencies, elected officials, individuals and organizations in the community, public libraries, and the media, including all parties who participated/commented on the original DEIS. A limited number of single copies are available at the address listed.

The Revised DEIS evaluates alternative uses of DOD controlled lands on Guam, Tinian, Rota, and Farallon de Medinilla (FDM) for training by Navy, Army, Air Force, Marine Corps, National Guard, and Army Reserve forces stationed on Guam or transiting the region. Most of the training land uses described in the Revised DEIS are continuing activities; a small number of areas are also proposed for new training use. The alternatives are (1) No New Action, consisting of all ongoing land

use for military training; (2) No Land Use, which is stopping use of one or more areas for training which has previously occurred; (3) the Preferred Alternative, which includes ongoing training land use and most, but not all, newly proposed training land uses; and (4) Not-Preferred Action Alternatives, which includes newly proposed training land uses which are not necessary to meet the purpose and need and which have significant impacts that cannot be mitigated.

The training areas on Guam proposed for continuing and new military training activities are Navy and Air Force sites (Andersen Air Force Base, Waterfront Annex, Ordnance Annex, Naval Computer and Telecommunications Area Master Station Finegayan and Barrigada), private lands along the Ylig and Talofofo Rivers, and a non-military paradrop zone in Dandan. Areas on Rota proposed for new and continuing training consist of the airport and a small area within West Harbor. Areas currently used for training on Tinian are within the Military Lease Area, with limited activities in San Jose Harbor. The entire island of FDM is used as a live fire range.

Continuing and proposed training use of these areas include field maneuvers and logistics support, aviation, amphibious landings, live weapons fire at existing and proposed ranges, underwater demolitions, naval gunfire, and aerial bombardment. The proposed action also includes construction or installation of facilities at several locations: a small arms range and mortar range on Tinian, breaching or shooting houses on Tinian, a logistics support base camp and security gates on Tinian, a sniper range and breaching house in the Ordnance Annex, extension of several small arms ranges in the Waterfront Annex, and crew-served weapons ranges on FDM.

To be incorporated in the official record, all written statements must be postmarked on or before September 28, 1998, and mailed to Mr. Fred Minato at the address listed or transmitted by facsimile transmission to (808) 474-5909. Electronic Filing Address: You may submit comments and data by electronic mail to: fminato@efdpac.navfac.navy.mil.

Dated: August 10, 1998.

Michael I. Quinn,

Commander, Judge Advocate General's Corps, U.S. Navy, Federal Register Liaison Officer.

[FR Doc. 98-21728 Filed 8-13-98; 8:45 am]

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