exterior wall (such as interior walls, ceilings, floors and doors); or more than 10 percent of the total surface area on an interior or exterior component with a small surface area including, but not limited to window sills, baseboards, and trim. Comments on this proposal were mixed. Some commenters found it difficult to understand and put in practice, indicating that people would spend too much time measuring the exact areas of deteriorated paint instead of focusing on making housing lead safe. Others welcomed the proposal as a reasonable way to target hazard reduction resources. Data on the frequency with which deteriorated paint occurs in housing at levels above the de minimis are limited, making it difficult to confidently estimate its cost effect.

Qualifications. Another subject of concern to HUD was the qualifications of individuals performing the hazard evaluation and reduction activities required by the rule. The proposed rule would require that lead-based paint inspections, risk assessments, clearances and abatements be performed by people certified in accordance with EPA regulations and that workers conducting interim controls be supervised by a certified abatement supervisor. Recognizing, however, that certified individuals may not be readily available in some parts of the country, HUD provided in the proposed rule that the Secretary could establish temporary qualifications requirements that would help to meet scarcities. Also, the proposed rule would allow dust and soil testing by persons employed by local housing agencies that are trained but not certified. Two commenters felt that it would be a mistake to allow uncertified individuals take dust and soil tests, indicating that this appeared to be an avoidance of the certification law established by EPA regulations. Some commenters felt that it was unnecessary to require that interim controls workers be supervised by a certified abatement supervisor, suggesting that such workers could simply be trained in safe work practices.

Prescriptiveness. Another important topic is the prescriptiveness of the methods and standards described in the June 7, 1996 proposed rule. Several commenters on the proposed rule were concerned that the proposed requirements were too detailed with regard to technical methods and standards and that there was the potential for rigidity in the rule that would inhibit adoption of technological improvements. Others urged greater deference to State, tribal or local regulations. There are several areas where HUD could reduce prescriptiveness, especially for lead-based paint inspections, risk assessments and reevaluations.

Options to provide greater flexibility. In a similar vein, several commenters urged that HUD allow greater flexibility in ways to meet the goals of the rule. In particular, it was suggested that options be provided, such as the standard treatments recommended by the Task Force on Lead-Based Hazard Reduction and Financing as an option to conducting a risk assessment and interim controls. Such options would allow owners to select the procedure that is most cost-effective for them to achieve the goal of lead-based paint hazard control.

Avoidance of duplication. The June 7, 1996 proposed rule was written with careful consideration of existing regulations developed by other Federal agencies, States, Indian tribes and localities. To minimize duplication and avoid confusion, HUD has explicitly stated that this rulemaking does not preclude States, Indian tribes or localities from conducting a more protective procedure than the minimum requirements set out in the proposed rule. Similarly, if more than one requirement covers a condition or activity, the most protective method shall apply. HUD has worked and continues to work closely with the EPA and CDC to ensure that regulations from two or more Federal agencies are consistent and not duplicative. Wherever possible, HUD has referenced relevant requirements established by EPA.

VI. Conclusion

For the reasons discussed above, HUD continues to believe that the proposed regulatory requirements described in the June 7, 1996 rule would not have a significant economic impact on a substantial number of small entities. HUD welcomes written comments on this analysis, especially comments addressing issues that may impact small entities and are not addressed in this notice. Comments must be identified as responses to this analysis and must be filed by the deadline for comments. The Director of HUD's Office of Small and Disadvantaged Business Utilization has sent a copy of this analysis to the Chief Counsel for Advocacy of the Small Business Administration.

Dated: October 4, 1998.

David E. Jacobs,

Director, Office of Lead Hazard Control.

[FR Doc. 98–27274 Filed 10–8–98; 8:45 am]

BILLING CODE 4210–32–P

DEPARTMENT OF THE TREASURY

Fiscal Service

31 CFR Part 212

RIN 1510–AA61

Taxpayer Identifying Number Requirement

AGENCY: Financial Management Service, Fiscal Service, Treasury.

ACTION: Withdrawal of notice of proposed rulemaking.

SUMMARY: The Debt Collection Improvement Act of 1996 (DCIA) requires executive agencies to include payee taxpayer identifying numbers (TINs) on certified payment vouchers which are submitted to disbursing officials. The Financial Management Service (FMS), the Department of the Treasury disbursing agency, and other executive branch disbursing agencies are responsible for examining certified payment vouchers to determine whether such vouchers are in proper form. To ensure that executive branch agencies submit payment certifying vouchers in a form which includes payee TINs, FMS issued a proposed rule on September 2, 1997. The rule, as proposed, would require disbursing officials to reject payment requests without TINs.

Upon review of the comments received in response to the proposed rule, FMS has determined that a better approach to ensure compliance with the DCIA TIN requirement, in lieu of issuing a final rule, is to require each executive agency to submit a TIN Implementation Report to FMS documenting how the agency is complying with this requirement. Accordingly, FMS is issuing this document withdrawing the September 2, 1997, notice of proposed rulemaking. The Policy Statement outlining TIN Implementation Report requirements is being published in the **Federal Register** concurrently with this document.

DATES: The notice of proposed rulemaking published at 62 FR 46428 is withdrawn on October 9, 1998.

FOR FURTHER INFORMATION CONTACT: Cindy Johnson (Director, Cash Management Policy and Planning Division) at 202–874–6657, Dean Balamaci (Director, Agency Liaison Division, Debt Management Services) at 202–874–6660, Sally Phillips (Policy Analyst) at 202–874–6749, or James Regan (Attorney-Advisor) at 202–874–6680. This document is available on the Financial Management Service's web site: http://www.fms.treas.gov.

SUPPLEMENTARY INFORMATION: On April 26, 1996, the Debt Collection

Improvement Act of 1996 (DCIA) was enacted as Chapter 10 of the Omnibus Consolidated Rescissions and Appropriations Act of 1996, Pub. L. 104–134, 110 Stat. 1321–358. A major purpose of the DCIA is to enhance the government-wide collection of delinquent debts owed to the Federal Government.

Section 31001(d)(2) of the DCIA, codified at 31 U.S.C. 3716(c), generally requires Federal disbursing officials to offset an eligible Federal payment to a payee to satisfy a delinquent non-tax debt owed by the payee to the United States. A Federal disbursing official will conduct such an offset when the name and Taxpayer Identifying Number (TIN) of the payee match the name and TIN of the delinquent debtor, provided all other requirements for offset have been met. This process, known as ''centralized offset,'' also may be used to collect delinquent debts owed to States, including past-due child support. The Department of the Treasury, Financial Management Service (FMS) is responsible for implementing the DCIA, including the centralized offset authority.

Section 31001(y) of the DCIA, codified at 31 U.S.C. 3325(d), facilitates centralized offset by requiring the head of an executive agency or an agency certifying official to include the TINs of payees on certified payment vouchers which are submitted to Federal disbursing officials. FMS, as the Department of Treasury disbursing agency, disburses more than 850 million Federal payments annually. *See* 31 U.S.C. 3321. FMS and other executive branch disbursing agencies are responsible for examining certified payment vouchers to determine whether such vouchers are in the proper form. 31 U.S.C. 3325(a)(2)(A).

In an effort to ensure that executive branch agencies submit certified payment vouchers in a form which includes payee TINs, FMS issued a proposed rule on September 2, 1997 (62 FR 46428), 31 CFR Part 212, Taxpayer Identifying Number Requirement. The rule, as proposed, would require disbursing officials to reject payment requests without TINs, effective 6 months after publication of the final rule.

After careful review and consideration of the comments submitted by Federal agencies in response to the proposed rule, FMS has determined that a better approach to ensure compliance with the DCIA TIN requirement, in lieu of issuing a final rule, is to require each executive agency to submit an agency TIN Implementation Report to FMS. This approach will address more effectively the underlying barriers to collecting TINs, and therefore increase compliance with the DCIA. The rejection of payment requests lacking TINs, as contemplated in the notice of proposed rulemaking, may not resolve these underlying barriers, and would unduly interfere with the timely disbursement of Federal funds.

Some of the barriers to collecting and providing TINs as identified by agencies include systems reprogramming requirements, the need for agency finance and procurement offices to coordinate on TIN collection and data sharing requirements, the need to develop a reliable TIN validation process, as well as the resolution of TIN requirements involving payments to third parties or escrow agents. Many agencies also suggested that certain classes of payments should be exempt from the DCIA TIN requirement such as payments under the witness protection program and foreign payments to entities who do not have assigned TINs.

Agency TIN Implementation Reports will address the current status of agency compliance with the requirement to furnish TINs with each certified voucher, strategies for achieving compliance, agency specific barriers to collecting and providing TINs, and strategies for resolving such barriers. The preparation and review of TIN Implementation Reports will enable payment certifying agencies and FMS to best determine how to resolve these issues. For additional information on these reports, FMS is publishing elsewhere in this issue of the **Federal Register** a Policy Statement concurrently with this document.

Agencies are reminded that the DCIA has required them to furnish the TINs of payment recipients on all certified vouchers submitted to disbursing officials since April 26, 1996, the effective date of the DCIA. In its interim rule creating 31 CFR Part 208, Management of Federal Agency Disbursements, FMS advised agencies of this DCIA requirement. *See* 61 FR 39254, July 26, 1996. Prior to the enactment of the DCIA, FMS issued Treasury Financial Management Bulletin No. 95–10 on August 18, 1995, which required that the payee's TIN be included on all certified vouchers for vendor, miscellaneous, and salary payments. Currently, FMS is working to ensure that TIN requirements for contractors and vendors are incorporated in anticipated revisions to the Prompt Payment circular issued by the Office of Management and Budget (OMB) (OMB Circular No. A–125, rev. Dec. 12, 1989), in consultation with FMS, and in anticipated revisions to the Federal Acquisition Regulations (48 CFR).

Therefore, for the foregoing reasons, FMS withdraws the proposed rule published on September 2, 1997. Agency compliance requirements with respect to the TIN requirement are set forth in the Policy Statement referenced above.

Authority and Issuance

For the reasons set out above, 31 CFR Part 212, Taxpayer Identifying Number Requirement, Proposed Rule, 62 FR 46428, September 2, 1997, is withdrawn.

Authority: 5 U.S.C. 301; 31 U.S.C. 321, 3301, 3302, 3321, 3325, and 3528.

Dated: October 5, 1998.

Richard L. Gregg,

Commissioner.

[FR Doc. 98–27069 Filed 10–8–98; 8:45 am]

BILLING CODE 4810–35–P

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

[Docket No. FEMA–7258]

Proposed Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Proposed rule.

SUMMARY: Technical information or comments are requested on the proposed base (1% annual chance) flood elevations and proposed base flood elevation modifications for the communities listed below. The base flood elevations and modified base flood elevations are the basis for the floodplain management measures that the community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The comment period is ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in each community.

ADDRESSES: The proposed base flood elevations for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the following table.

FOR FURTHER INFORMATION CONTACT: Matthew B. Miller, P.E., Chief, Hazards Study Branch, Mitigation Directorate,