

intend to release them and our reasons for deciding to release. We will also inform the submitter that we intend to release the records 10 working days after the date of the notice unless a U.S. District Court forbids disclosure.

(d) If the requester files a lawsuit under the FOIA for access to any withheld records, we will inform the submitter.

(e) We will notify the requester whenever we notify the submitter of the opportunity to object or to extend the time for objecting.

**§ 1250.84 Service of subpoena or other legal demand for NARA operational records.**

(a) A subpoena duces tecum or other legal demand for the production of NARA operational records must be addressed to the Office of the General Counsel (NGC), Room 3110, National Archives and Records Administration, 8601 Adelphi Road, College Park, MD, 20740-6001.

(b) The Archivist of the United States and the General Counsel are the only NARA employees authorized to accept, on behalf of NARA, service of a subpoena duces tecum or other legal demands for NARA operational records.

(c) Regulations concerning service of a subpoena duces tecum or other legal demand for archival records accessioned into the National Archives of the United States, records of other agencies in the custody of the Federal records centers, and donated historical materials are located at 36 CFR 1254.8.

**PART 1254—AVAILABILITY OF RECORDS AND DONATED HISTORICAL MATERIALS**

2. The authority citation for part 1254 continues to read as follows:

**Authority:** 44 U.S.C. 2101-2118; 5 U.S.C. 552; and EO 12600, 52 FR 23781, 3 CFR, 1987 Comp., p. 235.

**§§ 1254.38 and 1254.39 [Removed]**

3. Amend Subpart C to remove §§ 1254.38 and 1254.39.

4. Amend § 1254.44 by revising the section heading and paragraphs (a) and (c) to read as follows:

**§ 1254.44 Freedom of Information Act (FOIA) requests.**

(a) *Requests for access to national security information under the Freedom of Information Act.* Requests for access to national security information under the FOIA are processed in accordance with the provisions of 36 CFR part 1250. Time limits for responses to FOIA requests for national security information are those provided in the FOIA, rather than the longer time limits

provided for responses to mandatory review requests specified by Executive Order 12958, Classified National Security Information (3 CFR, 1995 Comp., p. 333).

\* \* \* \* \*

(c) *Denials and appeals.* Denials under FOIA of access to national security information accessioned into the National Archives of the United States are made by designated officials of the originating or responsible agency or by NARA under a written delegation of authority. You must appeal determinations that records remain classified for reasons of national security to the agency with responsibility for protecting and declassifying that information. NARA will provide you with the necessary appeal information in those cases.

Dated: August 17, 2000.

**John W. Carlin,**

*Archivist of the United States.*

[FR Doc. 00-21420 Filed 8-22-00; 8:45 am]

**BILLING CODE 7515-01-P**

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 73**

**[DA 00-1803, MM Docket No. 00-140, RM-9916]**

**Digital Television Broadcast Service; Scottsbluff, NE**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by Duhamel Broadcasting Enterprises, licensee of station KDUH-TV, NTSC Channel 4, Scottsbluff, Nebraska, requesting the substitution of DTV Channel 7 for its assigned DTV Channel 20 at Scottsbluff. DTV Channel 7 can be allotted to Scottsbluff, Nebraska, in compliance with the principle community coverage requirements of Section 73.625(a) at reference coordinates (42-10-21 N. and 103-13-57 W.). As requested, we propose to allot DTV Channel 7 to Scottsbluff with a power of 32.4 and a height above average terrain (HAAT) of 592 meters.

**DATES:** Comments must be filed on or before October 10, 2000, and reply comments on or before October 25, 2000.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, S.W., Room TW-A325, Washington, DC 20554. In addition to filing comments

with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Richard R. Zaragoza, Lauren Lynch Flick, Fisher, Wayland, Cooper, Leader & Zaragoza, L.L.P., 2001 Pennsylvania Avenue, NW, Suite 400, Washington, DC 20006 (Counsel for Duhamel Broadcasting Enterprises).

**FOR FURTHER INFORMATION CONTACT:** Pam Blumenthal, Mass Media Bureau, (202) 418-1600.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 00-140, adopted August 17, 2000, and released August 18, 2000. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center 445 12th Street, S.W., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, Inc., (202) 857-3800, 1231 20th Street, NW, Washington, DC 20036.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

Federal Communications Commission.

**Barbara A. Kreisman,**

*Chief, Video Services Division, Mass Media Bureau.*

[FR Doc. 00-21406 Filed 8-22-00; 8:45 am]

**BILLING CODE 6712-01-P**

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 73**

**[DA 00-1798, MM Docket No. 00-319, RM-9915]**

**Digital Television Broadcast Service; Little Rock, AR**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by Channel 42 of Little Rock, Inc., licensee

of station KYPX(TV), NTSC Channel 42, Little Rock, Arkansas, requests the substitution of DTV Channel 44 for its assigned DTV Channel 43. DTV Channel 44 can be allotted to Little Rock, Arkansas, in compliance with the principle community coverage requirements of Section 73.625(a) at reference coordinates (34–47–56 N. and 92–29–44 W). As requested, we propose to allot DTV Channel 44 to Little Rock with a power of 1000 and a height above average terrain (HAAT) of 334 meters.

**DATES:** Comments must be filed on or before October 10, 2000, and reply comments on or before October 25, 2000.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, S.W., Room TW–A325, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Scott S. Patrick, Dow, Lohnes & Albertson, PLLC, 1200 New Hampshire Avenue, NW, Suite 800, Washington, DC 20036–6802 (Counsel for Channel 42 of Little Rock, Inc.).

**FOR FURTHER INFORMATION CONTACT:** Pam Blumenthal, Mass Media Bureau, (202) 418–1600.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 00–139, adopted August 17, 2000, and released August 18, 2000. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center 445 12th Street, SW, Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, Inc., (202) 857–3800, 1231 20th Street, NW, Washington, DC 20036.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

Federal Communications Commission.

**Barbara A. Kreisman,**

*Chief, Video Services Division, Mass Media Bureau.*

[FR Doc. 00–21407 Filed 8–22–00; 8:45 am]

**BILLING CODE 6712–01–P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

**[DA 00–1796, MM Docket No. 00–137, RM–9917]**

### Digital Television Broadcast Service; Reno, NV

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by Sierra Broadcasting Company ("Sierra"), licensee of Station KRN9TV), NTSC Channel 4, Reno, Nevada, requesting the substitution of DTV Channel 9 for DTV Channel 34. DTV Channel 9 can be allotted to Reno, Nevada, in compliance with the principle community coverage requirements of Section 73.625(a) at reference coordinates (39–18–57 N. and 119–53–00 W.). As requested, we propose to allot DTV Channel 9 to Reno with a power of 16.8 and a height above average terrain (HAAT) of 856.5 meters.

**DATES:** Comments must be filed on or before October 10, 2000, and reply comments on or before October 25, 2000.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, SW., Room TW–A325, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: J. Dominic Monahan, Luvaas, Cobb, Richards & Fraser, P.C., 777 High Street, Suite 300, Eugene, Oregon 97401 (Counsel for Sierra Broadcasting Company).

**FOR FURTHER INFORMATION CONTACT:** Pam Blumenthal, Mass Media Bureau, (202) 418–1600.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 00–137, adopted August 17, 2000, and released August 18, 2000. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center 445 12th Street, SW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services,

Inc., (202) 857–3800, 1231 20th Street, NW., Washington, DC 20036.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

Federal Communications Commission.

**Barbara A. Kreisman,**

*Chief, Video Services Division, Mass Media Bureau.*

[FR Doc. 00–21408 Filed 8–22–00; 8:45 am]

**BILLING CODE 6712–01–P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

**[DA 00–1795, MM Docket No. 00–136, RM–9898]**

### Digital Television Broadcast Service; Birmingham, AL

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by Alabama Educational Television Commission, licensee of noncommercial television station WBIQ-TV, NTSC Channel 10, Birmingham, Alabama, requesting the substitution of DTV Channel \*5 for DTV Channel \*53. DTV Channel \*5 can be allotted to Birmingham, Alabama, in compliance with the principle community coverage requirements of Section 73.625(a) at reference coordinates (33–29–19 N. and 86–47–58 W.). As requested, we propose to allot DTV Channel \*5 to Birmingham with a power of 2.0 and a height above average terrain (HAAT) of 296 meters.

**DATES:** Comments must be filed on or before October 10, 2000, and reply comments on or before October 25, 2000.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, S.W., Room TW–A325, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Marvin J.