

3. Voluntary Standard

If the Commission determines that any voluntary or other standard or portion thereof submitted in response to this ANPR would eliminate or adequately reduce the risk of injury in question it may issue that standard, or a portion of it, as a proposed regulation. FFA section 4(h)(1); 15 U.S.C. 1193(h). In general, the Commission may not promulgate a regulation if there is an existing voluntary standard addressing the same risk that would likely result in the elimination or adequate reduction of that risk and with which there would likely be substantial compliance. FFA sections 4(h)(2) and (j)(2); 15 U.S.C. sections 1193(h)(2) and (j)(2).

I. Solicitation of Information and Comments

This ANPR is the first step in a proceeding which could result in a mandatory flammability standard and/or labeling regulation, or a voluntary standard for upholstered furniture that presents an unreasonable risk of the occurrence of fire due to cigarette or small open flame ignition leading to death or personal injury or significant property damage. The Commission invites interested persons to submit their comments on any aspect of the alternatives discussed above. Specifically, in accordance with section 4(g) of the FFA, the Commission solicits:

1. Written comments with respect to: (a) The risk identified by the Commission; (b) the need for flammability performance requirements to address cigarette and/or small open flame ignition of upholstered furniture; (c) the need for a uniform national upholstered furniture flammability standard; (d) the relationship between cigarette and small open flame ignition performance; (e) the regulatory alternatives being considered and the potential effectiveness and economic impacts of these alternatives; and (f) other possible alternatives for addressing the risk and the effectiveness and economic impacts of these alternatives.

2. Any existing standard or portion of a standard which could be issued as a proposed regulation.

3. A statement of intention to modify or develop a voluntary standard to address the risk of injury discussed in

this notice, together with a description of a plan to do so.

In addition, the Commission would like to receive data on cigarette and small open flame ignition tests of upholstered furniture.

Comments and other submissions should be captioned "Upholstered Furniture Flammability Proceeding" and mailed to the Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207, or delivered to that office, room 502, 4330 East-West Highway, Bethesda, Maryland 20814. Comments and other submissions may also be filed by facsimile to (301) 504-0127 or by e-mail to cpsc-os@cpsc.gov. All comments and other submissions must be received by December 22, 2003.

Dated: October 20, 2003.

Todd A. Stevenson,

Secretary, Consumer Product Safety Commission.

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ADVISORY COUNCIL ON HISTORIC PRESERVATION

36 CFR Part 800

RIN 3014-AA06

Protection of Historic Properties

AGENCY: Advisory Council on Historic Preservation.

ACTION: Proposed rule; extension of comment period.

SUMMARY: The Advisory Council on Historic Preservation is extending by 30 days the public comment period for the proposed amendments to the regulations implementing Section 106 of the National Historic Preservation Act. Such proposed amendments were published in the **Federal Register** on September 25, 2003. This extended comment period will afford greater opportunity to all interested parties to review and submit comments on the proposal.

DATES: Comments must be received on or before November 26, 2003.

ADDRESSES: Address all comments concerning this proposed rule to the Executive Director, Advisory Council on Historic Preservation, 1100

Pennsylvania Avenue, NW., Suite 809, Washington, DC 20004. Fax (202) 606-8672. You may submit electronic comments to: achp@achp.gov. For electronic comments, please type "Regs Amendment 2003" in the subject line of the e-mail.

FOR FURTHER INFORMATION CONTACT:

Javier Marqués, Advisory Council on Historic Preservation, 1100 Pennsylvania Avenue, NW., Suite 809, Washington, DC 20004; (202) 606-8503.

SUPPLEMENTARY INFORMATION: In response to requests filed with the Advisory Council on Historic Preservation (ACHP), the comment period for the proposed amendments to the regulations implementing Section 106 of the National Historic Preservation Act now ends on November 26, 2003. This is an extension of 30 days beyond the comment period established in the **Federal Register** on September 25, 2003.

The Section 106 regulations set forth how Federal agencies take into account the effects of their undertakings on historic properties and afford the ACHP a reasonable opportunity to comment, pursuant to Section 106 of the National Historic Preservation Act. Most of the proposed amendments to those regulations respond to recent court decisions which held that (1) the ACHP could not force a Federal agency to change its determinations regarding whether its undertakings affected or adversely affected historic properties, and (2) that Section 106 does not apply to undertakings that are merely subject to State or local regulation administered pursuant to a delegation or approval by a Federal agency. Another proposed amendment clarifies the time period for objections to "No Adverse Effect" findings. The last proposed amendments clarify that the ACHP can propose an exemption to the Section 106 process on its own initiative, rather than needing a Federal agency to make such a proposal. See the proposal as published in the **Federal Register** (68 FR 55354, September 25, 2003) for further information.

Dated: October 20, 2003.

John M. Fowler,

Executive Director.

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