

Rules Advisory Committee Comment on Proposed Revision to Rule 9(d)

If proposed Rule 36A is promulgated, the reference to "citations" in Rule 9(d) should be deleted as no longer necessary.

Rules Advisory Committee Comment on Proposed Revision to Rule 30(e)

If proposed Rule 36A is promulgated, the phrase referring to motions "to file recent supplemental citations of authority without additional argument" should be deleted as no longer necessary.

Rules Advisory Committee Comment on Proposed Rule 36

The proposed amendments to Rule 36 set forth the particular methods for filing pleadings or other papers relative to a case in person and by mail and provide that, when a filing is accomplished by mail, it must be made with no less than first-class postage prepaid, properly addressed to the Clerk's office. A similar provision is incorporated in the proposed amendments to Rule 39 for service of pleadings and other papers relative to a case.

Rules Advisory Committee Comment on Proposed Rule 39

The proposed amendments to Rule 39 specify that the service of pleadings or other papers relative to a case, when accomplished by mail, must be made with no less than first-class postage prepaid. A similar provision is incorporated in the proposed amendments to Rule 36 for the filing of pleadings and other papers relative to a case. Rule 36(a) also provides that, where practicable, service of a pleading or other paper should be by a means at least as expeditious as the manner in which the filing of such pleading or paper with the Court is accomplished under Rule 36.

Rules Advisory Committee Comment on Proposed Rule 36A

New Rule 36A substantially tracks Rule 28(j) of the Federal Rules of Appellate Procedure. It is designed to provide a party with an expeditious means of submitting important authorities to the Court that were either previously overlooked or unavailable when an earlier pleading was filed. The rule does not allow additional argument to be made and such letters should not be used for this purpose. If a party believes that supplemental briefing would be appropriate, that party should seek leave of Court to do so on motion under Rule 30 and should not rely on this rule for that purpose.

Dated: June 25, 1999.

Patricia L. Toppings,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

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DEPARTMENT OF DEFENSE**Department of the Air Force****Air Force Academy Board of Visitors Meeting**

Pursuant to Section 9355, Title 10, United States Code, the Air Force Academy Board of Visitors will meet at the U.S. Air Force Academy, Colorado, August 9-11, 1999. The purpose of the meeting is to consider morale and discipline, the curriculum, instruction, physical equipment, fiscal affairs, academic methods, and other matters relating to the Academy.

A portion of the meeting will be open to the public while other portions will be closed to the public to discuss matters listed in Subsections (2), (4), and (6) of 552b(c), Title 5, United States Code. These closed sessions will include attendance at cadet training programs and discussions with cadets, military staff, and faculty officers involving personal information and opinion, the disclosure of which would result in a clearly unwarranted invasion of personal privacy. Closed sessions will include executive sessions involving discussions of personnel issues, financial topics, and information relating solely to internal personnel rules and practices of the Board of Visitors and the Academy. Closed sessions may also include proprietary information from sources outside the government. Meeting sessions will be held in various facilities throughout the cadet area.

For further information contact Lt Col Wayne A. Schiefer or Ms Deborah Mercurio, Plans and Current Operations Division, HQ USAFA/XPO, 2304 Cadet Drive, Suite 350, USAF Academy, CO 80840-5002, (719) 333-3933.

Janet A. Long,

Air Force Federal Register Liaison Officer.

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DEPARTMENT OF DEFENSE**Department of the Army; Corps of Engineers****Draft Environmental Impact Statement For Proposed Open-Water Placement of Dredged Material At Site 104 Queen Anne's County, Maryland**

AGENCY: U.S. Army Corps of Engineers, DoD.

ACTION: Extension of comment period (July 31, 1999).

SUMMARY: Reference previous **Federal Register** notice, Volume 64, Number 83, page 23285, dated April 30, 1999, announcing the Baltimore District's extension of comment period to July 1, 1999. The Baltimore District is now extending the public comment period for an additional 30 days (July 31, 1999). The purpose of this extension is to provide additional time for public evaluation and comment.

DATES: Comments must be submitted on or before July 31, 1999 to be evaluated and considered in the final environmental impact statement.

ADDRESSES: Questions, comments, or requests for copies of the Draft Environmental Impact Statement should be directed to Mr. Wesley E. Coleman Jr. at the Corps of Engineers, Baltimore District (ATTN: CENAB-PL-P), P.O. Box 1715, Baltimore, MD 21203-1715. Or e-mail wesley.e.coleman@usace.army.mil

FOR FURTHER INFORMATION CONTACT: Mr. Wesley E. Coleman, Jr. at facsimile (410) 962-4698 or 1-800-295-1610.

SUPPLEMENTARY INFORMATION: A Notice of Availability (NOA) and a summary of the proposed action was published in the **Federal Register** (64 FR 9480) on February 26, 1999. The U.S. Army Corps of Engineers, Baltimore District is evaluating the potential use of Site 104 as an open-water placement area. Site 104 is located in the Chesapeake Bay one-half mile north of the Chesapeake Bay Bridge and one mile west of Kent Island. Open-water placement is proposed for approximately 18 million cubic yards of dredged material from the mainstem Chesapeake Bay channels leading to the port of Baltimore. The Maryland Port Administration has recommended the use of Site 104 for open-water placement of clean sediment. No decision has been made to use the site. The Baltimore District will analyze and incorporate all public comments on this Draft Environmental Impact Statement before making a final decision.

The DEIS and associated technical appendices are available at the