List of Subjects

40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

40 CFR Part 185

Environmental protection, Food additives, Pesticides and pests.

40 CFR Part 186

Environmental protection, Animal feeds, Pesticides and pests.

Dated: August 29, 1997.

James Jones,

Acting Director, Registration Division, Office of Pesticide Programs.

Therefore, 40 CFR chapter I is amended as follows:

PART 180—[AMENDED]

1. In part 180:

a. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 346a and 371.

b. By amending § 180.410 as follows:

i. By revising the section heading.

ii. By adding a subject heading to paragraph (a).

iii. By revising paragraphs (b) and (c).

iv. By adding and reserving paragraph (d) with a subject heading.

§ 180.410 Triadimefon; tolerances for residues.

(a) *General .* * * *

(b) *Section 18 emergency exemptions.* Time-limited tolerances are established for the combined residues of the fungicide triadimefon, 1-(4-chlorophenoxy)-3,3-dimethyl-1(1*H*-1,2,4-triazol-1-yl)-2-butanone and its metabolites containing chlorophenoxy and triazole moieties (expressed as the fungicide) in connection with use of the pesticide under the section 18 emergency exemptions granted by EPA. The tolerances will expire and are revoked on the dates specified in the following table:

Commodity	Parts per million	Expiration/revocation date
Artichokes	0.6	September 1, 1999
Asparagus	0.15	September 1, 1999
Chili peppers	0.5	November 8, 1997

(c) *Tolerances with regional registrations.* Tolerances with regional registration are established for the combined residues of the fungicide 1-(4-chlorophenoxy)-3,3-dimethyl-1(1*H*-1,2,4-triazol-l-yl)-2-butanone and its metabolites containing chlorophenoxy and triazole moieties (expressed as the fungicide) in or on the following raw agricultural commodities:

Commodity	Parts per million
Raspberries	2.0

(d) *Indirect or inadvertent residues.* [Reserved]

PART 185—[AMENDED]

2. In part 185:

a. The authority citation for part 185 continues to read as follows:

Authority: 21 U.S.C. 346a and 348.

§ 185.800 [Removed]

b. In § 185.800 by transferring the entries in the table and alphabetically adding them to the table in paragraph (a) of § 180.410, and by removing the remainder of § 185.800.

PART 186—[AMENDED]

3. In part 186:

a. The authority citation for part 185 continues to read as follows:

Authority: 21 U.S.C. 342, 348, and 701.

§ 186.800 [Removed]

b. In § 186.800 by transferring the entries in the table and alphabetically adding them to the table in paragraph (a) of § 180.410, and by removing the remainder of § 186.800.

[FR Doc. 97–23975 Filed 9-9-97; 8:45 am]

BILLING CODE 6560–50–F

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Part 1810

[WO–420–1050–00–24–1A]

RIN 1004–AC 81

Public Land Records

AGENCY: Bureau of Land Management, Interior.

ACTION: Final rulemaking.

SUMMARY: This final rule amends Part 1810 of Title 43 of the Code of Federal Regulations (CFR) by completely removing Subpart 1813. That subpart contains general information about public land records and explains Bureau of Land Management (BLM) practices. Instead, we will place these internal procedures in information brochures and BLM's manual system, which is appropriate given the administrative nature of Subpart 1813.

EFFECTIVE DATE: October 10, 1997.

ADDRESSES: You may send inquiries or suggestions to: Director (630), Bureau of Land Management, 1849 C Street, NW, Washington, D.C. 20240.

FOR FURTHER INFORMATION CONTACT: Frances Watson, Telephone: 202–452–5006 (Commercial or FTS).

SUPPLEMENTARY INFORMATION:

I. Background
II. Final Rule as Adopted
III. Responses to Comments
IV. Procedural Matters

I. Background

One of the objectives of President Clinton's regulatory reform initiative is to eliminate unnecessary regulations from the CFR. To meet that objective, BLM is removing from the CFR material that provides general information about public land records and explains BLM practices. Instead, BLM will provide this information in public information releases and the BLM Manual, both of which are available to the public, are more detailed, and can be more easily updated. Removing this material from the CFR will not deprive the public of any notice, right, administrative process or information required by law.

The final rule published today is a stage of the rulemaking process that will culminate in the removal of the regulations in 43 CFR Subpart 1813. This rule was preceded by a proposed rule that was published in the **Federal Register** on December 23, 1996 (61 FR 67517). The BLM invited public comments for 60 days, and received three comments—one from a petroleum association, one from a county government agency, and one from a law firm.

II. Final Rule as Adopted

The final rule completely removes 43 CFR subpart 1813, which contains BLM procedures on maintaining the public land records. Removing this material is appropriate since it will continue to be available to the public through other means—informational brochures and the BLM manual system. The final rule is being published without change from the December 23, 1996, proposed rule.

III. Responses to Comments

The three comments that we received on the proposed rule expressed concern about removing 43 CFR subpart 1813. The commenters interpreted the regulation to mean that BLM will no

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longer maintain the public land records and that those records will no longer be available for public access in BLM field offices.

In reality, BLM is required by law and administrative practice to maintain the official public land records. This regulation will neither change our recordkeeping responsibility nor change public access to those records in BLM field offices. This regulation will merely remove procedural material from the CFR and place it in more appropriate alternative sources—public information releases and the BLM manual system. For these reasons, the final rule is being published unchanged from the proposed rule.

IV. Procedural Matters

National Environmental Policy Act of 1969

BLM has prepared an environmental assessment (EA), and has found that the final rule would not constitute a major Federal action significantly affecting the quality of the human environment under section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. 4332(2)(C). BLM has placed the EA and the Finding of No Significant Impact on file in the BLM Administrative Record at the address specified previously. BLM invites the public to review these documents by contacting us at the address listed above (see **ADDRESSES**).

Paperwork Reduction Act

This rule does not contain information collection requirements that the Office of Management and Budget must approve under 44 U.S.C. 3501 *et seq.*

Regulatory Flexibility Act

Congress enacted the Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601 *et seq.*, to ensure that Government regulations do not unnecessarily or disproportionately burden small entities. The RFA requires a regulatory flexibility analysis if a rule would have a significant economic impact, either detrimental or beneficial, on a substantial number of small entities. Based on the discussion in the preamble above, that the regulation will remove unnecessary material from the CFR, BLM anticipates that this final rule will have no impact on the public at large. Therefore, BLM has determined under the RFA that this final rule would not have a significant economic impact on a substantial number of small entities.

Unfunded Mandates Reform Act of 1995

Removal of 43 CFR 1813 will not result in any unfunded mandate to State, local, or tribal governments in the aggregate, or to the private sector, of $100 million or more in any one year.

Executive Order 12612

The final rule will not have a substantial direct effect on the States, on the relationship between the Federal Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, BLM has determined that this final rule does not have sufficient federalism implications to warrant preparation of a Federalism Assessment.

Executive Order 12630

The final rule does not represent a Government action capable of interfering with constitutionally protected property rights. Therefore, the Department of the Interior has determined that the rule would not cause a taking of private property or require further discussion of takings implications under this Executive Order.

Executive Order 12866

According to the criteria listed in section 3(f) of Executive Order 12866, BLM has determined that the final rule is not a significant regulatory action. As such the final rule is not subject to Office of Management and Budget review under section 6(a)(3) of the order.

Executive Order 12988

The Department has determined that this rule meets the applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform.

Author: The principal author of this rule is Frances Watson, Bureau of Land Management, 1849 C Street, NW, Washington, D.C. 20240; Telephone: 202–452–5006 (Commercial or FTS).

List of Subjects in 43 CFR Part 1810

Administrative practice and procedure, Archives and records.

Dated: September 4, 1997.

Bob Armstrong,

Assistant Secretary, Land and Minerals Management.

For the reasons stated in the preamble, and under the authority of 43 U.S.C. 1740, part 1810 of Title 43 of the Code of Federal Regulations is amended as set forth below:

PART 1810—INTRODUCTION AND GENERAL GUIDANCE

1. The authority for Part 1810 is revised to read:

Authority: 43 U.S.C. 1740.

Subpart 1813—[Removed]

2. Subpart 1813 is removed.

[FR Doc. 97–23935 Filed 9–9–97; 8:45 am]

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OFFICE OF PERSONNEL MANAGEMENT

48 CFR Parts 1602, 1603, 1604, 1615, 1616, 1629, 1631, 1643, 1644, 1645, 1649, 1652, and 1653

RIN 3206–AH45

Federal Employees Health Benefits Program Acquisition Regulation; Truth in Negotiations Act and Related Changes

AGENCY: Office of Personnel Management.

ACTION: Final rulemaking.

SUMMARY: The Office of Personnel Management (OPM) is issuing a final regulation amending the Federal Employees Health Benefits Acquisition Regulation (FEHBAR) to implement those portions of the Federal Acquisition Streamlining Act of 1994 (FASA) that impact on the FEHB Program.

EFFECTIVE DATE: October 10, 1997.

FOR FURTHER INFORMATION CONTACT: Mary Ann Mercer, (202) 606–0004.

SUPPLEMENTARY INFORMATION: On June 24, 1996, OPM issued a proposed regulation in the **Federal Register** [61 FR 32401] to inform Federal Employees Health Benefits (FEHB) Program carriers, Federal agencies, and the public how it intends to implement those portions of the Federal Acquisition Streamlining Act of 1994 (FASA), Public Law 103–355, effective October 13, 1994, affecting the FEHB Program. The changes proposed also reflect how OPM intends to implement sections 4201 through 4204 of the Federal Acquisition Reform Act of 1996 (FARA), Public Law 104–106, enacted on February 10, 1996.

OPM received comments from one private citizen and five organizations: Two FEHBP carriers, a trade association representing health maintenance organizations (HMOs), preferred provider organizations (PPOs), and other network plans, an association that represents FEHB Program fee-for-service carriers, and a contract law group. We appreciate the observations and suggestions offered and have taken them into consideration in these regulations.

The majority of the comments were favorable toward OPM's efforts to

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