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

Report to Congress and the General Accounting Office

Under 5 U.S.C. 801(a)(1)(A), as added by the Small Business Regulatory Enforcement Fairness Act of 1996, BLM submitted a report containing this rule and other required information to the U.S. Senate, U.S. House of Representatives, and the Comptroller General of the General Accounting Office before publication of the rule in today's **Federal Register**. This final rule is not a "major rule" as defined by 5 U.S.C. 804(2).

List of Subjects in 43 CFR Part 2090

Airports, Alaska, Coal, Grazing lands, Indians—lands, Public lands, Public lands—classification, Public lands—mineral resources, Public lands—withdrawal, Seashores, Veterans.

For the reasons set forth in the preamble and under the authority of 43 U.S.C. 1740, part 2090 of title 43 of the Code of Federal Regulations is amended as set forth below:

PART 2090—SPECIAL LAWS AND RULES

1. The authority citation for part 2090 is revised to read as follows:

Authority: 43 U.S.C. 1740; 43 U.S.C. 1201.

Subpart 2093—[Removed]

2. Part 2090 is amended by removing subpart 2093.

Dated: September 25, 1997.

Sylvia V. Baca,

Deputy Assistant Secretary, Land and Minerals Management.

[FR Doc. 97–26007 Filed 9–30–97; 8:45 am]

BILLING CODE 4310–84–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Part 5510

RIN 1004–AC92

Use by Settlers and Homesteaders of Timber on Their Pending Claims and Free Use of Timber Upon Oil and Gas Leases

AGENCY: Bureau of Land Management, Interior.

ACTION: Final rule.

SUMMARY: This final rule completely removes certain sections of Title 43, Code of Federal Regulations (CFR), which govern the free use of timber on public lands and upon oil and gas leases. The rule also removes cross references to these sections. These regulations are obsolete and have not been used in many years. Removing them meets one of the objectives of President Clinton's regulatory reform initiative—to eliminate outdated and unnecessary regulations from the CFR.

EFFECTIVE DATE: October 31, 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: Jeff Holdren, (202) 452–7779 (Commercial or FTS).

SUPPLEMENTARY INFORMATION:

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I. Background and Discussion of Final Rule
II. Procedural Matters

I. Background and Discussion of Final Rule

Section 5511.1–2 of 43 CFR describes procedures that homesteaders may use to obtain free use of timber on public lands. However, no applications have been submitted to the Bureau of Land Management (BLM) under this subpart for many years, principally because of two laws. First, the Taylor Grazing Act of June 28, 1934, 43 U.S.C. 315–315r, requires that lands be classified for the proposed use before occupancy on the land is allowed. Secondly, section 702 of the Federal Land Policy and Management Act of 1976, (90 Stat. 2787), repealed the homestead laws which, in effect, rendered unnecessary the regulatory requirements of Section 5511.1–2.

Similarly, the procedures under Section 5511.1–4, which lessees must use to obtain free use of timber on oil and gas leases, are outmoded. No applications under this subpart have been submitted to BLM in many years, principally because oil and gas lessees no longer need to use timber on their leases because they now have access to modern industrial techniques.

Because Sections 5511.1–2 and 5511.1–4 are obsolete and have no pending applications, the BLM published a proposed rule in the September 13, 1996, **Federal Register**, 61 FR 48455, to completely remove them from 43 CFR. The public was given a 30-day period in which to submit comments on the proposed rule. BLM did not receive any comments.

BLM is making a conforming change to the final rule that will remove the cross references to Sections 5511.1–2 and 5511–1–4 that appear at 5511.2–1(a), 5511.2–5, and 5511.4(b)(2) in 43 CFR. In all other respects, the final rule is the same as the proposed rule.

II. Procedural Matters

National Environmental Policy Act of 1969

BLM has prepared an environmental assessment (EA) and has found that this 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 (NEPA), 42 U.S.C. 4332(2)(C). No environmental impact statement will be prepared. BLM has placed the EA and the Finding of No Significant Impact (FONSI) on file in the BLM Administrative Record, Room 401, 1620 L Street, NW, Washington, D.C. The notice of proposed rulemaking inaccurately reported at 61 FR 48456 that the rule was categorically excluded from the NEPA process.

Paperwork Reduction Act

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

Regulatory Flexibility Act

Congress enacted the Regulatory Flexibility Act of 1980, 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 rule merely removes redundant and unnecessary requirements, BLM anticipates that this final rule will have no significant impact on the public at large. Therefore,

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BLM has determined under the RFA that this final rule will not have a significant economic impact on a substantial number of small entities.

Unfunded Mandates Reform Act

Removal of sections 5511.1–2, 5511–1.4, 5511.2–1(a), 5511.2–5, and 5511–4(b)(2) of 43 CFR 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 national 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 proposed 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 interference with constitutionally protected property rights. Section 2(a)(1) of Executive Order 12630 specifically exempts actions abolishing regulations or modifying regulations in a way that lessens interference with private property use from the definition of "policies that have takings implications." Since the primary function of the final rule is to abolish unnecessary regulations, there will be no private property rights impaired as a result. 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 of the Interior has determined that this rule meets the applicable standards provided in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform.

Report to Congress and the General Accounting Office

Under 5 U.S.C. 801(a)(1)(A), as added by the Small Business Regulatory Enforcement Fairness Act of 1996, BLM submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives and the Comptroller General of the General Accounting Office before publication of the rule in today's **Federal Register**. This rule is not a "major rule" as defined by 5 U.S.C. 804(2).

Author

The principal author of this final rule is Frances Watson, Regulatory Affairs Group, Bureau of Land Management, 1849 C Street, N.W., Room 401 LS, Washington, D.C. 20240; Telephone 202/452–5006.

List of Subjects in 43 CFR Part 5510

Forests and forest products, Public lands.

For the reasons stated in the preamble, and under the authority of 43 U.S.C. 1740, Part 5510 of Title 43 of the Code of Federal Regulations is amended as follows:

PART 5510—[AMENDED]

1. The authority citation for part 5510 continues to read as follows:

Authority: 61 Stat. 681, as amended; 69 Stat. 367; 48 Stat. 1269, sec. 11, 30 Stat. 414, as amended, R.S. 2478, sec. 32, 41 Stat. 450; 30 U.S.C. 601 *et seq.*, 43 U.S.C. 315, 48 U.S.C. 423, 43 U.S.C. 1201, 30 U.S.C. 189.

§ 5511.1–2 [Removed]

2. Section 5511.1–2 is removed.

§ 5511.1–4 [Removed]

3. Section 5511.1–4 is removed.

§ 5511.2–1 [Amended]

4. Section 5511.2–1 is amended by removing paragraph (a) and removing the paragraph designation (b).

§ 5511.2–5 [Removed]

5. Section 5511.2–5 is removed.

§ 5511.4 [Amended]

6. Section 5511.4 is amended by removing and reserving paragraph (b)(2).

Dated: September 25, 1997.

Sylvia V. Baca,

Deputy Assistant Secretary, Land and Minerals Management.

[FR Doc. 97–26005 Filed 9–30–97; 8:45 am]

BILLING CODE 4310–84–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

45 CFR Part 74

Miscellaneous Amendments; Correction

AGENCY: Department of Health and Human Services (HHS).

ACTION: Final rule; correction.

SUMMARY: HHS published a final rule on August 4, 1997 (62 FR 41877) which made several changes to HHS grant regulations which included updating items to conform them to the Federal Acquisition Streamlining Act of 1994. This document clarifies one of the amendatory instructions in that final rule.

DATES: This correction is effective September 3, 1997.

FOR FURTHER INFORMATION CONTACT: Charles Gale, Director, Office of Grants Management, 202–690–6377; for the hearing impaired only: TDD 202–690–6415.

SUPPLEMENTARY INFORMATION: In the final rule published on August 4, 1997, amendatory instruction number 6. was ambiguous as to whether the entire section was being revised, or only the introductory text. This correction clarifies that instruction.

In final rule document 97–20402, beginning on page 41877, in the issue of Monday, August 4, 1997, make the following correction:

§ 74.44 [Corrected]

On page 41878, in the third column, amendatory instruction 6. is corrected to read "6. Section 74.44 is amended by revising paragraph (e) introductory text to read as follows:".

Dated: September 25, 1997.

Neil J. Stillman,

Deputy Assistant Secretary for Information Resources Management.

[FR Doc. 97–25984 Filed 9–30–97; 8:45 am]

BILLING CODE 4150–04–M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 1, 61, and 63

[IB Docket No. 95–118, FCC 96–79]

Streamlining the International Section 214 Authorization Process and Tariff Requirements

AGENCY: Federal Communications Commission.

ACTION: Final rules; announcement of effective date.

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