

that all applicable rule requirements are met.

(f) Licensees employing either Class A narrowband or Class B broadband signal boosters as defined in § 101.3 are responsible for correcting any harmful interference that the equipment may cause to other systems.

[FR Doc. 96-15266 Filed 6-18-96; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Office of the Secretary

48 CFR Parts 1452

RIN 1090-AA56

Department of the Interior Acquisition Regulation; Solicitation Provisions and Contract Clauses

AGENCY: Office of the Secretary, Interior.

ACTION: Final rule.

SUMMARY: In the interests of streamlining processes and improving relationships with contractors, the Department of the Interior (DOI) is issuing this final rule which amends 48 CFR Chapter 14 by revising and updating the Department of the Interior Acquisition Regulation (DIAR).

EFFECTIVE DATE: July 19, 1996.

FOR FURTHER INFORMATION CONTACT: Ms. Mary L. McGarvey at (202) 208-3158, Department of the Interior, Office of Acquisition and Property Management, 1849 C. Street N.W. (MS5522 MIB), Washington, D.C. 20240.

SUPPLEMENTARY INFORMATION:

Background

Under the auspices of the National Performance Review, a thorough review of the DIAR was conducted. The review revealed unnecessary and outdated regulations, and some excessively burdensome procedures.

In the interests of streamlining processes and improving relationships with contractors, essential portions of the DIAR are being reinvented, retained and/or removed in 48 CFR, when appropriate. The review identified six Sections to be removed from 48 CFR. Specifically, 1452.204-70 Release of Claims; 1452.210-70 Brand Name or Equal; 1452.224-1 Privacy Act Notification; 1452.233-1 Service of Protest; 1452.236-70 Prohibition Against Use of Lead-based Pain; 1452.237-70 Information Collection. We changed titles, rewrote language, and eliminated redundant FAR material from the Sections and retained them in

the Department of the Interior Acquisition Regulation.

This final rule is not expected to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601 et seq. An Initial Regulatory Flexibility Analysis has, therefore, not been performed.

Required Determinations

The Department believes that public comment is unnecessary because the revised material implements standard Government operating procedures. Therefore, in accordance with 5 U.S.C. 553(b)(B), the Department finds good cause to publish this document as a final rule. This rule was not subject to Office of Management and Budget review under Executive Order 12866. This rule does not contain a collection of information subject to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq). In accordance with the Regulatory Flexibility Act (5 U.S.C. 601 et seq), the Department determined that this rule will not have a significant economic impact on a substantial number of small entities because minimal requirements are being added for small businesses and no protections are being withdrawn. The Department has determined that this rule does not constitute a major Federal action having a significant impact on the human environment under the National Environmental Policy Act of 1969. The Department has certified that this rule meets the applicable standards provided in Sections 2(a) and 2(b) of Executive Order 12778.

List of Subjects in 48 CFR Parts 1452

Government procurement, Reporting and recordkeeping requirements.

Dated: May 1, 1996.

Bonnie R. Cohen,

Assistant Secretary—Policy, Management and Budget.

Chapter 14 of Title 48 of the Code of Federal Regulations is amended as follows:

PART 1452—[AMENDED]

The authority citation for 48 CFR parts 1452 continues to read as follows:

Authority: Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c), and 5 U.S.C. 301.

§§ 1452.204-70, 1452.210-70, 1452.224-1, 1452.233-2, 1452.236-70, 1452.237-70 [Removed]

The following Sections are removed from 48 CFR Chapter 14: Section 1452.204-70 Release of Claims; Section 1452.210-70 Brand Name or Equal; Section 1452.224-1 Privacy Act

Notification; Section 1452.233-2 Service of Protest; Section 1452.236-70 Prohibition Against Use of Lead-based Paint; Section 1452.237-70 Information Collection.

[FR Doc. 96-15327 Filed 6-18-96; 8:45 am]

BILLING CODE 4310-RF-M

48 CFR Part 1453

RIN 1090-AA57

Department of the Interior Acquisition Regulation

AGENCY: Office of the Secretary, Interior.

ACTION: Final rule; removal.

SUMMARY: In the interests of streamlining processes and improving relationships with contractors, this final rule amends the Department of the Interior Acquisition Regulation (DIAR) by removing 48 CFR 1453 in its entirety. The material being removed deals with internal procedures that have minimal effect outside the agency. The sections that are not obsolete will be retained as internal procedures in the Departmental Manual.

EFFECTIVE DATE: July 19, 1996.

FOR FURTHER INFORMATION CONTACT:

Mary L. McGarvey at (202) 208-3158, Department of the Interior, Office of Acquisition and Property Management, 1849 C Street NW (MS5522 MIB), Washington, DC 20240. Office of Acquisition and Property Management, (202) 208-3158.

SUPPLEMENTARY INFORMATION: We conducted a thorough review of the DIAR under the auspices of the National Performance Review. The review revealed unnecessary and outdated regulations, and some excessively burdensome procedures.

In the interests of streamlining processes and improving relationships with contractors, nonessential portions of the DIAR are being removed from the CFR. Part 1453 Forms, deals with primarily internal procedures so codification is not necessary and it is therefore eliminated in its entirety from 48 CFR.

Required Determinations

The Department believes that public comment is unnecessary because the material being removed is outdated or deals exclusively with internal procedures. Therefore, in accordance with 5 U.S.C. 553(b)(B), the Department finds good cause to publish this document as a final rule. This rule was not subject to Office of Management and Budget review under Executive Order 12866. This rule does not contain a

collection of information subject to the Paperwork Reduction Act of 1995 (Pub. L. 104-13). In accordance with the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Department has determined that this rule will not have a significant economic impact on a substantial number of small entities because no requirements are being added for small businesses and no protections are being withdrawn. The Department has determined that this rule does not constitute a major Federal action having a significant impact on the human environment under the National Environmental Policy Act of 1969. The benefit of removing this rule from 48 CFR is the elimination of the printing cost of reproducing this information in 48 CFR annually.

List of Subjects in 48 CFR Part 1453

Government procurement, Reporting and recordkeeping requirements.

Dated: April 30, 1996.

Bonnie R. Cohen,

Assistant Secretary—Policy Management and Budget.

PART 1453—[REMOVED]

Under the authority found at Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c); and 5 U.S.C. 301, Chapter 14 of Title 48 of the Code of Federal Regulations is amended by removing Part 1453.

[FR Doc. 96-15326 Filed 6-18-96; 8:45 am]

BILLING CODE 4310-RF-M

Fish and Wildlife Service

50 CFR Part 17

RIN 1018-AC71

Endangered and Threatened Wildlife and Plants; Reclassification of *Erigeron maguirei* (Maguire daisy) From Endangered to Threatened

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: The plant *Erigeron maguirei* (Maguire daisy), endemic to sandstone canyons and mesas, is found in the San Rafael Swell in Emery County, Utah, and Capitol Reef in Wayne County, Utah. In 1985, the Fish and Wildlife Service (Service) listed *Erigeron maguirei* var. *maguirei* as endangered under the Endangered Species Act of 1973 (Act) as amended. Recent taxonomic studies document that populations formerly recognized as *E. maguirei* var. *maguirei* and *E. maguirei* var. *harrisonii* do not merit recognition as separate varieties, so that *E. maguirei*

should be recognized as a species without infra-specific taxa. The studies concluded that the morphological differences previously used to distinguish the two varieties were ecotypic and not genetically based. The Service agreed with this taxonomic revision and on September 7, 1994 (59 FR 46219), published notice of its acceptance of this change in taxonomic understanding. When the status of the entire species is considered, a larger number of individuals is involved than had been previously considered to comprise var. *maguirei*. The Service, however, believes that *E. maguirei*'s long-term survival is tenuous, since a significant portion of its habitat is threatened by ongoing and potential habitat alteration from mineral development, recreational activities, and livestock trampling. The species exists in small, reproductively isolated populations that are vulnerable to inbreeding and the loss of genetic viability. Therefore, the Service finds that *E. maguirei* is a threatened species as defined by the Act.

EFFECTIVE DATE: July 19, 1996.

ADDRESSES: The complete file for this rule is available for public inspection, by appointment, during normal business hours at the Utah Field Office, U. S. Fish and Wildlife Service, Lincoln Plaza, Suite 404, 145 East 1300 South, Salt Lake City, Utah 84115.

FOR FURTHER INFORMATION CONTACT: John L. England, Botanist, at the above address (telephone: 801/524-5001; facsimile: 801/524-5021).

SUPPLEMENTARY INFORMATION:

Background

The genus *Erigeron* (composite family, Asteraceae) includes about 200 species (Cronquist 1947, 1994). Most *Erigeron* species are found in the Western Hemisphere, with the western United States as the center of distribution. *Erigeron maguirei* is a perennial, herbaceous plant with decumbent to sprawling or erect stems that are 7 to 18 centimeters (cm) (2.7 to 7.1 inches (in)) high. The basal leaves are spatulate or broadly oblanceolate, 2 to 5 cm (0.8 to 2.0 in) long and 6 to 9 millimeters (mm) (0.2 to 0.4 in) wide. The well-developed stem leaves are sessile or short-petiolate, and are alternately arranged on the stem. The leaves and stems are covered with abundant spreading hairs. One to three flower heads are borne at the end of each stem. The floral disc is 8 to 10 mm (0.3 to 0.4 in) wide; the involucre is 5 to 6.5 mm (0.20 to 0.26 in) high. Each floral head has 15 to 20 white or pinkish-white colored ligules (ray

flowers) that are about 6 to 8 mm (0.2 to 0.3 in) long and 1.5 to 2 mm (0.06 to 0.08 in) wide. The disk flowers are orange and about 3.5 to 3.8 mm (0.14 to 0.15 in) long. The seeds are 2-nerved achenes (Cronquist 1947, 1994; Welsh 1983a, 1983b; Welsh *et al.* 1987, 1993).

Erigeron maguirei was described by Cronquist (1947) from a specimen collected in 1940 from Calf Canyon in the San Rafael Swell of Emery County, Utah. *Erigeron maguirei* var. *harrisonii* was described by Welsh (1983a) from a specimen he collected in 1982. However, this variety was first discovered in 1936 at Hickman Natural Bridge in the Capitol Reef of Wayne County, Utah. Welsh postulated that the morphological differences between *E. maguirei* var. *maguirei* from San Rafael Swell and *E. maguirei* var. *harrisonii* from Capitol Reef could represent ecotypic variation (Welsh 1983a, 1983b; Welsh *et al.* 1987, 1993). Heil (1989) reported both varieties from Capitol Reef and concluded that *E. maguirei* var. *harrisonii* is an ecotypic shade variant of *E. maguirei*. The Service funded genetic studies as part of its recovery activities for *E. maguirei* var. *maguirei* to determine the phylogenetic relationship of the two varieties. Through DNA analysis, Van Buren (1993) documented that *E. maguirei* var. *maguirei* and *E. maguirei* var. *harrisonii* are not taxonomically distinct, and that recognition at the varietal level is not genetically warranted. The Service accepted Van Buren's finding, and published a notice (59 FR 46219; September 7, 1994) of its recognition of *E. maguirei* as a species without infra-specific taxa. In the recently published volume 5 of the Intermountain Flora, Cronquist *et al.* (1994) included *E. maguirei* var. *harrisonii* in synonymy under *E. maguirei*. The taxonomic treatment in the Intermountain Flora further justifies the Service's acceptance of the species without infra-specific taxa.

Recent status surveys of endangered, threatened, and other rare plants in the San Rafael Swell (Kass 1990) and Capitol Reef (Heil 1989) documented that about 3,000 individuals of *E. maguirei* occur at 12 sites. These 12 sites are reproductively isolated, forming separate populations (R. Van Buren, Brigham Young University, pers. comm. 1994; K. Heil, San Juan College, pers. comm. 1994). Even with this number of individuals and populations, the species remains vulnerable to threats such as the loss of habitat and genetic viability.

The small and isolated populations of *Erigeron maguirei* are susceptible to natural and man-caused habitat