

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

Unfunded Mandates Reform Act

Removal of 43 CFR part 2760 will not result in any unfunded mandate to state, local or tribal governments in the aggregate, or to the private sector, of \$100,000,000 or more in any one year.

Executive Order 12612

The proposed rule would not have sufficient federalism implications to warrant BLM preparation of a Federalism Assessment.

Executive Order 12630

The proposed rule does not represent a government action capable of interfering 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 deletion of "policies that have takings implications." Since the primary function of the proposed rule is to abolish unnecessary regulations, there will be no private property rights impaired as a result. Therefore, BLM 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 proposed rule is not a significant regulatory action. As such, the proposed 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.

Author

The principal author of this proposed rule is Jeff Holdren, Bureau of Land Management, Realty Use Group, 1849 C Street, NW, Washington, DC 20240; Telephone 202/452-7779.

List of Subjects for 43 CFR Part 2760

Land Management Bureau; Public lands—sale; Reclamation; Schools.

For the reasons stated in the preamble, and under the authority of 43 U.S.C. 1740, part 2760 of Group 2700, Subchapter C, Chapter II of Title 43 of the Code of Federal Regulations is proposed to be amended as set forth below:

PART 2760—[REMOVED]

1. Part 2760 is removed in its entirety.

Dated: September 27, 1996.

Sylvia V. Baca,

Assistant secretary of the Interior.

[FR Doc. 96-25402 Filed 10-2-96; 8:45 am]

BILLING CODE 4310-84-P

43 CFR Parts 3740, 3810, 3820

[WO-340-1220-00-24 1A]

RIN 1004-AC96

Multiple Use, Mining; Mining Claims Under the General Mining Laws

AGENCY: Bureau of Land Management, Interior.

ACTION: Proposed rule.

SUMMARY: The Bureau of Land Management (BLM) proposes to remove 43 CFR subparts 3745, 3824, 3825 and section 3811.2-7 in their entirety. Each of these regulations is unnecessary or obsolete, either because it describes programs which no longer exist or because it contains provisions already required by statutes or other applicable regulations. As a result, deleting these regulations will have no impact on BLM customers or the public at large.

DATES: Any comments must be received by BLM at the address below on or before November 4, 1996. Comments received after the above date will not necessarily be considered in the decisionmaking process on the final rule.

ADDRESSES: If you wish to comment, you may hand-deliver comments to the Bureau of Land Management, Administrative Record, Room 401, 1620 L Street, NW., Washington, DC; or mail comments to the Bureau of Land Management, Administrative Record, Room 401LS, 1849 C Street, NW., Washington, DC 20240. You also may transmit comments electronically via the Internet to:

WOCComment@WO0033wp.wo.blm.gov. Please include "attn: RIN AC96", your name and address in your message. If you do not receive a confirmation from the system that we have received your internet message, contact us directly. You will be able to review comments at the L Street address during regular business hours from 7:45 a.m. to 4:15

p.m., Monday through Friday, except Holidays.

FOR FURTHER INFORMATION CONTACT:

Roger Haskins, Bureau of Land Management, Solids Group, 1849 C Street, Washington, DC 20240; Telephone: (202) 452-0355.

SUPPLEMENTARY INFORMATION:

- I. Public Comment Procedures.
- II. Background and Discussion of Proposed Rule.
- III. Procedural Matters.

I. Public Comment Procedures

Written Comments

Written comments on the proposed rule should be specific, should be confined to issues pertinent to the rule, and should explain the reason for any recommended change. Where possible, comments should reference the specific section or paragraph of the proposal which the comment addresses. BLM may not necessarily consider or include in the Administrative Record for the rule comments which BLM receives after the close of the comment period (see **DATES**) or comments delivered to an address other than those listed above (see **ADDRESSES**).

II. Background and Discussion of Proposed Rule

The regulations that are being removed are obsolete and unnecessary. Therefore their removal will not have a negative impact on the regulated community.

Subpart 3744—this subpart addressing a mining claimant's rights, consists entirely of duplicated statutory language. This subpart merely quotes Sections 7(d) and 8 of the Multiple Minerals Development Act, 30 U.S.C. 527(d) and 528. The regulation adds nothing to the language contained in the statute, nor does the statute itself command that regulations be promulgated as a prerequisite to the statute taking effect. Therefore, this regulation serves no substantive purpose.

Subpart 3745—this subpart sets out the conditions for opening Helium Reserves to mining location and mineral leasing, and is an unnecessary duplication of statutory language from the Multiple Mineral Development Act, 30 U.S.C. 521 *et seq.* Beyond a quotation of the statutory language, this subpart only includes an assertion that applications filed prior to published notice to open the helium reserves will confer no rights. However, merely filing an application cannot confer any rights until the application is approved. Furthermore, Helium Reserves Number 1 and 2 were opened in 1955, have since

been withdrawn. BLM has also determined that no pre-existing applications under this subpart currently exist. Therefore, because this regulation contains only duplicated statutory language and obsolete provisions, it can be deleted without affecting the rights of the public at large or altering existing law.

Subpart 3824, concerning mining in the City of Prescott, Arizona, Watershed, consists entirely of restatements from the underlying statute at 16 U.S.C. 482a, internal procedures, and non-binding policy statements. Section 3824.1(a) and the first sentence of 3824.1(c) unnecessarily restate statutory language. Section 3824.1(b), which directs the authorized officer to note certain application terms on the application itself, depicts internal procedures better suited to the BLM Manual. The remainder of 3824.1(c) elaborates on the statutory provision that valid, pre-existing mining claims in this location may be perfected as the claimant desires. This subsection adds nothing to the statutory law by pointing out that "as the claimant desires" means a claimant can subject themselves to the statutory provisions or not; therefore this section is also redundant and unnecessary.

Subpart 3825—this subpart addresses mining on Papago Indian Reservation lands. The provision is obsolete. Papago lands were closed to mineral entry in 1955, and BLM has determined that, to its knowledge, all prior claims have been patented or withdrawn. Therefore, this subpart has no further applicability and should be deleted.

Section 3811.2-7—this subpart addresses location of mining claims for fissionable source material on coal lands. The provision is also obsolete. Claims to mine fissionable and other source material on lands valuable for coal are governed by 30 U.S.C. § 541i, which withdrew coal-bearing public lands from these types of claims on August 11, 1975. All mining claims on the subject lands became void as of that date, except where a claimant had previously filed a valid mineral patent application. Therefore, no further claims can be located under the provisions of 43 CFR 3811.2-7, making this regulation obsolete and wholly unnecessary.

III. Procedural Matters

National Environmental Policy Act

The BLM has prepared an environmental assessment (EA), and has found that the proposed 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). The BLM has placed the EA and the Finding of No Significant Impact (FONSI) on file in the BLM Administrative Record at the address specified previously. The BLM invites the public to review these documents by contacting us at the addresses listed above (see **ADDRESSES**), and suggests that anyone wishing to submit comments in response to the EA and FONSI do so in accordance with the *Written Comments* section above, or contact us directly.

Paperwork Reduction Act

This proposed rule does not contain information collection requirements which 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 (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. BLM has determined under the RFA that this proposed rule would not have a significant economic impact on a substantial number of small entities.

Executive Order 12866

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

Unfunded Mandates Reform Act

Removal of 43 CFR subparts 3745, 3824, 3825 and section 3811.2-7 will not result in any unfunded mandate to state, local or tribal governments in the aggregate, or to the private sector, of \$100,000,000 or more in any one year.

Executive Order 12612

The proposed rule would not have sufficient federalism implications to warrant BLM preparation of a Federalism Assessment (FA).

Executive Order 12630

The proposed rule does not represent a government action capable of interfering 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 proposed rule is to abolish unnecessary regulations, there will be no private property rights impaired as a result. Therefore, BLM 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 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.

Author

The principal author of this proposed rule is Roger Haskins, Solids Group, Bureau of Land Management, 1849 C Street, NW, Washington, DC 20240; Telephone (202) 452-0355.

List of Subjects

43 CFR Part 3740

Administrative Practice and Procedure; Land Management Bureau; Mines; Public Lands—Mineral Resources.

43 CFR 3810

Land Management Bureau; Mines; Public Lands—Mineral Resources; Reporting and Recordkeeping Requirements.

43 CFR 3820

Land Management Bureau; Mines; Monuments and Memorials; National Forests; National Parks; Public Lands—Mineral Resources; Reporting and Recordkeeping Requirements; Surety Bonds; Wilderness Areas.

For the reasons stated in the preamble, and under the authority of 43 U.S.C. 1740, parts 3740 of Group 3700 and parts 3810 and 3820 of Group 3800, Subchapter C, Chapter II of Title 43 of the Code of Federal Regulations is proposed to be amended as set forth below:

PART 3740—[AMENDED]

Subpart 3744—[Removed]

1. Part 3740 is amended by removing subpart 3744 (§§ 3744.1 and 3744.2) in its entirety.

Subpart 3745—[Removed]

2. Part 3740 is amended by removing subpart 3745 (§ 3745.1) in its entirety.

PART 3810—[AMENDED]

3. Part 3810 is amended by removing § 3811.2–7 in its entirety.

PART 3820—[AMENDED]**Subpart 3824—[Removed]**

4. Part 3820 is amended by removing subpart 3824 (§ 3824.1) in its entirety.

Subpart 3825—[Removed]

5. Part 3820 is amended by removing subpart 3825 (§§ 3825.0–3 and 3825.1) in its entirety.

Dated: September 27, 1996.

Sylvia V. Baca,

Assistant Secretary of the Interior.

[FR Doc. 96–25423 Filed 10–2–96; 8:45 am]

BILLING CODE 4310–84–P

DEPARTMENT OF TRANSPORTATION**National Highway Traffic Safety Administration****49 CFR Part 571**

[Docket No. 95–98; Notice No.3]

Public Meeting on School Bus Transportation

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Notice of public meeting; request for comments.

SUMMARY: This notice announces a public meeting at which NHTSA will seek information about school bus transportation. This meeting will be held in cooperation with the National Association of Pupil Transportation (NAPT) and National Association of State Directors of Pupil Transportation Services (NASDPTS) at their annual conference. NHTSA is seeking information from school bus manufacturers, school transportation providers, and other members of the public on issues related to the transportation of school children. NHTSA is also requesting suggestions for actions with respect to NHTSA's regulations and Federal Motor Vehicle Safety Standards (FMVSS) that govern the manufacture of school buses. This notice also invites written comments on the same subject.

DATES: *Public meeting:* The meeting will be held on November 4, 1996 at 2:00 p.m. Those wishing to make oral presentations at the meeting should contact Charles Hott, at the address or telephone number listed below, by October 25, 1996.

Written comments: Written comments may be submitted to the agency and must be received by December 9, 1996.

ADDRESSES: *Public meeting:* The public meeting will be held at the following location: Opryland Hotel, 2800 Opryland Drive, Nashville, TN 37214, Tel: (615) 889–1000.

Written comments: All written comments (preferably 10 copies) should be mailed to the Docket Section, National Highway Traffic Safety Administration, Room 5109, 400 7th Street, SW, Washington, DC 20590. Please refer to the docket number when submitting written comments.

FOR FURTHER INFORMATION CONTACT:

Charles Hott, Office of Crashworthiness Standards, NPS–12, NHTSA, 400 7th Street, SW, Washington, DC 20590 (telephone 202–366–0247, Fax: 202–366–4329).

SUPPLEMENTARY INFORMATION:*Regulatory Reform*

Calling for a new approach to the way Government regulates the private sector, President Clinton asked Executive Branch agencies to improve the regulatory process. Specifically, the President requested that agencies: (1) cut obsolete regulations; (2) reward agency and regulator performance by rewarding results, not red tape; (3) create grassroots partnerships by meeting with those affected by regulations and other interested parties; and (4) use consensual rulemaking, such as regulatory negotiation, more frequently.

NHTSA previously announced public meetings to create grassroots partnerships with regulated industries and other affected parties that do not deal with NHTSA on a routine basis. By meeting with these groups, NHTSA believes that it can build a better understanding of their needs and concerns.

NHTSA recognizes that manufacturers who build school buses operate under different conditions than manufacturers of passenger cars and trucks. In addition, the agency is aware that school transportation providers and school bus manufacturers share a common interest in matters relating to pupil transportation safety. Therefore, the agency has decided to hold public meetings to listen to the views of these groups and others in order to be better informed of their specific needs. The agency is interested in obtaining their views on how it can improve its regulations that govern the manufacture of school buses. Suggestions should be accompanied by a statement of the rationale for the suggested action and of

the expected consequences of that action. Suggestions should address at least the following considerations: Administrative/compliance burdens
Cost effectiveness
Costs of the existing regulation and the proposed changes to consumers
Costs of testing or certification to regulated parties
Effects on safety
Effects on small businesses
Enforceability of the standard
Whether the suggestion reflects a “common sense” approach to solving the problem

Statements should be as specific as possible and provide the best available supporting information. Statements also should specify whether any change recommended in the regulatory process would require a legislative change in NHTSA's authority.

This meeting is being held in cooperation with NAPT and NASDPTS at their annual conference in an effort to offer pupil transportation professionals an opportunity to interact with federal agencies that affect operational and industry standards. Both NAPT and NASDPTS are voluntary not-for-profit organizations that provide educational opportunities and information services for pupil transportation professionals around the world. NAPT and NASDPTS collectively represent over 2,100 pupil transportation professionals from both public and private sectors in the United States, United State territories and Canada who promote safe and efficient pupil transportation. The NAPT Annual Conference and Trade Show is the United State's largest gathering of pupil transportation professionals. Having a public meeting in cooperation with NAPT and NASDPTS will give NHTSA the opportunity to receive comments from the broadest cross-section of industry professionals who desire to express their need and concerns about Federal regulations that affect their business.

Other Topics of Interest

In recent years there have been many changes to the Federal requirements for school buses. These new requirements include stop arms for all school buses, more emergency exits for most of the larger school buses, performance requirements for wheelchair restraints in school buses, and mirror systems that are performance based instead of design based. Future requirements include antilock brake systems for large school buses and may also include requiring small school buses to meet Standard No. 221, joint strength.

Improvements have been made to the safety of the school bus loading zones.