

and address, and give reasons for any recommendation.

**FOR FURTHER INFORMATION CONTACT:**  
Jennifer A. Yeske at (202) 482-0189.

**SUPPLEMENTARY INFORMATION:** On February 26, 1997, the Department published proposed countervailing duty regulations (62 FR 8818). We requested written comments from the public to be submitted by April 28, 1997. On April 23, 1997, we published a notification of extension of the deadline for filing comments to May 12, 1997 (62 FR 19719). We have further extended the deadline to May 27, 1997.

### Proposed Regulations

The proposed regulations are available on the Internet at the following address: [http://www.ita.doc.gov/import\\_admin/records/](http://www.ita.doc.gov/import_admin/records/)

In addition, the proposed regulations are available to the public on 3.5" diskettes, with specific instructions for accessing compressed data, at cost, and paper copies available for reading and photocopying in Room B-099 of the Central Records Unit. Any questions concerning file formatting, document conversion, access on the Internet, or other file requirements should be addressed to Andrew Lee Beller, Director of Central Records, (202) 482-0866.

### Format and Number of Copies

To simplify the processing and distribution of the public comments pertaining to the Department's proposed regulations, parties are encouraged to submit documents in electronic form accompanied by an original and three paper copies. All documents filed in electronic form must be on DOS formatted 3.5" diskettes, and must be prepared in either WordPerfect format or a format that the WordPerfect program can convert and import into WordPerfect. If possible, the Department would appreciate the documents being filed in either ASCII format or WordPerfect, and containing generic codes. The Department would also appreciate the use of descriptive filenames.

Dated: May 8, 1997.

**Robert S. LaRussa,**

*Acting Assistant Secretary for Import Administration.*

[FR Doc. 97-12490 Filed 5-9-97; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

#### 30 CFR Part 914

[SPATS No. IN-110-FOR, Amendment No. 93-7]

#### Indiana Regulatory Program

**AGENCY:** Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

**ACTION:** Proposed rule; withdrawal of proposed amendment.

**SUMMARY:** OSM is announcing the withdrawal of part of a proposed amendment to the Indiana regulatory program (hereinafter the "Indiana program") under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The proposed amendment that is being withdrawn is the second part of a larger amendment submitted by Indiana. The first part of the amendment was previously approved by OSM. The amendments being withdrawn pertain to permit revisions. Indiana is withdrawing this amendment because it was recalled by the Indiana Attorney General.

**DATES:** This proposed amendment is withdrawn May 12, 1997.

#### FOR FURTHER INFORMATION CONTACT:

Andrew R. Gilmore, Director, Indianapolis Field Office, Telephone: (317) 226-6700.

**SUPPLEMENTARY INFORMATION:** By letter dated December 30, 1993 (Administrative Record No. IND-1322), Indiana submitted proposed amendment number 93-7 to its program pursuant to SMCRA. The amendment concerned revisions to numerous sections of the Indiana rules to address OSM Regulatory Reform I, II, and III issues. Indiana subsequently subdivided the amendment, and OSM approved Part I on November 9, 1995 (60 FR 56516).

On April 30, 1997 (Administrative Record No. IND-1568), Indiana requested that Part II of amendment 93-7 be withdrawn. Indiana intends to revise the amendment prior to resubmitting it for formal review and approval by OSM. Therefore, amendment 93-7 Part II as announced in the December 20, 1995, **Federal Register** (60 FR 65611) is withdrawn.

#### List of Subjects in 30 CFR Part 914

Intergovernmental relations, Surface mining, Underground mining.

Dated: May 2, 1997.

**Allen D. Klein,**

*Regional Director, Appalachian Regional Coordinating Center.*

[FR Doc. 97-12260 Filed 5-9-97; 8:45 am]

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## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### 32 CFR Part 285

### DOD Freedom of Information Act (FOIA) Program

**AGENCY:** Office of the Secretary, Department of Defense (DOD).

**ACTION:** Proposed rule.

**SUMMARY:** This proposed revision to the DOD Freedom of Information Act (FOIA) Program provides substantive and administrative changes. It conforms to the requirements of the Electronic Freedom of Information Act Amendments of 1996, as amended by Public Law 104-231.

**DATES:** Comments must be received by July 11, 1997.

**ADDRESSES:** Forward comments to ASD(PA), Room 2C757, 1400 Defense Pentagon, Washington, DC 20301-1400.

**FOR FURTHER INFORMATION CONTACT:** Mr. C. Talbott, 703-697-1180.

#### SUPPLEMENTARY INFORMATION:

### Executive Order 12866, "Regulatory Planning and Review"

It has been determined that 32 CFR part 285 is not a significant regulatory action. The rule does not:

(1) Have an annual effect to the economy of \$100 million or more or adversely affect in a material way the economy; a section of the economy; productivity; competition; jobs; the environment; public health or safety; or State, local, or tribal governments or communities;

(2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another Agency;

(3) Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs, or the rights and obligations of recipients thereof; or

(4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in this Executive Order.

### Public Law 96-354, "Regulatory Flexibility Act" (5 U.S.C. 601)

It has been certified that this rule is not subject to the Regulatory Flexibility Act (5 U.S.C. 601) because it would not, if promulgated, have a significant

economic impact on a substantial number of small entities. This rule implements the Freedom of Information Act (5 U.S.C. 552), a statute concerning the release of Federal Government records, and does not economically impact Federal Government relations with the private sector.

**Public Law 96-511, "Paperwork Reduction Act" (44 U.S.C. Chapter 35)**

It has been certified that this part does not impose any reporting or recordkeeping requirements under the Paperwork Reduction Act of 1995.

**List of Subjects in 32 CFR Part 285**

Freedom of Information.

Accordingly, 32 CFR part 285 is proposed to be revised to read as follows:

**PART 285—DOD FREEDOM OF INFORMATION ACT (FOIA) PROGRAM**

Sec.

- 285.1 Purpose.
- 285.2 Applicability and scope.
- 285.3 Policy.
- 252.4 Responsibilities.
- 285.5 Information requirements.

**Authority:** 5 U.S.C. 552.

**§ 285.1 Purpose.**

This part:

(a) Update policies and responsibilities for the implementation of the DOD FOIA Program under 5 U.S.C. 552.

(b) Continues to delegate authorities and responsibilities for the effective administration of the FOIA program.

**§ 285.2 Applicability and scope.**

(a) This part applies to the Office of the Secretary of Defense (OSD), the Military Departments, the Chairman of the Joint Chiefs of Staff, the Combatant Commands, the Inspector General of the Department of Defense (IG, DoD), the Defense Agencies, and the DoD Field Activities (hereafter referred to collectively as "the DoD Components").

(b) National Security Agency/Central Security Service records are subject to this part unless the records are exempt under 50 U.S.C. 401 note. The records of the Defense Intelligence Agency, National Reconnaissance Office, and the National Imagery and Mapping Agency are also subject to this part unless the records are exempt under 10 U.S.C. 424.

**§ 285.3 Policy.**

It is DoD policy to:

(a) Promote public trust by making the maximum amount of information available to the public, in both hardcopy and electronic formats, on the operation and activities of the Department of

Defense, consistent with DOD's responsibility to ensure national security.

(b) Allow a requester to obtain agency records from the Department of Defense that are available through other public information services without invoking the FOIA.

(c) Make available, under the procedures established by 32 part 286, those agency records that are requested by a member of the general public who cites the FOIA.

(d) Answer promptly all other requests for information, agency records, objects, and articles under established procedures and practices.

(e) Release agency records to the public unless those records are exempt from mandatory disclosure as outlined in 5 U.S.C. 552.

(f) Process requests by individuals for access to records about themselves under the Privacy Act procedures as implemented by DOD Directive 5400.11<sup>1</sup>, and procedures outlined in this part as amplified by 32 CFR part 286.

**§ 285.4 Responsibilities.**

(a) The Assistant Secretary of Defense for Public Affairs (ASD (PA)) shall:

(1) Direct and administer the DOD FOIA Program to ensure compliance with policies and procedures that govern the administration of the program.

(2) Issue a DOD FOIA regulation and other discretionary instructions and guidance to ensure timely and reasonably uniform implementation of the FOIA in the Department of Defense.

(3) Internally administer the FOIA Program for OSD, the Chairman of the Joint Chiefs of Staff and, as an exception to DOD Directive 5100.3<sup>2</sup>, the Combatant Commands.

(4) As the designee of the Secretary of Defense, serve as the sole appellate authority for appeals to decisions of respective Initial Denial Authorities within OSD, the Chairman of the Joint Chiefs of Staff, the Combatant Commands, and the DOD Field Activities.

(b) The General Counsel, Department of Defense shall provide uniformity in the legal interpretation of this part.

(c) The Heads of DOD Components shall:

(1) Publish in the **Federal Register** any instructions necessary for the internal administration of this part within a DOD Component that are not

<sup>1</sup> Copies may be obtained, at cost, from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161.

<sup>2</sup> See footnote 1 to § 285.3 (f).

prescribed by this part or by other issuances of the ASD(PA). For the guidance of the public, the information specified in 5 U.S.C. 552(a)(1) shall be published in accordance with DOD Directive 5400.9<sup>3</sup>.

(2) Conduct training on the provisions of this part, 5 U.S.C. 552, and 32 CFR part 286 for officials and employees who implement the FOIA.

(3) Submit the report prescribed in Chapter 7 of DOD 5400.7-R.<sup>4</sup>

(4) Make available for public inspection and copying in an appropriate facility or facilities, in accordance with rules published in the **Federal Register** the records specified in 5 U.S.C. 552(a)(2) unless such records are published and copies are offered for sale.

(5) Maintain and make available for public in inspection and copying current indices of these records are required by U.S.C. 552.

**§ 285.5 Information requirements.**

The reporting requirements in Chapter 7 of DOD 5400.7-R have been assigned Report Control Symbol DD-PA(A) 1365.

Dated: April 29, 1997.

**L.M. Bynum,**

*Alternate OSD Federal Register Liaison Officer.*

[FR Doc. 97-11599 Filed 5-9-97; 8:45 am]

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**POSTAL SERVICE**

**39 CFR Parts 111 and 502**

**Manufacture, Distribution, and Use of Postal Security Devices and Information Based Indicia**

**AGENCY:** Postal Service.

**ACTION:** Correction to notice of proposed rule.

**SUMMARY:** The original document (62 FR 14833; March 28, 1997) included an incorrect date and an incorrect statement of reference.

**DATES:** Comments on the proposed policies must be received on or before June 30, 1997.

**SUPPLEMENTARY INFORMATION:** For purposes of clarification, the proposed policies and regulations apply to all computer based (open) systems. In addition, they apply to all other technologies that could incorporate the new secure features of an Information Based Indicia, and are specifically

<sup>3</sup> See footnote 1 to § 285.3(f)

<sup>4</sup> See footnote 1 to § 285.3(f)