

Directors. Consequently the procedures in part 75 are obsolete.

In addition, experience has shown that this informal appeals process actually resolves very few of the covered disputes, because most of these informal appeals are subsequently appealed to the Departmental Appeals Board established by 45 CFR part 16. Therefore, this informal appeals process has the effect of lengthening the total time required to finally resolve the subject appeals.

No public comments were received concerning this proposal. Since the Department sees little value in this informal appeals process, and this process is obsolete, we are adopting the proposal to eliminate part 75 as final, thereby reducing internal management regulations as required by Executive Order 12861. (We have corrected an inadvertent omission in the Notice of Proposed Rulemaking's authority citation for 45 CFR part 74.)

Regulatory Impact Analyses

Executive Order 12866

This final rule was reviewed by the Office of Management and Budget.

Regulatory Flexibility Act

The Secretary, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), has reviewed this final rule before publication and, by approving it, certifies that it does not have a significant impact on a substantial number of small entities.

Unfunded Mandates Act

The Department has determined that this final rule is not a significant regulatory action within the meaning of the Unfunded Mandates Reform Act of 1995.

Paperwork Reduction Act

This final rule does not contain information collection requirements requiring clearance under the Paperwork Reduction Act.

List of Subjects in 45 CFR Parts 16, 74, 75, and 95

Accounting, Administrative practice and procedures, Grant programs—health, Grant programs—social programs, Grants administration, Reporting and recordkeeping requirements.

(Catalog of Federal Domestic Assistance Number does not apply)

Dated: July 10, 1997.

Donna E. Shalala,
Secretary.

Accordingly, for the reasons set forth above, title 45 of the Code of Federal Regulations is amended as follows:

PART 16—PROCEDURES OF THE DEPARTMENTAL GRANT APPEALS BOARD

1. Part 16 is amended as follows:

a. The authority citation continues to read as follows:

Authority: 5 U.S.C. 301 and secs. 1, 5, 6, and 7 of Reorganization Plan No. 1 of 1953, 18 FR 2053, 67 Stat. 631 and authorities cited in the Appendix.

§ 16.3 [Amended]

b. Section 16.3(c) is amended by removing the words “and part 75 of this title for rate determinations and cost allocation plans”.

Appendix A to Part 16 [Amended]

c. Section D. of appendix A is amended by removing the last sentence.

PART 74—UNIFORM ADMINISTRATIVE REQUIREMENTS FOR AWARDS AND SUBAWARDS TO INSTITUTIONS OF HIGHER EDUCATION, HOSPITALS, OTHER NONPROFIT ORGANIZATIONS, AND COMMERCIAL ORGANIZATIONS; AND CERTAIN GRANTS AND AGREEMENTS WITH STATES, LOCAL GOVERNMENTS AND INDIAN TRIBAL GOVERNMENTS

2. Part 74 is amended as follows:

a. The authority citation continues to read as follows:

Authority: 5 U.S.C. 301; OMB Circular A-110; Appendix J is also issued under 31 U.S.C. section 7505.

§ 74.62 [Amended]

b. Section 74.62(b) is amended by removing the numbers “16, 75,” and adding, in their place, the number “16”.

§ 74.90 [Amended]

c. Section 74.90(b) is amended by removing the words “parts 16 and 75” and adding, in their place, the words “part 16”.

PART 75—INFORMAL GRANT APPEALS PROCEDURES [REMOVED]

3. Part 75 is removed.

PART 95—GENERAL ADMINISTRATION—GRANT PROGRAMS (PUBLIC ASSISTANCE AND MEDICAL ASSISTANCE)

4. Part 95 is amended as follows:

a. The authority citation continues to read as follows:

Authority: Sec. 452(a), 83 Stat. 2351, 42 U.S.C. 652(a); sec. 1102, 49 Stat. 647, 42 U.S.C. 1302; sec. 7(b), 68 Stat. 658, 29 U.S.C. 37(b); sec. 139, 84 Stat. 1323, 42 U.S.C. 2577b.; sec. 144, 81 Stat. 529, 42 U.S.C. 2678; sec. 1132, 94 Stat. 530, 42 U.S.C. 1320b-2; sec. 306(b), 94 Stat. 530, 42 U.S.C. 1320b-2 note, unless otherwise noted.

§ 95.513 [Removed]

b. Section 95.513 is removed.

§ 95.519 [Amended]

c. Section 95.519(b) is amended by redesignating paragraph (b)(1) as paragraph (b), in newly redesignated paragraph (b) by removing the words “reconsideration of the determination under 45 CFR part 75” and adding, in their place, the words “appeal of the determination under 45 CFR part 16”, and by removing paragraph (b)(2).

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 93-270; RM-8323, RM-8339, RM-8428, RM-8429, and RM-8430]

FM Broadcasting Services; Nashville, Cordele, Dawson, Montezuma, and Hawkinsville, GA

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Chief, Allocations Branch, granted the counterproposal (RM-8428) filed by Tifton Broadcasting Corporation, licensee of Station WJYF(FM), Channel 237C3 (95.3 MHz), Nashville, Georgia, to upgrade that station by substituting Channel 237C2 for Channel 237C3 and modifying its license to operate on Channel 237C2. That counterproposal was filed in response to the Notice of Proposed Rule Making, 58 FR 58671, published November 3, 1993, which had set forth two allotment proposals in response to the interrelated petitions for rule making filed by Radio Cordele, Inc. (“RCI”) (RM-8323), licensee of Station WKKN(FM), Cordele, Georgia, and by John F. Tuck and Phonson Donaldson, Bankruptcy Court Appointed Receivers for Dawson Broadcasting Company (“DBC”) (RM-8339), licensee of Station WAZE(FM), Dawson, Georgia. With this action, the proceeding is terminated. **DATES:** Effective September 2, 1997. The window period for filing applications for Channel 251A at Dawson, Georgia will open on September 2, 1997, and close on October 3, 1997.

FOR FURTHER INFORMATION CONTACT: J. Bertron Withers, Jr., Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: Channel 237C2 can be allotted at Nashville, Georgia in compliance with the Commission's minimum distance separation requirements at a site restricted to 6.3 kilometers (3.9 miles) northwest of the community at coordinates North Latitude 31-15-18 and West Longitude 83-17-08. RCI's petition was denied and DBC's petition and its later-filed counterproposal (RM-8430) were dismissed because the license for Station WAZE(FM) was canceled, creating a vacant allotment at Dawson, Georgia. Accordingly, a filing window is being opened for Dawson. A counterproposal jointly filed by Tri-County Broadcasting, Inc., licensee of Station WQSY(FM), Hawkinsville,

Georgia, and Montezuma Broadcasting, licensee of Station WLML(FM), Montezuma, Georgia (RM-8429), was also dismissed. This is a summary of the Commission's Report and Order, MM Docket No. 93-270 adopted June 25, 1997 and released July 11, 1997. The full text of this Commission decision is available for inspection and copying during normal business hours in Commission's Reference Center (Room 239), 1919 M Street, N.W., Washington, DC 20554. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, 2100 M Street, N.W., Suite 140, Washington, DC 20037, (202) 857-3800.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of Title 47 of the Code of Federal Regulations is amended as follows:

PART 73—[AMENDED]

1. The authority citation for Part 73 continues to read as follows:

Authority: Secs. 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments, under Georgia, is amended by removing Channel 237C3 at Nashville and adding Channel 237C2.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

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