

§ 955.36 [Redesignated as § 955.13 and Amended]

7. Section 955.36 is redesignated as § 955.13 and amended by revising the first sentence of paragraphs (b)(1) and (b)(2); by revising paragraph (c)(1) and the first sentence of paragraph (c)(2)(ii) and the fourth sentence of paragraph (c)(4); by revising paragraph (d)(1) and the third sentence of paragraph (d)(3); by revising paragraph (e); and by adding paragraph (f), as follows:

§ 955.13 Optional small claims (expedited and accelerated procedures).

* * * * *

(b) * * *

(1) In appeals where the amount in dispute is \$50,000 or less, the appellant may elect to have the appeal processed under a small claims (expedited) procedure requiring decision of the appeal, whenever possible, within 120 days after the Board receives written notice of the appellant's election to utilize this procedure. * * *

(2) In appeals where the amount in dispute is \$100,000 or less, the appellant may elect to have the appeal processed under an accelerated procedure requiring the decision of the appeal, whenever possible, within 180 days after the Board receives written notice of the appellant's election to utilize this procedure. * * *

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(c) * * *

(1) This procedure shall apply only to appeals where the amount in dispute is \$50,000 or less as to which the appellant has elected the small claims (expedited) procedure.

(2) * * * (ii) within 5 days after the Board has acknowledged receipt of the notice of election, either party desiring an oral hearing shall so inform the Board. * * *

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(4) * * * Whenever such an oral decision is rendered, the Board will subsequently furnish the parties a typed copy of such oral decision for the record and payment purposes and for the establishment of the commencement date of the period for filing a motion for reconsideration under § 955.30.

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(d) * * *

(1) This procedure shall apply only to appeals where the amount in dispute is \$100,000 or less as to which the appellant has made the requisite election.

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(3) * * * Alternatively, in cases where the amount in dispute is \$50,000 or less as to which the accelerated procedure has been elected and in

which there has been a hearing, the single Administrative Judge presiding at the hearing may, with the concurrence of both parties, at the conclusion of the hearing and after entertaining such oral arguments as he deems appropriate, render on the record oral summary findings of fact, conclusions, and a decision of the appeal. * * *

(e) Motions for Reconsideration in Cases Arising Under § 955.13. Motions for Reconsideration of cases decided under either the small claims (expedited) procedure or the accelerated procedure need not be decided within the time periods prescribed by this § 955.13 for the initial decision of the appeal, but all such motions shall be processed and decided rapidly so as to fulfill the intent of this section.

(f) Except as herein modified, the rules of this part 955 otherwise apply in all aspects.

§ 955.37 [Redesignated as § 955.35]

8. Section 955.37 is redesignated as § 955.35.

9. Redesignated § 955.35 is amended by revising the introductory text of paragraph (a) to read as follows:

§ 955.35 Subpoenas.

(a) *General.* Upon written request of either party filed with the Recorder or on his own initiative, the Administrative Judge to whom a case is assigned or who is otherwise designated by the Chairman may issue a subpoena requiring: * * *

* * * * *

§ 955.36 [Added]

10. New § 955.36 is added to read as follows:

§ 955.36 Effective Dates and Applicability.

The provisions of §§ 955.9 and 955.13 took effect on October 1, 1995. Pursuant to the Contract Disputes Acts of 1978 (41 U.S.C. 601-613), §§ 955.13 and 955.35 apply to appeals relating to contracts entered into on or after March 1, 1979. All other provisions of this part 955 took effect February 18, 1976.

Except as otherwise directed by the Board, these rules shall not apply to appeals docketed prior to their effective dates.

Stanley F. Mires,
Chief Counsel, Legislative.

[FR Doc. 95-28365 Filed 11-22-95; 8:45 am]
BILLING CODE 7710-12-P

DEPARTMENT OF DEFENSE

Department of the Air Force

41 CFR Chapter 132

Utilization and Disposal of Real Property

AGENCY: Department of the Air Force, Department of Defense.

ACTION: Interim rule; withdrawal.

SUMMARY: On April 1, 1991, the Department of the Air Force amended Title 41 of the Code of Federal Regulations by establishing Chapter 132 and Part 132-47, Utilization and Disposal of Real Property, as an interim rule with request for comments (56 FR 13286).

On April 6, 1994, the Department of Defense published 32 CFR Part 90, Revitalizing Base Closure Communities—Base Closure Community Assistance. Upon publication of 32 CFR Parts 90 and 91, it was decided not to finalize the interim rule 41 CFR Part 132-47. Therefore, 41 CFR Chapter 132 consisting of Part 132-47 is withdrawn.

EFFECTIVE DATE: November 24, 1995.

FOR FURTHER INFORMATION CONTACT: Gilbert Sailer, AFBCA/RP, 1700 N. Moore Street, Suite 2300, Arlington VA 22209-2803, telephone (703) 696-5566.

SUPPLEMENTARY INFORMATION:

List of Subjects in 41 CFR Chapter 132
Real property utilization and disposal.
Authority: 10 U.S.C. 8013.

41 CFR CHAPTER 132—[REMOVED]

Accordingly, 41 CFR Chapter 132 consisting of Part 132-47 is removed.
Patsy J. Conner,
Air Force Federal Register Liaison Officer.
[FR Doc. 95-28661 Filed 11-22-95; 8:45 am]

BILLING CODE 3910-01-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Public Land Order 7173

[ID-943-1430-01; IDI-04790 02]

Partial Revocation of Public Land Order No. 1703; Idaho

AGENCY: Bureau of Land Management, Interior.

ACTION: Public land order.

SUMMARY: This order revokes a Public Land Order (PLO) insofar as it affects 34.98 acres of public land withdrawn by the Corps of Engineers' Albeni Falls