

(5) *Reports under specific licenses.* As a condition for the issuance of any license, the licensee may be required to file reports with respect to the transaction covered by the license, in such form and at such times and places as may be prescribed in the license or otherwise.

(6) *Issuance of license.* Licenses will be issued by the Office of Foreign Assets Control acting on behalf of the Secretary of the Treasury, or licenses may be issued by the Secretary of the Treasury acting directly or through any specifically designated person, agency, or instrumentality.

(c) *Address.* License applications, reports, and inquiries should be addressed to the appropriate section or individual within the Office of Foreign Assets Control, or to the Director, at the following address: Office of Foreign Assets Control, Department of the Treasury, 1500 Pennsylvania Avenue, NW—Annex, Washington, DC 20220.

#### § 596.802 Decisions.

The Office of Foreign Assets Control will advise each applicant of the decision respecting filed applications. The decision of the Office of Foreign Assets Control acting on behalf of the Secretary of the Treasury with respect to an application shall constitute final agency action.

#### § 596.803 Amendment, modification, or revocation.

The provisions of this part and any rulings, licenses, whether general or specific, authorizations, instructions, orders, or forms issued hereunder may be amended, modified, or revoked at any time.

#### § 596.804 Rulemaking.

(a) All rules and other public documents are issued by the Secretary of the Treasury upon recommendation of the Director of the Office of Foreign Assets Control. In general, rulemaking by the Office of Foreign Assets Control involves foreign affairs functions of the United States, and for that reason is exempt from the requirements under the Administrative Procedure Act (5 U.S.C. 553) for notice of proposed rulemaking, opportunity for public comment, and delay in effective date.

(b) Any interested person may petition the Director of the Office of Foreign Assets Control in writing for the issuance, amendment, or repeal of any rule.

#### § 596.805 Delegation by the Secretary of the Treasury.

Any action which the Secretary of the Treasury is authorized to take pursuant to section 321 of the Antiterrorism and

Effective Death Penalty Act of 1996, Pub. L. 104–132, 110 Stat. 1214, 1254 (18 U.S.C. 2332d), may be taken by the Director, Office of Foreign Assets Control, or by any other person to whom the Secretary of the Treasury has delegated authority so to act.

#### § 596.806 Rules governing availability of information.

(a) The records of the Office of Foreign Assets Control which are required by 5 U.S.C. 552 to be made available to the public shall be made available in accordance with the definitions, procedures, payment of fees, and other provisions of the Regulations on the Disclosure of Records of the Office of the Secretary and of other bureaus and offices of the Department of Treasury issued pursuant to 5 U.S.C. 552 and published at 31 CFR part 1.

(b) The records of the Office of Foreign Assets Control required by the Privacy Act (5 U.S.C. 552a) to be made available to an individual shall be made available in accordance with the definitions, procedures, requirements for payment of fees, and other provisions of the Regulations on Disclosure of Records of the Departmental Offices and of other bureaus and offices of the Department of the Treasury issued under 5 U.S.C. 552a and published at 31 CFR part 1.

#### Subpart I—Paperwork Reduction Act

##### § 596.901 Paperwork Reduction Act notice.

The information collection requirements in §§ 596.601, 596.602, 596.603 and 596.801 have been approved by the Office of Management and Budget and assigned control number 1505–0161.

Dated: August 16, 1996.  
Loren L. Dohm,  
*Acting Director, Office of Foreign Assets Control.*

Approved: August 20, 1996.  
James E. Johnson,  
*Assistant Secretary (Enforcement).*  
[FR Doc. 96–21705 Filed 8–21–96; 3:11 pm]  
BILLING CODE 4810–25–F

#### DEPARTMENT OF DEFENSE

##### Department of the Air Force

#### 32 CFR Part 837

##### Public Affairs Policies and Procedures

**AGENCY:** Department of the Air Force, Department of Defense.  
**ACTION:** Final rule.

**SUMMARY:** The Department of the Air Force is removing the regulation on public affairs policies and procedures. This rule is removed because it has limited applicability to the general public. This action is the result of departmental review. The intended effect is to ensure that only rules which substantially affect the public are maintained in the Air Force portion of the Code of Federal Regulations.

**EFFECTIVE DATE:** August 23, 1996.

**FOR FURTHER INFORMATION CONTACT:** Ms. Patsy J. Conner, Air Force Federal Register Liaison Officer, SAF/AAX, 1720 Air Force Pentagon, Washington, DC 20330–1720, telephone (703) 697–4191.

#### SUPPLEMENTARY INFORMATION:

List of Subjects in 32 CFR Part 837

Motion pictures, News media.

#### PART 837—[REMOVED]

Accordingly under the authority 10 U.S.C. 8013, 32 CFR chapter VII is amended by removing part 837.

Patsy J. Conner,  
*Air Force Federal Register Liaison Officer.*  
[FR Doc. 96–21421 Filed 8–22–96; 8:45 am]  
BILLING CODE 3910–01–W

#### DEPARTMENT OF LABOR

##### Office of Federal Contract Compliance Programs

#### 41 CFR Parts 60–250, 60–741 and 60–999

RIN 1215–AA62, 1215–AA76

##### Affirmative Action and Nondiscrimination Obligations of Contractors and Subcontractors Regarding Individuals With Disabilities, Disabled Veterans and Veterans of the Vietnam Era; Approval of Information Collection Requirements and OMB Control Numbers

**AGENCY:** Office of Federal Contract Compliance Programs (OFCCP), Labor.  
**ACTION:** Final rule; technical amendments.

**SUMMARY:** This document informs the public that the Office of Management and Budget (OMB) has approved, under the Paperwork Reduction Act of 1995 (PRA), the collection of information requirements contained in two OFCCP rules published on May 1, 1996: (1) The final rule revising the regulations implementing the affirmative action and nondiscrimination obligations of

contractors and subcontractors regarding individuals with disabilities under section 503 of the Rehabilitation Act of 1973 (61 FR 19336); and (2) the interim rule modifying the requirement that contractors and subcontractors invite job applicants and employees to inform the contractor whether they believe they may be covered by the affirmative action provisions of the Vietnam Era Veterans' Readjustment Assistance Act of 1974, and wish to benefit from the contractor's affirmative action program (61 FR 19366). OMB has approved of these revisions under existing PRA control numbers and this document makes ministerial, technical amendments to the OFCCP table displaying all control numbers for collections of information in OFCCP rules. Technical amendments are also made to the OFCCP PRA provisions to remove references to superseded versions of the PRA and to simplify the language.

**EFFECTIVE DATE:** This document is effective August 23, 1996. Information collection requirements contained in the final rule published at 61 FR 19336 and the interim rule published at 61 FR 19366 are effective August 29, 1996.

**FOR FURTHER INFORMATION CONTACT:** Joe N. Kennedy, Deputy Director, Office of Federal Contract Compliance Programs, Room C-3325, 200 Constitution Avenue, N.W., Washington, D.C. 20210. Telephone: (202)219-9475 (voice), 1-800-326-2577 (TDD). Copies of this document in alternate formats may be obtained by calling OFCCP at (202)219-9430 (voice) or 1-800-326-2577 (TDD). The alternate formats available are large print, electronic file on computer disk and audio-tape.

**SUPPLEMENTARY INFORMATION:**  
PRA Approvals

On May 1, 1996, OFCCP published a final rule revising its regulations implementing section 503 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 793 (section 503), which requires Government contractors and subcontractors to take affirmative action to employ and advance in employment qualified individuals with disabilities (61 FR 19336). On that same date, OFCCP also published an interim rule modifying its regulation requiring Government contractors and subcontractors to invite job applicants to inform the contractor whether they believe they may be covered by the affirmative action provisions of the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212 (VEVRAA), and wish to benefit from the contractor's affirmative

action program (61 FR 19366). Both rules take effect on August 29, 1996.

OFCCP reviewed the collection of information aspects of the two rules in accordance with the PRA and OMB implementing regulations published at 5 CFR part 1320 (61 FR 19349, 19368). OFCCP believes that the rules will not result in an increase in paperwork burdens from what was previously required by the OFCCP regulations. In accordance with the PRA, OFCCP submitted to OMB the information collection requirements contained in the rules. On August 15, 1996, OMB approved the information collection requirements in the two rules as revisions to existing PRA control numbers 1215-0072 (Supply and Service) and 1215-0163 (Construction).

**Technical Amendments to Part 60-999**

In accordance with OMB recommendations, 5 CFR 1320.3(f)(3), OFCCP publishes a single table in 41 CFR part 60-999 that lists the OMB-assigned control numbers for information collection requirements contained in OFCCP rules. This document makes ministerial, technical amendments to the table published at 41 CFR 60-999.2. The table is updated to list the OMB control numbers assigned to OFCCP regulations under the PRA.

Technical amendments are also made to the "purpose" section published at 41 CFR 60-999.1. References to older, superseded versions of the PRA are removed. Moreover, in accordance with Executive Order 12866, sec. 1(b)(12), other non-substantive language changes are made to section 60-999.1 in order to make it simpler and easier to understand.

**Regulatory Analyses and Procedures**  
*Administrative Procedure Act (APA)*

This final rule revising 41 CFR part 60-999 does not make any substantive changes to the OFCCP regulations published elsewhere at 41 CFR Ch. 60. Because the amendments in this document are ministerial and non-substantive, the APA requirements that rule changes be published in proposed form and have a delayed effective date are unnecessary and would serve no useful purpose. Therefore, in accordance with the APA, 5 U.S.C. 553(b)(3)(B) and (d)(3), good cause exists to waive notice of proposed rulemaking and the delayed effective date.

*Executive Order 12866*

This final rule is not a significant regulatory action as defined in Executive Order 12866, and therefore a

regulatory impact analysis is not required.

*Regulatory Flexibility Act (RFA)*

This final rule will not change existing obligations for Federal contractors. Consequently, under the RFA, as amended, 5 U.S.C. 605(b), it is certified that this rule will not have a significant economic impact on a substantial number of small entities.

*Unfunded Mandates Reform Act*

This final rule does not include any Federal mandate that may result in the expenditure by state, local and tribal governments in the aggregate, or by the private sector, of \$100,000,000 or more in any one year.

**List of Subjects in 41 CFR Part 60-999**

Reporting and recordkeeping requirements, Paperwork Reduction Act, OMB control numbers.

Signed at Washington, D.C. this 19th day of August 1996.

Bernard E. Anderson,  
*Assistant Secretary for Employment Standards.*

Shirley J. Wilcher,  
*Deputy Assistant Secretary for Federal Contract Compliance.*

For the reasons stated above, under authority of 44 U.S.C. Ch. 35, 41 CFR part 60-999 is revised to read as follows.

**PART 60-999—OMB CONTROL NUMBERS FOR OFCCP INFORMATION COLLECTION REQUIREMENTS**

Sec.  
60-999.1 Purpose.  
60-999.2 Display.

Authority: 44 U.S.C. Ch. 35.

**§ 60-999.1 Purpose.**

This part displays control numbers assigned to information collection requirements of the Office of Federal Contract Compliance Programs by the Office of Management and Budget (OMB) under the Paperwork Reduction Act (PRA), 44 U.S.C. Ch. 35. This part fulfills the PRA requirement that agencies display a current control number for each agency information collection requirement approved by OMB (44 U.S.C. 3507).

**§ 60-999.2 Display.**

41 CFR Part where the information collection requirement is located	Current OMB control number
Part 60-1 .....	1215-0072, 1215-0131, 1215-0163.

41 CFR Part where the information collection requirement is located	Current OMB control number
Part 60-2 .....	1215-0072.
Part 60-3 .....	3046-0017.
Part 60-4 .....	1215-0163.
Part 60-20 ...	1215-0072, 1215-0163.
Part 60-30 ...	1215-0072, 1215-0163.
Part 60-40 ...	1215-0072, 1215-0163.
Part 60-50 ...	1215-0072, 1215-0163.
Part 60-60 ...	1215-0072.
Part 60-250	1215-0072, 1215-0131, 1215-0163.
Part 60-741	1215-0072, 1215-0131, 1215-0163.

[FR Doc. 96-21541 Filed 8-22-96; 8:45 am]

BILLING CODE 4510-27-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR PART 1

[FCC 96-301]

#### Automatic Stays of Certain FM and TV Allotment Orders

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This Order amends the Commission's rules to delete a provision that, for rulemaking proceedings to amend the FM or TV Table of Allotments, provides for an automatic stay, upon the filing of a petition for reconsideration of any Commission order modifying an authorization to specify operation on a different FM or TV channel. By this action, we remove an incentive for the filing of petitions for reconsideration that are largely without merit, thereby expediting the provision of expanded service to the public and conserving Commission resources now expended processing these meritless petitions. Further, we shall apply this procedural change to pending cases, thereby lifting automatic stays currently in effect pursuant to the existing rule.

**EFFECTIVE DATE:** September 23, 1996.

**FOR FURTHER INFORMATION CONTACT:** Paul R. Gordon, Mass Media Bureau, Policy and Rules Division, (202) 418-2130.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's *Report and Order* in MM Docket No. 95-110, FCC 96-301, adopted July 5, 1996 and released August 8, 1996. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC

Dockets Branch (Room 239), 1919 M Street, N.W., Washington, D.C. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, (202) 857-3800, 2100 M Street, N.W., Suite 140, Washington, DC 20037.

#### Synopsis of Order

##### I. Introduction

1. This *Report and Order* adopts the proposals set forth in the *Notice of Proposed Rulemaking* in this proceeding, 60 FR 39134, August 1, 1995. We herein delete that portion of § 1.420(f) of the Commission's rules, 47 CFR 1.420(f), which, for rulemaking proceedings to amend the FM or TV Table of Allotments, provides for an automatic stay, upon the filing of a petition for reconsideration of any Commission order modifying an authorization to specify operation on a different FM or TV channel. By this action, we remove an incentive for the filing of petitions for reconsideration that are largely without merit, thereby expediting the provision of expanded service to the public and conserving Commission resources now expended processing these meritless petitions. Further, we shall apply this procedural change to pending cases, thereby lifting automatic stays currently in effect pursuant to the existing rule.

##### II. Background

###### *The Existing Rule*

2. The automatic stay rule applies to amendments to the TV or FM Tables of Allotments where the Commission has modified the authorization of the petitioner, another licensee, or another permittee to specify operation on a different channel. Where a licensee or permittee other than the petitioner might be directed to operate on a different channel in order to accommodate a proposed allotment change, that licensee or permittee is notified of the pending proceeding and is ordered to show cause, if any, why the modification should not be approved.<sup>1</sup> Also, although Section 1.420(f) refers only to petitions for reconsideration, the rule has also been applied routinely to orders challenged by applications for review. In repealing the automatic stay provision for petitions for reconsideration, we also abandon this parallel policy.<sup>2</sup>

<sup>1</sup> See 47 U.S.C. 316(a); 47 CFR 1.87. For convenience, we shall use the term "licensee" to include both licensees and permittees.

<sup>2</sup> For convenience, we shall use the term "petitions for reconsideration" to include applications for review.

3. In addition to the automatic stay provision cited above, Section 1.420(f) of the Commission's rules requires petitions for reconsideration and responsive pleadings to be served on parties to the proceeding and on any licensee or permittee whose authorization may be modified to specify operation on a different channel, and such petitions must be accompanied by a certificate of service. Thus, the automatic stay was intended to help ensure that affected parties have the opportunity to comment before proposed modifications to their authorizations become effective.

4. However, as discussed in the *NPRM*, broadcasters whose authorizations are not proposed to be modified frequently file challenges to approvals of their competitors' proposals to improve service, thereby triggering the automatic stay. Only a very small percentage of these challenges are ultimately successful. The automatic stay prohibits licensees from constructing modified facilities authorized by the Commission until final resolution of any outstanding petition for reconsideration or until the stay is otherwise lifted. The *Notice* asserted that these petitions cause unjustifiable expense and delay for parties and absorb valuable staff resources that might otherwise be directed to resolution of new proposals to improve broadcast service.

###### *Amending the Rule*

5. *Comments.* Most of the commenters in this proceeding support repeal of the automatic stay rule. Citing their own experiences, several licensees contend that the rule has harmed them and obstructed the public interest. They assert that, as a general matter, the public is disserved by delaying the benefits of improved service. Further, they state, a licensee's reason for seeking a channel reallocation is often to allow it to remain financially viable. However, because of the delay caused by the automatic stay rule, the facilities in question may go dark or never be constructed at all, despite the Commission's having already approved the needed modification.

6. In contrast, two other parties claim that they and the public interest are protected by the existing rule. They argue that, once a licensee has appealed an involuntary reallocation, it should remain protected from having to cause disruption to itself and to the community by changing its operating channel until there is greater certainty, as determined by the appeal, that to do so would serve the public interest. Even if most third-party appeals are meritless,