

1984¹ with the effective date to be specified in a future *Order* when appropriate computer programs are available for implementing the rules. Some of the rule changes are not dependent upon those computer programs, and can therefore become effective immediately. These include the elimination of the "guard receiver" requirement for repeaters and the elimination of the "program only" usage restriction on the present R and S group channels.

Actions

2. Accordingly, it is ordered, pursuant to § 0.5(c) of the Commission's Statement of Delegations of Authority, that Part 74 of the Commission's Rules and Regulations is amended as set forth in the attached Appendix A, effective upon adoption.

3. Further information on this proceeding may be obtained by contacting Hank VanDeursen, Mass Media Bureau, (202) 632-9660.

(Secs. 4, 303, 48 Stat as amended, 1066, 1082; 47 USC, 154, 303)

Federal Communications Commission
James-C. McKinney,
Chief, Mass Media Bureau.

Appendix A

PART 74—[AMENDED]

Part 74 of the Federal Communications Commission's Rules and Regulations is amended as follows:

§74.402 [Amended]

1. Section 74.402 is amended by removing and reserving footnote 7 to paragraph (a).

2. Section 74.436 is amended by removing paragraphs (a) (1), (2), and (3) in their entirety, revising the introductory paragraph, and revising paragraph (a) to read as follows:

§74.436 Special requirements for automatic relay stations.

An automatic relay station shall, in addition to the relay transmitter, include a control unit and one or more relay receivers.

The licensee shall institute appropriate operating procedures to prevent interference to other stations

¹MM Docket No. 84-280, 49 FR 45155 (November 15, 1994).

operating on the automatic relay output channel.

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DEPARTMENT OF TRANSPORTATION

Office of the Secretary

49 CFR Part 1

[OST Docket No. 1; Amdt. I-2021

Organization and Delegation of Powers and Duties; Commercial Space Launch Act

AGENCY: Office of the Secretary, DOT.

ACTION: Final rule.

SUMMARY: This amendment delegates to the Director of the Office of Commercial Space Transportation the authority vested in the Secretary by the Commercial Space Launch Act.

EFFECTIVE DATE: The effective date of this amendment is October 30, 1984.

FOR FURTHER INFORMATION

CONTACT: Robert I. Ross, Office of the General Counsel, Department of Transportation, Washington, DC (202) 472-5580.

SUPPLEMENTARY INFORMATION: Since this amendment relates to Departmental management, procedures, and practice notice and comment on it are unnecessary and it may be made effective in fewer than thirty days after publication in the Federal Register.

Executive Order 12465 of February 24, 1984, "Commercial Expendable Launch Vehicles" (49 FR 7211; February 28, 1984) assigns to DOT responsibility for being the lead agency within the Federal Government for encouraging and facilitating commercial expendable launch vehicle (ELV) activities by the United States private sector. The Order assigns to the Secretary of Transportation numerous responsibilities and authorities in this regard. To carry out these functions, the Secretary established within the Office of the Secretary an Office of Commercial Space Transportation, headed, by a Director reporting directly to the Secretary.

To support the efforts of the ELV industry and DOT, the Congress recently passed the Commercial Space Launch Act, Pub. L. 98-575, which the President signed on October 30, 1984. That act establishes a formal regulatory,

licensing, and enforcement scheme at DOT for ELVs, the places from which they are launched, and the payloads that they carry. All authority vested in the Secretary in that act is being delegated to the Director.

When a formal hearing is held, the Director will generally use the Office of Hearings (consisting of Administrative Law Judges and established by DOT because of the need for formal hearings in carrying out some functions transferred from the Civil Aeronautics Board under the Airline Deregulation Act of 1978), and the staff in the Office of Aviation Enforcement and Proceedings in the Office of the General Counsel will serve as agency counsel.

List of Subjects in 49 CFR Part 1

Authority delegations (government agencies), Organization and functions (government agencies).

PART 1—[AMENDED]

In consideration of the foregoing, Part 1 of Title 49, Code of Federal Regulations, is amended as follows:

1. In § 1.45, paragraph (b) is revised to read as follows:

§ 1.45 Delegations to all Administrators

(b) Except as otherwise specifically provided, each official to whom authority is granted by §§ 1.45 through 1.53, 1.66, and 1.68 may redelegate and authorize successive redelegations of that authority within the organization under that official's jurisdiction.

2. Section 1.68 is revised to read as follows:

§ 1.66 Delegations to Director of Commercial Space Transportation.

The Director of Commercial Space Transportation is delegated authority to -

(a) Carry out the functions assigned to the Secretary by Executive Order 12465 (February 24, 1984) relating to commercial expendable launch vehicle activities.

(b) Carry out the functions vested in the Secretary by the Commercial Space Launch Act (Pub. L. 98-575; October 30, 1984).

Authority: 49 U.S.C. 322.

Issued in Washington, DC, on February 28, 1985.

Elizabeth H. Dole,
Secretary of Transportation.

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