

Federal Coal Leasing Amendments Act of 1978, shall not take effect until December 31, 1986.

Since the Congress mandated that the provisions of section 2(a)(Z)(A) shall not take effect until December 31, 1986, and gave the Secretary of the Interior no discretion regarding that date, public comment on the new date is impracticable and unnecessary. Therefore, this amendment is being published as a final rulemaking without an opportunity for comment. In addition, the change made by the amendment will remove any confusion that might exist because of a difference between the date set in the existing regulations and that set by statute, which is controlling.

Finally, this final rulemaking is being made effective upon the date of publication because the date set by the Act of December 19, 1985, is already effective and no useful purpose would be served by providing an effective date later than the date of publication. In addition, the rulemaking implements a congressional change which relieves a restriction.

The principal author of this final rulemaking is Allen B. Agnew, Division of Solid Mineral Operations, Bureau of Land Management, assisted by the staff of the Division of Legislation and Regulatory Management, Bureau of Land Management.

It is hereby determined that this rulemaking does not constitute a major Federal action significantly affecting the quality of the human environment and that no detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) is required.

The Department of the Interior has determined that this document is not a major rule under Executive Order 12291 and that it will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.).

The change made by this final rulemaking has been mandated by the Congress and has the same impact on all holders of coal leases, whether large or small.

There are no additional information collection requirements imposed by this final rulemaking requiring approval by the Office of Management and Budget under 44 U.S.C. 3507.

List of Subjects in 43 CFR Part 3470

Coal, Government contracts, Royalties, Mines, Public lands—mineral resources, Reporting and recordkeeping requirements, Surety bonds.

Under the authority of the Mineral Leasing Act of 1920, as amended and supplemented (30 U.S.C. 181 et seq.), the

Mineral Leasing Act for Acquired Lands of 1947, as amended (30 U.S.C. 351-359) and the Act of December 19, 1985 (99 Stat. 1266), Subpart 3472, Part 3470, Group 3400, Subchapter B, Chapter II of Title 43 of the Code of Federal Regulations is amended as set forth below.

J. Steven Griles, Assistant Secretary of the Interior, September 23, 1986.

PART 3470—[AMENDED]

1. The authority citation for Part 3470 is revised to read:

Authority: 30 U.S.C. 181 et seq., 30 U.S.C. 351-359 and 99 Stat. 1266.

§ 3472.1-2 [Amended]

2. Section 3472.1-2(e) is amended by removing from where it appears in the first sentence thereof the date "August 4, 1986" and replacing it with the date "December 31, 1986".

[FR Doc. 86-21792 Filed 9-25-86; 8:45 am]

BILLING CODE 4310-84-M

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

49 CFR Part 1

[OST Docket No. 1; Amdt. I-2131]

Organization and Delegation of Powers and Duties

AGENCY: Office of the Secretary, DOT.

ACTION: Final rule.

SUMMARY: This rule delegates to the Assistant Secretary for Policy and International Affairs certain responsibilities of the Secretary concerning economic regulation of the airline industry, and administration of the Essential Air Service Program. In addition, it makes minor corrections to reflect current office names and duties.

DATE: This rule is effective September 26, 1986.

FOR FURTHER INFORMATION CONTACT: Joanne Petrie, Office of General Counsel (C-50), U.S. Department of Transportation, 400 Seventh Street SW., Washington, DC 20690; (202) 366-9306.

SUPPLEMENTARY INFORMATION: The Department of Transportation (DOT) inherited many of the functions of the Civil Aeronautics Board on January 1, 1985, including the Essential Air Service Program. Under the delegation of authority related to that transfer (50 FR 7762, February 26, 1986), the Office of Essential Air Service was placed within the Office of the Secretary and reported

directly to the Secretary of Transportation for most matters. The Assistant Secretary for Policy and International Affairs was, however, delegated authority to adopt, reject or modify recommendations from, and decisions of, the Director of Essential Air Service. This rule expands the delegation to the Assistant Secretary for Policy and International Affairs concerning the Essential Air Service Program.

This rule corrects the section dealing with the spheres of responsibility to state that the Secretary is directly responsible for commercial space transportation. It also clarifies the responsibility of the Assistant Secretary for Policy and International Affairs for economic regulation of the airline industry. Finally, the rule reflects a reorganization within the Department in which several offices were abolished, reorganized or renamed.

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

List of Subjects in 49 CFR Part 1

Authority delegations (government agencies).

Organization and functions (government agencies);

PART 1-[AMENDED]

As Secretary of the Department of Transportation, I amend 49 CFR Part 1, Organization and Delegation of Powers and Duties, to read as follows:

1. The authority of Part 1 continues to read as follows:

Authority: 49 U.S.C. 322.1652 and 1657(e).

2. Section 1.22, Structure, is amended by revising paragraphs (a), (b), (e) and (f) and the introductory text of the section is republished to read as follows:

§ 1.22 Structure.

The structure of the Office of the Secretary, through the level of functional offices, is as follows:

(a) Secretary and Deputy Secretary. The Secretary and Deputy Secretary are assisted by the Science and Technology Advisor, Executive Secretariat, the Contract Appeals Board, the Departmental Office of Civil Rights, the Office of Small and Disadvantaged Business Utilization and the Office of Commercial Space Transportation, all of which report to the Secretary. The Assistant Secretaries, the General Counsel, the Inspector General, and the Regional Representatives of the

Secretary also report directly to the Secretary.

(b) Office of the Assistant Secretary for Policy and International Affairs. This Office is composed of the Offices of Transportation Regulatory Affairs; International Transportation and Trade; Economics: Aviation Operations; International Aviation Relations; and Essential Air Service.

(e) Office of the Assistant Secretary for Governmental Affairs. This Office is composed of the Offices of Congressional Affairs; Intergovernmental and Consumer Affairs; and Technology and Planning Assistance.

(f) Office of the Assistant Secretary for Administration. This Office is composed of the Offices of Personnel; Management Planning; Information Resource Management; Administrative Services and Property Management; Hearings; Acquisition and Grant Management; Security; and Financial Management.

3. Paragraphs (a) and (b) of § 1.23, *Spheres of primary responsibility* are revised to read as follows:

§ 1.23 Spheres of primary responsibility.

(a) Secretary and Deputy Secretary. Overall planning, direction, and control of Departmental affairs including civil rights, contract appeals, small and disadvantaged business participation in Departmental programs, transportation research and technology, and commercial space transportation.

(b) Assistant Secretary for Policy and International Affairs. Public policy assessment and review; private sector evaluation; regulatory and legislative review; international policy and issues; economic regulation of the airline industry; and essential air service program.

4. Paragraph (i)(1) of § 1.56, *Delegations to Assistant Secretary for Policy and International Affairs*, is revised to read as follows:

§ 1.56 Delegations to Assistant Secretary for Policy and International Affairs.

- (i) 49 U.S.C. 1551(b); and

§ 1.69 [Removed]

5. Section 1.69, *Delegations to Director, Office of Essential Air Service*, is removed.

6. The Table of Contents of Part 1, *Organization of Delegation of Powers and Duties*, is revised by removing

"§ 1.69 Delegations to Director, Office of Essential Air Service."

Issued in Washington, DC, on September 9, 1986.

Elizabeth Hanford Dole,
Secretary of Transportation.
(FR Doc. 86-21762 Filed 9-25-86; 8:45 am)
BILLINGCODE 4910-02-M

INTERSTATE COMMERCE COMMISSION

49 CFR Part 1003

Listing of Commission Forms

AGENCY: Interstate Commerce Commission.

ACTION: Final rule.

SUMMARY: Through this notice the Commission is updating its listing of forms currently used by the Commission which appears at 49 CFR Part 1003. The references to two obsolete forms are removed, and the reference to the new form that replaced those forms is added to the list.

EFFECTIVE DATE: September 28, 1986.

FOR FURTHER INFORMATION CONTACT: Kathleen M. King (202) 275-7428.

SUPPLEMENTARY INFORMATION: Inasmuch as this final rule only updates the listing of forms that have been approved by the Commission in other decisions, notice and comment on these changes will be unnecessary.

This rule will not have a significant effect on a substantial number of small entities, nor will it affect the human environment or the conservation of energy resources.

List of Subjects in 49 CFR Part 1003

Brokers, Freight forwarders, Maritime carriers, Motor carriers, Securities.

By the Commission,
Noreta R. McGee,
Secretary.

Title 49 of the Code of Federal Regulations, Part 1003, is amended as follows:

PART 1003—LIST OF FORMS

1. The authority citation for Part 1003 continues to read as follows:

Authority: 5 U.S.C. 551(a), 5 U.S.C. 553(1)(c), 49 U.S.C. 10321.

2. The list of forms in § 1003.2 is amended by removing the entries for Forms OP-TA-19 and OP-TA-19(a), and by adding to the list, in the place left by their removal, the following form: OCCA-19.

§ 1003.2 Motor and Water Carriers, Broker, and Freight Forwarder Forms

Application for extension of emergency temporary authority. Cross Reference: 49 CFR Part 1162.

[FR, Doc. 86-21794 Filed 9-25-86; 8:45 am]
BILLING CODE 7035-01-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 663

[Bracket No. 60617-6100]

Drum Fishery of the Gulf of Mexico; Extension of Effective Date of Interim Rule

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Emergency interim rule; extension of effective date.

SUMMARY: An emergency interim rule for the management and conservation of the drum fishery of the Gulf of Mexico is in effect through September 23, 1986. The Secretary of Commerce (Secretary) extends this rule for an additional 90 days (through December 22, 1986) and modifies the rule to prohibit the retention of red drum taken from the fishery conservation zone (FCZ) by all persons fishing therein. The intended effect of extending and modifying this rule is to conserve the resource while the Secretary prepares and implements a fishery management plan for the red drum fishery.

EFFECTIVE DATE: From 0001 hours, local time, September 24, 1986, through 2400 hours, local time, December 22, 1986.

ADDRESS: Copies of documents supporting this action may be obtained from and comments on this rule may be sent to Donald W. Geagan, Southeast Region, National Marine Fisheries Service, 9450 Koger Boulevard, St. Petersburg, FL 33702.

FOR FURTHER INFORMATION CONTACT: Donald W. Geagan, 813-693-3722.

SUPPLEMENTARY INFORMATION: Under section 305(e)(1) of the Magnuson Fishery Conservation and Management Act (Magnuson Act), the Secretary promulgated an emergency rule (51 FR 23551, June 30, 1986) for 90 days, through September 23, 1986, to address an emergency in the red drum fishery. The Secretary extends this emergency rule for an additional 90 days in accordance with section 305(e)(3)(B) of the

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

[49 CFR Part 1]

(OST Docket No. 1; Amdt. 1-213)

ORGANIZATION AND DELEGATION OF POWERS AND DUTIES

AGENCY: Department of Transportation (DOT), Office of the Secretary

ACTION: Final Rule

SUMMARY: This rule delegates to the the Assistant Secretary for Policy and International Affairs certain responsibilities of the Secretary concerning economic regulation of the airline industry, and administration of the Essential Air Service Program. In addition, it makes minor corrections to reflect current office names and duties.

DATE: This rule is effective upon publication in the Federal Register.

FOR FURTHER INFORMATION CONTACT: Joanne Petrie, Office of the General Counsel (C-SO), U.S. Department of Transportation, 400 Seventh Street, SW, Washington, D.C. 20590; (202) 366-9306.

9-22

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SUPPLEMENTARY INFORMATION:

The Department of Transportation (DOT) inherited many of the functions of the Civil Aeronautics Board on **January 1, 1985**, including the Essential Air Service Program. Under the delegation of authority related to that transfer (50 FR 7782, February 26, **1986**), the Office of Essential Air Service was placed within the Office of the Secretary and reported directly to the Secretary of Transportation for most matters. The Assistant Secretary for Policy and International Affairs was, however, delegated authority to adopt, reject or modify recommendations from, and decisions of, the Director of Essential Air Service. This rule expands the delegation to the Assistant Secretary for Policy and International Affairs concerning the Essential Air Service Program.

This rule corrects the section dealing with the spheres of responsibility to state that the Secretary is directly responsible for commercial space transportation. It also clarifies the responsibility of the Assistant Secretary for Policy and International Affairs for economic regulation of the airline industry. Finally, the rule reflects a reorganization within the Department in which several offices were abolished, reorganized or renamed.

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

List of Subjects in 49 **CFR** Part 1:

Authority delegations (government agencies);

Organization and functions (government agencies);

Transportation Department

As Secretary of the Department of Transportation, I amend **49** CFR Part 1, Orsanization and Deleaation of Powers and Duties, to read as follows:

1. The authority of Part 1 continues to read as follows:

AUTHORITY: 49 **U.S.C.** 322, 1652 and 1657(e)

2. Section 1.22, Structure, is amended by revising paragraphs **(a)**, **(b)**, (e) and (f) to read as follows:

51.22 Structure.

The structure of the Office of the Secretary, through the level of functional offices, is as follows:

(a) Secretary and Deputy Secretary. The Secretary and Deputy Secretary are assisted by the Science and Technology Advisor, Executive Secretariat, the Contract Appeals Board, the Departmental Office of Civil Rights, the Office of Small and Disadvantaged Business Utilization and the Office of Commercial Space Transportation, all of which report to the Secretary. The Assistant Secretaries, the General Counsel, the Inspector General, and the Regional Representatives of the Secretary also report directly to the Secretary.

(b) Office of the Assistant Secretary for Policy and International Affairs. This Office is composed of the Offices of Transportation Regulatory Affairs; International Transportation and Trade; Economics; Aviation Operations; International Aviation Relations; and Essential Air Service.

* *

(e) Office of the Assistant Secretary for Governmental **Affairs**. This Office is composed of the Offices of Congressional Affairs; Intergovernmental and Consumer Affairs; and Technology and Planning Assistance.

(f) Office of the Assistant Secretary for Administration. This Office is composed of the Offices of Personnel; Management Planning; Information Resource Management; Administrative Services and Property Management; Hearings; Acquisition and Grant Management; Security;, and Financial Management.

* *

3. Paragraph (b) of 51.23, Spheres of primary responsibility, is revised to amend one clause and add two new clauses so that it reads. as **follows**:

§1.23 Spheres of primary responsibility.

(a) Secretary and Deputy Secretary. Overall planning, direction, and control of Departmental affairs including civil rights, contract appeals, small and disadvantaged business participation in Departmental programs, transportation research and technology, and commercial space transportation.

(b) Assistant Secretary for Policy and International Affairs. Public policy assessment and review; private sector evaluation; regulatory and legislative review; international policy and issues; economic regulation of the airline industry; and essential air service program.

4. Subparagraph (i)(1) of §1.56, Delesations to Assistant Secretary for Policy and International Affairs, is amended by removing a clause, so that it reads as follows:

51.56 Delesations to Assistant Secretary for Policy and International Affairs.

* * * * *

(i) * * *

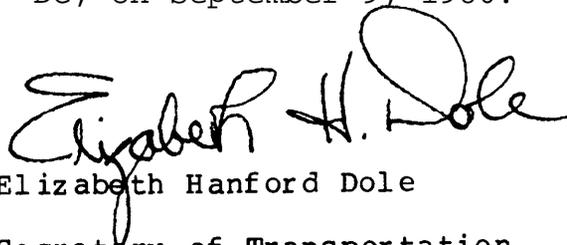
(1) 49 U.S.C. 1551(b); and

* * * * *

5. Section 1.69, Delegations to Director, Office of Essential Air Service, is removed.

6. The Table of Contents of Part 1, Organization of Deleaation of Powers and Duties, is revised by removing "§1.69 Delegations to Director, Office of Essential Air Service."

Issued in Washington, DC, on September 9, 1986.



Elizabeth Hanford Dole

Secretary of Transportation