

inquiry, expected duration of proceedings requiring oral testimony, and identification of potentially relevant documents.

(c) ACDA's General Counsel, or his/her delegate, will notify the ACDA employee and such other persons as circumstances may warrant of the decision regarding compliance with the request or demand.

(d) The Office of the General Counsel will consult with the Department of Justice regarding legal representation for ACDS employees in appropriate cases.

§ 608.6 Procedure when response to demand is required prior to receiving instructions.

(a) If a response to a demand is required before ACDA's General Counsel, or his/her delegate, renders a decision, ACDA will request that either a Department of Justice attorney or an ACDA attorney designated for the purpose:

(1) Appear with the employee upon whom the demand has been made;

(2) Furnish the court or other authority with a copy of the regulations contained in this part;

(3) Inform the court or other authority that the demand has been or is being, as the case may be, referred for the prompt consideration of ACDA's General Counsel, or his/her delegate; and

(4) Respectfully request the court or authority to stay the demand pending receipt of the requested instructions.

(b) In the event that an immediate demand for production or disclosure is made in circumstances that would preclude the proper designation or appearance of a Department of Justice or ACDA attorney on the employee's behalf, the employee shall respectfully request the demanding court or authority for a reasonable stay of proceedings for the purpose of obtaining instructions from ACDA.

§ 608.7 Procedure in the event of an adverse ruling.

If the court or other judicial or quasi-judicial authority declines to stay the effect of the demand in response to a request made pursuant to § 608.6, or if the court or other authority rules that the demand must be complied with irrespective of the Agency's instructions not to produce the material or disclose the information sought, the employee upon whom the demand has been made shall respectfully decline to comply with the demand, citing these regulations and *United States ex rel. Touhy v. Ragen*, 340 U.S. 463 (1951).

§ 608.8 Considerations in determining whether the Agency will comply with a demand or request.

(a) In deciding whether to comply with a demand or request, ACDA officials and attorneys shall consider, among others:

(1) Whether such compliance would be unduly burdensome or otherwise inappropriate under the applicable rules of discovery or the rules of procedure governing the case or matter in which the demand arose;

(2) Whether compliance is appropriate under the relevant substantive law concerning privilege or disclosure of information;

(3) The public interest;

(4) The need to conserve the time of ACDA employees for the conduct of official business;

(5) The need to avoid spending the time and money of the United States for private purposes;

(6) The need to maintain impartiality between private litigants in cases where a substantial government interest is not implicated;

(7) Whether compliance would have an adverse effect on performance by ACDA of its mission and duties; and

(8) The need to avoid involving ACDA in controversial issues not related to its mission.

(b) Among those demands and requests in response to which compliance will not ordinarily be authorized are those with respect to which, *inter alia*, any of the following factors exist:

(1) Compliance would violate a statute or a rule of procedure;

(2) Compliance would violate a specific regulation or executive order;

(3) Compliance would reveal information properly classified in the interest of national security;

(4) Compliance would reveal confidential commercial or financial information or trade secrets without the owner's consent;

(5) Compliance would reveal the internal deliberative processes of the Executive Branch; or

(6) Compliance would potentially impede or prejudice an ongoing law enforcement investigation.

§ 608.9 Prohibition on providing expert or opinion testimony.

(a) Except as provided in this section, and subject to 5 CFR 2635.805, ACDA employees shall not provide opinion or expert testimony based upon information which they acquired in the scope and performance of their official ACDA duties, except on behalf of the United States or a party represented by the Department of Justice.

(b) Upon a showing by the requester of exceptional need or unique circumstances and that the anticipated testimony will not be adverse to the interests of the United States, ACDA's General Counsel, or his/her delegate, may, consistent with 5 CFR 2635.805, in the exercise of discretion, grant special, written authorization for ACDA employees to appear and testify as expert witnesses at no expense to the United States.

(c) If, despite the final determination of ACDA's General Counsel, a court of competent jurisdiction or other appropriate authority orders the appearance and expert or opinion testimony of an ACDA employee, such employee shall immediately inform the Office of General Counsel of such order. If the Office of the General Counsel determines that no further legal review of or challenge to the court's order will be made, the ACDA employee shall comply with the order. If so directed by the Office of the General Counsel, however, the employee shall respectfully decline to testify. See *United States ex rel. Touhy v. Ragen*, 340 U.S. 462 (1951).

Dated: May 17, 1996.

Mary Elizabeth Hoinkes,
General Counsel.

[FR Doc. 96-13194 Filed 5-24-96; 8:45 am]

BILLING CODE 6820-32-M

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Parts 925, 926, 931, 934, 935, 936, 938, 943, 944, 946, 948 and 950

RIN 1029-AB87

State Program Amendments

AGENCY: Office of Surface Mining Reclamation and Enforcement, Interior.

ACTION: Proposed rule.

SUMMARY: The Office of Surface Mining Reclamation and Enforcement (OSM) is proposing to amend its regulations by revising the information currently reported in the Code of Federal Regulations (CFR) regarding the OSM Director's approval of amendments to State regulatory programs and abandoned mine land reclamation plans (hereafter State program amendments). A companion rule, State Program Amendments (I), was proposed revising the information reported at 30 CFR parts 901 through 920. As with the prior rulemaking, the information regarding the Director's approval of State program

amendments would be condensed to a tabular presentation depicting the dates when State program amendments were originally submitted to OSM and the dates the OSM Director's decision approving all or portions of these amendments were published in the Federal Register. This rulemaking would further reduce the number of unnecessary pages in the CFR. As always, people interested in getting copies of the full text of the amended State regulatory program or abandoned mine land reclamation plan could contact the State regulatory authority office or the OSM field office with oversight authority for that State.

DATES: *Written comments:* We will accept written comments on the proposed rule until 5:00 p.m. Eastern time on July 29, 1996.

Public hearings: We will accept requests for a public hearing until 4:00 p.m. Eastern time on June 27, 1996. People who want to attend but not testify at the hearing, must contact the person listed under **FOR FURTHER INFORMATION CONTACT**, beforehand to verify that we will hold a hearing. Any disabled individuals who need special accommodations to attend a public hearing should also contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

ADDRESSES: *Written comments:* Please hand-deliver to the Office of Surface Mining Reclamation and Enforcement, Room 120, 1951 Constitution Ave. NW., Washington, DC, or mail to the Office of Surface Mining Reclamation and Enforcement, Administrative Record, SIB 120, 1951 Constitution Ave. NW., Washington, DC 20240.

You may also send comments through the Internet to OSM's Administrative Record. Our Internet address is: OSMRulesOSMRE.GOV. We will file copies of any electronic messages received with our Administrative Record.

Public hearings: You must contact the person identified under **FOR FURTHER INFORMATION CONTACT** by the time required under **DATES** to request a public hearing.

FOR FURTHER INFORMATION CONTACT: John A. Trelease, Rules and Legislation Staff, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW., Washington DC 20240; Telephone (202) 208-2783.

SUPPLEMENTARY INFORMATION:

- I. Public Comment Procedures
- II. Discussion of Proposed Rules
 - Why is this rule being written?*
 - What would change?*

How do I get a copy of State program amendments?

III. Procedural Matters

I. Public Comment Procedures

Written Comments

If you are submitting written comments on the proposed rule please be specific, limit your comments to issues pertinent to the proposed rule, and explain the reason for your recommendations. If possible, please submit three copies of your comments to our Administrative Record (see **ADDRESSES**). We may not consider your comments for the final rule when received after the close of the comment period (see **DATES**) or delivered to addresses other than those listed in **ADDRESSES**.

Public Hearings

We will hold public hearings on the proposed rule by request only. If no one has contacted Mr. Trelease requesting a hearing by the date listed in **DATES**, we will not hold a hearing. We will hold a public meeting instead of a hearing if only one person expresses an interest. We will include the results of all meetings and hearings in our Administrative Record.

If we hold a hearing, it will continue until everyone who wants to testify is heard. Please provide us with an advanced copy of your testimony at the address specified for the submission of written comments (see **ADDRESSES**), and a copy of the transcriber when you arrive at the hearing. This will assist us in preparing appropriate questions, and ensure that the transcriber provides us with an accurate record of the testimony.

II. Discussion of Rule

Why Is This Rule Being Written?

On March 4, 1995, the President announced a government-wide Regulatory Reinvention Initiative. The President directed each agency to conduct a page-by-page review of its regulations for the purpose of eliminating or revising those that are outdated or otherwise in need of reform. As part of that effort, OSM is considering several means of reducing the number of pages in the CFR.

This rulemaking would result in a reduction of approximately 50 pages from the CFR and reduce future printing costs for the government, and contribute to on-going efforts to make the CFR a more readable document.

What Would Change?

The OSM Director's approval or approval in part of State program

amendments is published in the Federal Register and codified in the CFR. The regulatory text documenting such decisions usually contains topical outlines of the amendments and associated program citations, the dates the amendments were submitted to OSM, and the dates the amendments became effective. Under the revised procedures of this rulemaking, the regulatory text for 30 CFR parts 925, 926, 931, 934, 935, 936, 938, 943, 944, 946, 948 and 950 would be limited to a tabular presentation of the dates that States submitted amendments, and the dates the amendments were published in the Federal Register after approval, or partial approval, by the OSM Director. A companion rule was proposed on May 8, 1996 (61 FR 20768), revising the information reported at 30 CFR parts 901 through 920.

OSM believes that there is no compelling public need to codify all of the information currently found in the regulatory text of State program amendment approvals. Although the topical outline of an approved amendment may be a convenient reference for members of the public who want to begin their research of particular provisions of that program amendment, OSM believes that the public would still find it necessary to refer back to the final rule's Federal Register notice for a thorough preamble discussion of those provisions. As always, those people who would like copies of the full text of the State program amendment may contact the State regulatory authority office or the OSM field office with oversight authority for that State.

How Do I Get a Copy of State Program Amendments?

Copies of approved State program amendments may be obtained by contacting the State regulatory authority or the local OSM field office with oversight authority for that State. Addresses for these offices are found in parts 900 through 950 of the CFR with their respective State programs.

II. Procedural Matters

Federal Paperwork Reduction Act

This rule does not contain collections of information which require approval by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.*

Regulatory Flexibility Act

The Department of the Interior certifies that this revision would not have a significant economic impact on a substantial number of small entities

under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

Unfunded Mandates

This rule imposes no unfunded mandates on any government or private entity and is in compliance with the provisions of the Unfunded Mandates Act of 1995.

National Environmental Policy Act

This rule has been reviewed by OSM and it has been determined to be categorically excluded from the National Environmental Policy Act (NEPA) process in accordance with the Departmental Manual 516 DM 6, Appendix 8.4.A.(2).

Executive Order 12866

This rule is not significant under Executive Order 12866 and does not require review by the Office of Management and Budget.

Executive Order 12988

This proposed rule has been reviewed under the applicable standards of Section 3(b)(2) of Executive Order 12988, Civil Justice Reform (61 FR 4729). In general, the requirements of Section 3(b)(2) of Executive Order 12988 are covered by the preamble discussion of this proposed rule. Additional remarks follow concerning individual elements of the Executive Order:

A. What is the preemptive effect, if any, to be given to the regulation?

The proposed rule would have no preemptive effect.

B. What is the effect on existing Federal law or regulation, if any, including all provisions repealed or modified?

This rule does not modify the implementation of SMCRA, nor does it modify the implementation of any other Federal statute. The preceding discussion of this rule specifies the Federal regulatory provisions that are affected by this rule.

C. Does the rule provide a clear and certain legal standard for affected conduct rather than a general standard, while promoting implication and burden reduction?

The standards established by this rule are so clear and certain as practicable, given the complexity of the topics covered and the mandates of SMCRA.

D. What is the retroactive effect, if any, to be given to the regulation?

This rule is not intended to have retroactive effect.

E. Are administrative proceedings required before parties may file suit in court? Which proceedings apply? Is the exhaustion of administrative remedies required?

No administrative proceedings are required before parties may file suit in court challenging the provisions of this rule under section 526(a) of SMCRA, 30 U.S.C. 1276(a).

Prior to any judicial challenge to the application of the rule, however, administrative procedures must be exhausted. In situations involving OSM application of the rule, applicable administrative procedures may be found at 43 CFR Part 4. In situations involving State regulatory authority application of provisions equivalent to those contained in this rule, applicable administrative procedures are set forth in the particular State program.

F. Does the rule define key terms, either explicitly or by reference to other regulations or statutes that explicitly define those items?

Terms which are important to the understanding of this rule are set forth in 30 CFR 700.5 and 701.5.

G. Does the rule address other important issues affecting clarity and general draftsmanship of regulations set forth by the Attorney General, with the concurrence of the Director of the Office of Management and Budget, that are determined to be in accordance with the purposes of the Executive Order?

As of the date of publication, the Attorney General and the Director of the Office of Management and Budget have not issued any guidance on this requirement.

List of Subjects in 30 CFR Parts 925, 926, 931, 934, 935, 936, 938, 943, 944, 946, 948 and 950

Intergovernmental relations, Surface mining, Underground mining.

Dated: May 20, 1996.

Bob Armstrong,

Assistant Secretary, Land and Minerals Management.

For the reasons set out in the preamble, 30 CFR Parts 925, 926, 931, 934, 935, 936, 938, 943, 944, 946, 948 and 950 are proposed to be amended as follows.

PART 925—MISSOURI

1. The authority citation for part 925 continues to read as follows:

Authority: 30 U.S.C. 1201 *et seq.*

2. Section 925.15 is revised to read as follows:

§925.15 Approval of Missouri regulatory program amendments.

The following is a list of the dates amendments were submitted to OSM and the dates when the Director's decision approving all, or portions of

these amendments, were published in the Federal Register:

Original amendment submission date	Date of final publication
December 3, 1980 and March 12, 1981.	July 23, 1982.
September 7, 1982 and October 13, 1982.	January 17, 1983.
April 13, 1983	May 8, 1984.
March 13, 1986	January 7, 1987.
February 4, 1987	February 26, 1988.
June 22, 1987	June 16, 1988.
December 14 and 18, 1987.	October 31, 1988.
August 3, 1988	December 11, 1989.
July 8, 1988	January 8, 1990.
March 18, 1988	June 5, 1990.
June 5, 1989	July 6, 1990.
July 21, 1989	October 30, 1990.
January 12, 1989	January 3, 1991.
July 8, 1988 and January 12, 1988.	May 8, 1991.
November 8, 1991	September 24, 1992.
October 10, 1990	September 29, 1992.
October 19, 1992	December 6, 1993.
September 24, 1993	April 22, 1994.
February 10, 1995	July 13, 1995.

3. Section 925.25 is revised to read as follows:

§925.25 Approval of Missouri abandoned mine land reclamation plan amendments.

(a) You may receive copies of the Missouri abandoned mine land reclamation plan and amendments from the:

(1) Missouri Department of Natural Resources, Land Reclamation Program, 205 Jefferson Street, P.O. Box 176, Jefferson City, MO 65102; or

(2) Office of Surface Mining Reclamation and Enforcement, Mid-Continent Regional Coordinating Center, Alton Federal Building, 501 Belle Street, Alton, IL 62002.

(b) The following is a list of the dates amendments were submitted to OSM and the dates when the Director's decision approving all, or portions of these amendments, were published in the Federal Register:

Original amendment submission date	Date of final publication
June 22, 1987	June 16, 1988.
August 22, 1988	March 15, 1989.
November 29, 1994	August 24, 1995.

PART 926—MONTANA

4. The authority citation for part 926 continues to read as follows:

Authority: 30 U.S.C. 1201 *et seq.*

5. Section 926.15 is revised to read as follows:

§ 926.15 Approval of Montana regulatory program amendments.

The following is a list of the dates amendments were submitted to OSM and the dates when the Director's decision approving all, or portions of these amendments, were published in the Federal Register:

Original amendment submission date	Date of final publication
September 13, 1983	January 3, 1984.
April 2, 1984	January 3, 1985.
January 3, 1984	November 18, 1985.
July 3, 1985	February 14, 1986.
April 23, 1987	December 31, 1987.
December 21, 1988	May 11, 1990.
June 19, 1990	March 20, 1991 and August 19, 1992.
October 19, 1992	February 25, 1994.
June 16, 1993 and July 28, 1993.	February 1, 1995.

6. Section 926.25 is added to read as follows:

§ 926.25 Approval of Montana abandoned mine land reclamation plan amendments.

(a) Montana certification of completing all known coal-related impacts is accepted, effective July 9, 1990.

(b) The following is a list of the dates amendments were submitted to OSM and the dates when the Director's decision approving all, or portions of these amendments, were published in the Federal Register:

Original amendment submission date	Date of final publication
April 20, 1983	September 19, 1983.
March 22, 1995	July 19, 1995.

PART 931—NEW MEXICO

7. The authority citation for part 931 continues to read as follows:

Authority: 30 U.S.C. 1201 *et seq.*

8. Section 931.15 is revised to read as follows:

§ 931.15 Approval of New Mexico regulatory program amendments.

The following is a list of the dates amendments were submitted to OSM and the dates when the Director's decision approving all, or portions of these amendments, were published in the Federal Register:

Original amendment submission date	Date of final publication
February 28, 1982	May 27, 1982.
July 9, 1982	October 26, 1982.
February 8, 1984	August 1, 1984.
June 6, 1984	January 4, 1985.
June 20, 1984 and July 18, 1984.	January 31, 1985.

Original amendment submission date	Date of final publication
August 12, 1987	February 11, 1988.
September 1, 1988 ...	January 30, 1989.
June 17, 1987	March 9, 1989.
April 18, 1988 and October 20, 1988.	March 17, 1989.
February 21, 1989 and August 17, 1989.	December 26, 1989.
March 29, 1989 and April 26, 1989.	April 26, 1990.
May 25, 1989	November 23, 1990.
July 22, 1989	February 26, 1991.
April 24, 1990	June 21, 1991.
March 15, 1990	December 31, 1991.
July 9, 1991	April 13, 1992.
November 22, 1991	June 23, 1992.
January 16, 1991	December 17, 1993.
October 26, 1994	February 15, 1995.

PART 934—NORTH DAKOTA

9. The authority citation for part 934 continues to read as follows:

Authority: 30 U.S.C. 1201 *et seq.*

10. Section 934.15 is revised to read as follows:

§ 934.15 Approval of North Dakota regulatory program amendments.

The following is a list of the dates amendments were submitted to OSM and the dates when the Director's decision approving all, or portions of these amendments, were published in the Federal Register:

Original amendment submission date	Date of final publication
July 30, 1982	February 9, 1983 and November 9, 1983.
February 2, 1984	July 19, 1984.
February 27, 1984	January 3, 1985.
June 18, 1985	February 18, 1986.
May 30, 1986	October 21, 1986.
September 8, 1986 ...	December 9, 1986.
April 3, 1987	November 16, 1987.
February 10, 1987	February 2, 1988.
June 1, 1988,	March 10, 1989.
April 11, 1989	August 4, 1989.
November 1, 1988 ...	January 19, 1990.
November 20, 1990.	January 9, 1992.
June 12, 1991 and November 19, 1991.	August 20, 1992.
April 21, 1993	March 15, 1994 and July 22, 1994.
October 22, 1993	July 22, 1994.
November 10, 1994.	April 13, 1995.
February 17, 1994	July 14, 1995.

11. Section 934.25 is revised to read as follows:

§ 934.25 Approval of North Dakota abandoned mine land reclamation plan amendments.

The following is a list of the dates amendments were submitted to OSM and the dates when the Director's decision approving all, or portions of

these amendments, were published in the Federal Register:

Original amendment submission date	Date of final publication
March 4, 1983	June 24, 1983.
September 15, 1987	June 16, 1988.
October 31, 1991	July 27, 1992.
May 25, 1993	September 27, 1993.

PART 935—OHIO

12. The authority citation for part 935 continues to read as follows:

Authority: 30 U.S.C. 1201 *et seq.*

13. Section 935.15 is revised to read as follows:

§ 935.15 Approval of Ohio regulatory program amendments.

The following is a list of the dates amendments were submitted to OSM and the dates when the Director's decision approving all, or portions of these amendments, were published in the Federal Register:

Original amendment submission date	Date of final publication
September 16, 1982	January 17, 1983.
October 13, 1982	January 31, 1983 and July 22, 1983.
January 6, 1983	May 24, 1983.
June 10, 1983, August 11, 1983 and August 22, 1983.	October 6, 1983.
July 18, 1983	October 13, 1983.
January 30, 1984	April 23, 1984.
February 8, 1984	May 1, 1984.
December 28, 1983	June 5, 1984.
March 5, 1984	August 8, 1984.
June 15, 1984	September 25, 1984.
July 23, 1984	November 1, 1984.
March 9, 1984	November 7, 1984.
September 17, 1984	December 31, 1984.
July 10 and 23, 1984	March 18, 1985.
July 11, 1984 and July 23, 1984.	May 23, 1985.
July 3, 1985	September 18, 1985.
November 15, 1985	April 9, 1986 and June 9, 1986.
January 15, 1986	May 6, 1986.
October 26, 1985	July 17, 1986.
November 6, 1984 ...	July 28, 1986.
March 3, 1986	September 18, 1986.
July 10, 1986	October 29, 1986.
October 8, 1986	March 5, 1987.
December 1, 1986 and January 13, 1987.	July 17, 1987.
May 16, 1986	August 10, 1987.
January 28, 1987	December 9, 1987.
June 26, 1987	March 10, 1988.
January 16, 1987	May 27, 1988.
October 16, 1987	December 22, 1988.
March 24, 1988 and August 23, 1988.	January 30, 1989.
March 8, 1988 and July 1, 1988.	February 21, 1989.
April 17, 1987	December 15, 1989.
November 3, 1987 ...	January 31, 1990.
January 26, 1989	

Original amendment submission date	Date of final publication
October 2, 1989	April 20, 1990.
August 11, 1989	June 5, 1990.
December 5, 1989	July 20, 1990.
October 20, 1988	July 25, 1990.
May 11, 1990	August 21, 1990.
March 1, 1989	September 18, 1990.
January 20, 1989	September 24, 1990.
May 11, 1990	February 21, 1991.
December 7, 1990	February 26, 1991.
June 15, 1990	April 19, 1991.
January 31, 1991	May 21, 1991 and June 6, 1991.
March 1, 1991	May 30, 1991.
January 31, 1989	October 21, 1991.
August 23, 1991	December 9, 1991.
November 16, 1987 and October 12, 1990.	April 13, 1992.
January 16, 1990	July 27, 1992.
July 22, 1991 and September 10, 1991.	August 18, 1992.
May 12, 1992	September 11, 1992.
December 11, 1991	October 28, 1992.
June 30, 1992	January 12, 1993.
May 12, 1992 and June 22, 1992.	January 14, 1993.
December 9, 1992	April 23, 1993.
February 7, 1992 and March 2, 1992.	June 11, 1993.
April 5, 1993	June 22, 1993.
February 11, 1993	August 16, 1993.
January 15, 1993	September 3, 1993.
May 1, 1992 and June 11, 1993.	May 2, 1994.
May 17, 1994	July 27, 1994.
March 15, 1993	September 1, 1994.
February 23, 1994	October 12, 1994.
March 4, 1993	November 15, 1994.
July 19, 1994	May 11, 1995.
May 17, 1994	May 12, 1995.
September 22, 1994	July 17, 1995.
March 28, 1995	July 25, 1995.
February 2, 1995	November 9, 1995.

14. Section 935.25 is revised to read as follows:

§ 935.25 Approval of Ohio abandoned mine land reclamation plan amendments.

The following is a list of the dates amendments were submitted to OSM and the dates when the Director's decision approving all, or portions of these amendments, were published in the Federal Register:

Original amendment submission date	Date of final publication
January 6, 1983	May 24, 1983.
April 2, 1984	November 19, 1984.
August 20, 1986	August 17, 1987.
October 2, 1989	April 20, 1990.
February 19, 1992	September 24, 1992.

PART 936—OKLAHOMA

15. The authority citation for part 936 continues to read as follows:

Authority: 30 U.S.C. 1201 *et seq.*

16. Section 936.15 is revised to read as follows:

§ 936.15 Approval of Oklahoma regulatory program amendments.

The following is a list of the dates amendments were submitted to OSM and the dates when the Director's decision approving all, or portions of these amendments, were published in the Federal Register:

Original amendment submission date	Date of final publication
January 22, 1982	April 2, 1982.
February 22, 1983	May 4, 1983.
May 13, 1983	August 28, 1984.
July 8, 1983	March 18, 1985.
July 16, 1985	December 10, 1985.
August 15, 1985	January 14, 1986.
September 11, 1985	January 16, 1986.
August 8, 1985	April 28, 1986.
May 18, 1988	March 27, 1990 and May 15, 1990.
March 30, 1990	December 18, 1990 and February 15, 1991.
June 21, 1990	January 9, 1991.
February 6, 1992	December 7, 1993.
February 17, 1994	January 10, 1995.
September 14, 1994	March 10 and 29, 1995.
July 5, 1995	November 9, 1995.

PART 938—PENNSYLVANIA

17. The authority citation for part 938 continues to read as follows:

Authority: 30 U.S.C. 1201 *et seq.*

18. Section 938.15 is revised to read as follows:

§ 938.15 Approval of Pennsylvania Regulatory program amendments.

The following is a list of the dates amendments were submitted to OSM and the dates when the Director's decision approving all, or portions of these amendments, were published in the Federal Register.

Original amendment submission date	Date of final publication
April 26, 1983 and May 12, 1983.	October 5, 1983.
August 1, 1983	January 4, 1984.
January 17, 1984	March 20, 1984.
October 31, 1983	May 15, 1984 and July 3, 1984.
March 30, 1984	November 27, 1984.
March 2, 1984	April 4, 1985.
April 19, 1985	August 15, 1985.
April 16, 1985	November 4, 1985.
September 5, 1985	February 19, 1986.
November 2, 1984	May 19, 1986.
September 30, 1985	September 8, 1986.
April 18, 1985	June 18, 1987.
January 22, 1987	July 14, 1987.
April 14, 1987	October 27, 1988.
December 5, 1988	July 14, 1989.
August 17, 1988	August 18, 1989.

Original amendment submission date	Date of final publication
August 21, 1986	November 3, 1989.
December 22, 1989	May 31, 1991.
September 24, 1986	October 24, 1991.
May 27, 1992	October 28, 1992.
June 2, 1992	November 16, 1992.
December 18, 1991	December 30, 1992, January 14, 1993 and April 8, 1993.
February 18, 1993	July 6, 1993.
March 9, 1993	December 6, 1993.
May 11, 1993	July 20, 1994.
October 24, 1994	April 3, 1995.

19. Section 938.25 is revised to read as follows:

§ 938.25 Approval of Pennsylvania abandoned mine land reclamation plan amendments.

The following is a list of the dates amendments were submitted to OSM and the dates when the Director's decision approving all, or portions of these amendments, were published in the Federal Register:

Original amendment submission date	Date of final publication
April 17, 1992	October 30, 1992.

PART 943—TEXAS

20. The authority citation for part 943 continues to read as follows:

Authority: 30 U.S.C. 1201 *et seq.*

21. Section 943.15 is revised to read as follows:

§ 943.15 Approval of Texas regulatory program amendments.

The following is a list of the dates amendments were submitted to OSM and the dates when the Director's decision approving all, or portions of these amendments, were published in the Federal Register:

Original amendment submission date	Date of final publication
March 27, 1980	November 26, 1980.
September 18, 1981	June 3, 1982.
August 31, 1984	July 9, 1985.
August 24, 1988	December 11, 1989.
June 24, 1991	February 19, 1992.
December 23, 1991	April 17, 1992.
September 12, 1989	May 21, 1992.
September 22, 1989	August 19, 1992.
February 8, 1993	March 21, 1994.
May 24, 1994	March 27, 1995.
August 11, 1995	December 13, 1995.

22. Section 943.25 is revised to read as follows:

§ 943.25 Approval of Texas abandoned mine land reclamation plan amendments.

(a) Texas certification of completing all known coal-related impacts is accepted, effective August 19, 1992.

(b) The following is a list of the dates amendments were submitted to OSM and the dates when the Director's decision approving all, or portions of these amendments, were published in the Federal Register:

Original amendment submission date	Date of final publication
May 11, and May 26, 1989.	August 19, 1992.

PART 944—UTAH

23. The authority citation for part 943 continues to read as follows:

Authority: 30 U.S.C. 1201 *et seq.*

24. Section 944.15 is revised to read as follow:

§ 944.15 Approval of Utah regulatory program amendments.

The following is a list of the dates amendments were submitted to OSM and the dates when the Director's decision approving all, or portions of these amendments, were published in the Federal Register:

Original amendment submission date	Date of final publication
June 29, 1981	June 22, 1982.
May 21, 1981	September 27, 1982.
August 26, 1982	December 13, 1982.
December 3, 1982	March 7, 1983.
February 6, 1984	August 29, 1984 and December 18, 1985.
August 13, 1984	December 3, 1985.
October 9, 1985	January 16, 1986.
January 21, 1985	June 10, 1986.
March 3, 1986	July 28, 1986.
September 3, 1986 ...	January 28, 1987.
January 8, 1988	March 28, 1988.
September 24, 1987 ..	August 18, 1988.
August 11, 1989	April 12, 1990.
November 13, 1989 ..	August 13, 1990.
October 10, 1990	January 29, 1991.
July 3, 1990	August 23, 1991.
March 1, 1991	November 22, 1991.
December 30, 1991 ..	May 11, 1992.
July 26, 1991	August 19, 1992.
November 20, 1991 ..	September 11, 1992.
November 5, 1992	March 30, 1993.
April 30, 1992	September 17, 1993.
September 17, 1992 ..	April 7, 1994.
March 7, 1994	May 24, 1994 and September 27, 1994.
August 2, 1993	July 11, 1994.
January 27, 1994	September 27, 1994.
September 9, 1994 ...	March 27, 1995.
February 10, 1995	May 2, 1995.
November 12, 1993 ..	May 30, 1995.
April 14, 1994	July 19, 1995.
February 6, 1995	September 14, 1995.

25. Section 944.25 is revised to read as follows:

§ 944.25 Approval of Utah abandoned mine land reclamation plan amendments.

The following is a list of the dates amendments were submitted to OSM and the dates when the Director's decision approving all, or portions of these amendments, were published in the Federal Register:

Original amendment submission date	Date of final publication
July 26, 1991	August 19, 1992.
March 7, 1994	September 27, 1994.
April 14, 1994	July 19, 1995.

PART 946—VIRGINIA

26. The authority citation for part 946 continues to read as follows:

Authority: 30 U.S.C. 1201 *et seq.*

27. Section 946.15 is revised to read as follows:

§ 946.15 Approval of Virginia regulatory program amendments.

The following is a list of the dates amendments were submitted to OSM and the dates when the Director's decision approving all, or portions of these amendments, were published in the Federal Register:

Original amendment submission date	Date of final publication
January 28, 1982	July 21, 1982.
July 9, 1982	August 19, 1982.
July 8, 1982	September 21, 1982.
August 13, 1982	December 13, 1982.
September 30, 1982 ..	January 18, 1983.
December 20, 1982 ..	February 28, 1983.
March 22, 1983	April 21, 1983 and June 6, 1983 and June 20, 1983.
July 9, 1982	April 22, 1983.
May 20, 1983	December 27, 1983.
July 27, 1983	March 16, 1984.
February 10, 1984	May 8, 1984.
April 11, 1984	August 2, 1984.
June 13, 1984	August 31, 1984.
February 20, 1985	May 8, 1985.
May 1985	August 15, 1985.
September 4, 1985 ...	November 18, 1985.
November 8, 1985	November 25, 1986.
March 20, 1987	July 17, 1987.
January 16, 1987	August 17, 1987.
June 15, 1987 and July 2, 1987.	December 31, 1987.
September 1, 1987 ...	March 7, 1988.
September 10, 1987 ..	June 16, 1988.
June 30, 1989	December 1, 1989.
July 5, 1989	February 2, 1990.
April 6, 1988	February 5, 1990.
August 31, 1990	December 7, 1990.
September 12, 1990 ..	December 26, 1990.
June 29, 1990	January 4, 1991.
April 5, 1991 and May 1, 1991.	August 5, 1991.
October 1, 1990	July 7, 1992.

Original amendment submission date	Date of final publication
May 6, 1993	September 24, 1993.
October 22, 1993	September 27, 1994.
October 31, 1994	August 8, 1995.

28. Section 946.25 is revised to read as follows:

§ 946.25 Approval of Virginia abandoned mine land reclamation plan amendments.

(a) The following is a list of the dates amendments were submitted to OSM and the dates when the Director's decision approving all, or portions of these amendments, were published in the Federal Register:

Original amendment submission date	Date of final publication
November 8, 1985	November 25, 1986.
February 3, 1987	November 13, 1987.

- (b) You may receive a copy from:
- (1) Virginia Division of Mined Land Reclamation, P.O. Drawer 900, Big Stone Gap, Virginia 24219, or
 - (2) Office of Surface Mining Reclamation and Enforcement, Big Stone Gap Field Office, P.O. Drawer 1216, Powell Valley Square Shopping Center, room 220, Route 23, Big Stone Gap, Virginia 24219.

PART 948—WEST VIRGINIA

29. The authority citation for part 948 continues to read as follows:

Authority: 30 U.S.C. 1201 *et seq.*

30. Section 948.15 is revised to read as follows:

§ 948.15 Approval of West Virginia regulatory program amendments.

The following is a list of the dates amendments were submitted to OSM and the dates when the Director's decision approving all, or portions of these amendments, were published in the Federal Register:

Original amendment submission date	Date of final publication
October 29, 1981	May 11, 1982.
June 17, 1982	September 10, 1982.
September 14, 1982 and October 29, 1982.	March 1, 1983.
February 16, 1983, April 29, 1983, June 15, 1983 and September 13, 1983.	November 16, 1983.
January 12, 1984	September 20, 1984.
November 20, 1984 ..	April 23, 1985.
March 30, 1984, October 30, 1984, May 20, 1985 and June 14, 1985.	July 11, 1985.

Original amendment submission date	Date of final publication
November 11, 1985 June 30, 1986 and April 26, 1986.	March 20, 1986. May 23, 1990.
June 29, 1990 July 12, 1991 July 30, 1993 June 28, 1993	October 4, 1991. November 19, 1991. August 16, 1995. October 4, 1995 and February 21, 1996.

31. Section 948.25 is revised to read as follows:

§ 948.25 Approval of West Virginia abandoned mine land reclamation plan amendments.

The following is a list of the dates amendments were submitted to OSM and the dates when the Director's decision approving all, or portions of these amendments, were published in the Federal Register:

Original amendment submission date	Date of final publication
May 20, 1985 December 30, 1987 September 17, 1991 and October 25, 1991.	July 11, 1985. August 26, 1988. March 26, 1993.

PART 950—WYOMING

32. The authority citation for part 950 continues to read as follows:

Authority: 30 U.S.C. 1201 *et seq.*

33. Section 950.15 is revised to read as follows:

§ 950.15 Approval of Wyoming regulatory program amendments.

The following is a list of the dates amendments were submitted to OSM and the dates when the Director's decision approving all, or portions of these amendments, were published in the Federal Register:

Original amendment submission date	Date of final publication
March 26, 1981 and April 8, 1981.	February 18, 1982.
May 26, 1982 March 3, 1983, March 8, 1983 and March 21, 1983.	September 27, 1982. November 9, 1983.
June 25, 1984 September 21, 1984 October 12, 1984	February 28, 1985. December 3, 1985. December 13, 1985.
June 19, 1985 June 10, 1985 May 1, 1986	January 2, 1986. March 31, 1986. November 24, 1986.
December 13, 1985 March 31, 1989 May 1, 1986	May 6, 1987. July 25, 1990. January 29, 1991.
March 21, 1991 June 24, 1991 March 19, 1993	July 8, 1992. October 29, 1992. August 23, 1993.
July 8, 1992	October 7, 1993.

Original amendment submission date	Date of final publication
July 24, 1992 August 18, 1982 and March 9, 1993.	November 2, 1993. January 24, 1994.
December 15, and August 6, 1993. May 1, 1986	March 30, 1994. June 30, 1994.
April 13, 1994 November 8, 1994 June 2, 1995	October 21, 1994. March 17, 1995. September 14, 1995

34. Section 950.35 is revised to read as follows:

§ 950.35 Approval of Wyoming abandoned mine land reclamation plan amendments.

(a) Wyoming certification of completing all known coal-related impacts is accepted, effective May 25, 1984.

(b) The following is a list of the dates amendments were submitted to OSM and the dates when the Director's decision approving all, or portions of these amendments, were published in the Federal Register:

Original amendment submission date	Date of final publication
December 16, 1991 April 21, 1995	April 13, 1992. February 21, 1996.

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BILLING CODE 4310-05-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Chapter I

[CC Docket No. 96-115, FCC 96-221]

Implementation of the Telecommunications Act of 1996: Telecommunications Carriers' Use of Customer Proprietary Network Information and Other Customer Information

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission is issuing this Notice of Proposed Rulemaking seeking comment on proposed regulations to specify in more detail and clarify the obligations of telecommunications carriers with respect to the use and protection of customer proprietary network information (CPNI) and other customer information. The Notice is being issued in response to formal and informal requests for guidance as to local exchange carriers' responsibilities under the Telecommunications Act of 1996. The objective of the Notice of Proposed

Rulemaking is to provide an opportunity for public comment and to provide a record for a Commission decision on the issues stated above.

DATES: Comments are due on or before June 11, 1996 and Reply Comments are due on or before June 26, 1996. Written comments by the public on the proposed and/or modified information collections are due June 11, 1996. Written comments must be submitted by the Office of Management and Budget (OMB) on the proposed and/or modified information collections on or before July 29, 1996.

ADDRESSES: Comments and reply comments should be sent to Office of the Secretary, Federal Communications Commission, 1919 M Street, NW., Room 222, Washington, DC 20554, with a copy to Janice Myles of the Common Carrier Bureau, 1919 M Street, NW., Room 544, Washington, DC 20554. Parties should also file one copy of any documents filed in this docket with the Commission's copy contractor, International Transcription Services, Inc., 2100 M Street, NW., Suite 140, Washington, DC 20037. In addition to filing comments with the Secretary, a copy of any comments on the information collections contained herein should be submitted to Dorothy Conway, Federal Communications Commission, Room 234, 1919 M Street, NW., Washington, DC 20554, or via the Internet to dconway@fcc.gov, and to Timothy Fain, OMB Desk Officer, 10236 NEOB, 725-17th Street, NW., Washington, DC 20503 or via the Internet to fain_t@al.eop.gov.

FOR FURTHER INFORMATION CONTACT: Blaise Scinto, Attorney, Common Carrier Bureau, Policy and Program Planning Division, (202) 418-1380, or Radhika Karmarkar, Attorney, Common Carrier Bureau, Policy and Program Planning Division, (202) 418-1628. For additional information concerning the information collections contained in this NPRM contact Dorothy Conway at 202-418-0217, or via the Internet at dconway@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rulemaking adopted May 16, 1996 and released May 17, 1996 (FCC-96-221). This NPRM contains proposed or modified information collections subject to the Paperwork Reduction Act of 1995 (PRA). It has been submitted to the Office of Management and Budget (OMB) for review under the PRA. OMB, the general public, and other Federal agencies are invited to comment on the proposed or modified information collections contained in this proceeding. The full text of this Notice