

as in effect before December 1, 1994), but VA may not approve an enrollment in any of these courses by a reservist who is limited in the types of courses he or she may pursue, as provided in § 21.7540 (b)(2) and (b)(3):

- (1) A correspondence course;
- (2) A cooperative course;
- (3) An apprenticeship or other on-job training program;
- (4) A nursing course offered by an autonomous school of nursing;
- (5) A medical or dental specialty course not offered by an institution of higher learning;
- (6) A refresher, remedial, or deficiency course; or
- (7) A course or combination of courses consisting solely of independent study.

(Authority: 10 U.S.C. 2131(c), 2136(b), 16131(c)(1), 16136(b); 38 U.S.C. 3670 through 3676; sec. 705(a)(1), Pub. L. 98-525, 98 Stat. 2565, 2567; sec. 642, Pub. L. 101-189, 103 Stat. 1456-1458)

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 0

[FCC 96-225]

Authority Delegated to the General Counsel

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission has concluded that the proper dispatch of its business and the public interest will be best served by expanding the authority delegated to the General Counsel regarding hearing matters. In order to facilitate prompt resolution of adjudicatory hearing proceedings, the Commission has delegated authority to the General Counsel to issue all appropriate orders and to act on all requests for relief regarding hearing matters pending before the Commission en banc, except those requests which involve final disposition on the merits of a previously specified issue concerning an applicant's basic qualifications or two or more applicants' comparative qualifications.

EFFECTIVE DATE: June 10, 1996.

FOR FURTHER INFORMATION CONTACT: John I. Riffer, Office of General Counsel, (202) 418-1756.

SUPPLEMENTARY INFORMATION:

Adopted: May 20, 1996.

Released: May 29, 1996.

1. By its Order, 11 FCC Rcd 1062 (1996), the Commission eliminated the Review Board. In light of the many demands currently imposed on the Commission concerning nonhearing matters, the Commission has concluded that the proper dispatch of its business and the public interest will be best served by expanding the authority delegated to the General Counsel regarding hearing matters. Thus, in order to facilitate prompt resolution of adjudicatory hearing proceedings which are pending before the Commission en banc, we are amending § 0.251 to delegate authority to the General Counsel to act on all requests for relief in such proceedings, and to issue all appropriate orders, except those requests which involve final disposition on the merits of a previously specified issue concerning an applicant's basic qualifications or two or more applicants' comparative qualifications. At the same time, various other, conforming editorial changes have also been made in § 0.251.

2. Authority for the adoption of the amendments adopted herein is contained in Sections 4(i), 4(j), 5(b), 5(c), and 303(r) of the Communications Act of 1934, as amended. 47 U.S.C. 154(i), 154(j), 155(b), 155(c) and 303(r). Because these amendments pertain to agency organization, practice and procedure, the notice and comment and effective date provisions of the Administrative Procedure Act, 5 U.S.C. 553(b)(A) and 553(d), are inapplicable.

3. Accordingly, it is ordered, that, effective June 10, 1996, part 0 is amended as set forth below.

List of Subjects in 47 CFR Part 0

Organization and functions (Government Agencies).

Federal Communications Commission.

LaVera F. Marshall,

Acting Secretary.

Rule Changes

Part 0 of chapter I of title 47 of the Code of Federal Regulations is amended as follows:

PART 0—COMMISSION ORGANIZATION

1. The authority citation for part 0 continues to read as follows:

Authority: Sec. 5, 48 Stat. 1068, as amended; 47 U.S.C. 155, 225, unless otherwise noted.

§ 0.251 [Amended]

2. Section 0.251 is amended by adding paragraphs (c), (d), and (e), removing paragraphs (f), (g), and (h) and

redesignating paragraphs (i) and (j) as paragraphs (f) and (g) to read as follows:

* * * * *

(c) The General Counsel is delegated authority in adjudicatory hearing proceedings which are pending before the Commission en banc to act on all requests for relief, and to issue all appropriate orders, except those which involve final disposition on the merits of a previously specified issue concerning an applicant's basic qualifications or two or more applicants' comparative qualifications.

(d) When an adjudicatory proceeding is before the Commission for the issuance of a final order or decision, the General Counsel will make every effort to submit a draft order or decision for Commission consideration within four months of the filing of the last responsive pleading. If the Commission is unable to adopt an order or decision in such cases within five months of the last responsive pleading, it shall issue an order indicating that additional time will be required to resolve the case.

(e) The official record of all actions taken by the General Counsel pursuant to § 0.251 (c) and (d) is contained in the original docket folder, which is maintained by the Secretary in the Dockets Branch.

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47 CFR Part 73

[MM Docket No. 90-66, RM-7139, RM-7368, RM-7369]

Radio Broadcasting Services; Lincoln, Osage Beach, Steelville and Warsaw, MO

AGENCY: Federal Communications Commission.

ACTION: Final rule; petition for reconsideration.

SUMMARY: This document denies the petition for reconsideration filed by Twenty One Sound Communications, Inc., licensee of Station KNSX(FM), Steelville, Missouri of our *Report and Order*, 57 FR 21040 (May 18, 1992) substituting Channel 228C3 for Channel 228A at Osage Beach, Missouri and modified the license of Station KYLC, Osage Beach, Missouri, to specify the higher class channel. The Commission affirmed the dismissal of Twenty One's counterproposal for failure to verify pursuant to Section 1.52 of the Commission's Rules. With this action, this proceeding is terminated.

EFFECTIVE DATE: June 10, 1996.