

Environmental Policy Act (42 U.S.C. 4332(2)(C)).

#### *Paperwork Reduction Act*

This rule does not contain information collection requirements that require approval by OMB under the Paperwork Reduction Act (44 U.S.C. 3507 *et seq.*).

#### *Regulatory Flexibility Act*

The Department of the Interior has determined that this rule will 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.*). The State submittal which is the subject of this rule is based upon counterpart Federal regulations for which an economic analysis was prepared and certification made that such regulations would not have a significant economic effect upon a substantial number of small entities. Accordingly, this rule will ensure that existing requirements previously promulgated by OSM will be implemented by the State. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions for the counterpart Federal regulations.

#### *Unfunded Mandates*

OSM has determined and certifies pursuant to the Unfunded Mandates Reform Act (2 U.S.C. 1502 *et seq.*) that this rule will not impose a cost of \$100 million or more in any given year on local, state, or tribal governments or private entities.

#### **List of Subjects in 30 CFR Part 904**

Intergovernmental relations, Surface mining, Underground mining.

Dated: December 31, 1997

#### **Brent Wahlquist,**

*Regional Director, Mid-Continent Regional Coordinating Center.*

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### DEPARTMENT OF THE INTERIOR

#### **Office of Surface Mining Reclamation and Enforcement**

#### **30 CFR Part 936**

[SPATS No. OK-017-FOR]

#### **Oklahoma Regulatory Program**

**AGENCY:** Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

**ACTION:** Proposed rule; withdrawal of proposed amendment.

**SUMMARY:** OSM is announcing the withdrawal of a proposed amendment to the Oklahoma regulatory program (hereinafter the "Oklahoma program") under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The proposed amendment concerned protected activities. Oklahoma is withdrawing the amendment at its own initiative.

**FOR FURTHER INFORMATION CONTACT:** Michael C. Wolfrom, Director, Tulsa Field Office, Telephone: (918) 581-6430.

**SUPPLEMENTARY INFORMATION:** By letter dated February 21, 1996 (Administrative Record No. OK-973), Oklahoma submitted a proposed amendment to its program to SMCRA. Oklahoma submitted the proposed amendment at its own initiative. The provisions of the Oklahoma regulations that Oklahoma proposed to amend were at Oklahoma Administrative Code (OAC) 460:20-15-7 concerning permit conditions. Specifically, Oklahoma proposed to revise OAC 460:20-15-7 by adding a new permit condition at subsection (5) concerning protected activities.

OSM announced receipt of the proposed amendment in the March 5, 1996, **Federal Register** (61 FR 8536) and invited public comment on its adequacy. The public comment period ended April 4, 1996.

During its review of the amendment, OSM identified concerns relating to Oklahoma's proposed addition at OAC 460:20-15-7(5). OSM was specifically concerned that the existing state enforcement and citizens complaint regulations did not contain the procedures necessary to implement the requirements of the Federal regulations dealing with protected activities at 30 CFR Part 865. OSM notified Oklahoma of the concerns by letter dated June 25, 1996 (Administrative Record No. OK-973.06). Oklahoma responded in a letter dated August 28, 1996 (Administrative Record No. OK-973.08), by submitting a revised amendment. Oklahoma proposed the addition of a new subchapter at OAC 460:20-16, concerning protection of employees, to replace the changes originally proposed for OAC 460:20-15-7.

Based upon the proposed revision to the program amendment submitted by Oklahoma, OSM reopened the public comment period in the September 19, 1996, **Federal Register** (61 FR 49282). The public comment period closed on October 4, 1996.

On December 12, 1997 (Administrative Record No. OK-973.14), Oklahoma requested that the proposed amendment be withdrawn. Oklahoma

has decided not to add the provisions contained in OAC 460:20-16 concerning protection of employees to its approved program at this time. Therefore, the proposed amendment announced in the March 5, and September 19, 1996, **Federal Register** is withdrawn.

#### **List of Subjects in 30 CFR Part 936**

Intergovernmental relations, Surface mining, Underground mining.

Dated: December 31, 1997.

#### **Brent Wahlquist,**

*Regional Director, Mid-Continent Regional Coordinating Center.*

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### DEPARTMENT OF JUSTICE

#### **48 CFR Chapter 28**

#### **Justice Acquisition Regulations; Rewrite of the Justice Acquisition Regulation (JAR). Regarding: Implementation of the Federal Acquisition Streamlining Act and the National Performance Review Recommendations**

**AGENCY:** Justice Management Division, Justice.

**ACTION:** Proposed rule with request for comments.

**SUMMARY:** The Department of Justice is proposing to rewrite 48 CFR Chapter 28, the Justice Acquisition Regulations, in its entirety in order to implement regulatory changes resulting from the Federal Acquisition Streamlining Act and to further implement recommendations of the National Performance Review. This effort will create a new JAR that is simpler and less burdensome. This 1998 version of the JAR supersedes the 1985 version and all amendments (Justice Acquisition Circulars 85-1 through 97-1) issued prior to the date of publication of a final rule.

**DATES:** Comments must be submitted on or before March 10, 1998.

**ADDRESSES:** Send written comments to Procurement Executive, 1331 Pennsylvania Avenue, NW., National Place Bldg., Room 1400, Washington, DC 20530.

**FOR FURTHER INFORMATION CONTACT:** Janis Sposato, Procurement Executive, Justice Management Division (202) 514-3103.

**SUPPLEMENTARY INFORMATION:** The Director, Office of Management and Budget (OMB), by memorandum dated December 14, 1984, exempted agency procurement regulations from review