

relationship between the Federal government and Indian tribes, or on the distribution of power and responsibilities between the Federal government and Indian tribes, as specified in Executive Order 13175. Thus, Executive Order 13175 does not apply to this rule.

#### VI. Submission to Congress and the Comptroller General

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of this final rule in the **Federal Register**. This final rule is not a "major rule" as defined by 5 U.S.C. 804(2).

#### List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: September 20, 2001.

**James Jones,**

*Acting Director, Office of Pesticide Programs.*

Therefore, 40 CFR part 180 is amended as follows:

#### PART 180—[AMENDED]

1. The authority citation for part 180 continues to read as follows:

**Authority:** 21 U.S.C. 321(q), 346(a) and 371.

#### § 180.206 [Amended]

2. Section 180.206 is amended by removing from the table in paragraph (a) the entries for cattle, fat; cattle, mby; cattle, meat; eggs; goats, fat; goats, mby; goats, meat; hogs, fat; hogs, mby; hogs, meat; horses, fat; horses, mby; horses, meat; milk (negligible residue); poultry, fat; poultry, mby; poultry, meat; sheep, fat; sheep, mby; and sheep, meat.

#### § 180.214 [Amended]

3. Section 180.214 is amended by removing from the table in paragraph (a), the entries for poultry, fat; poultry, (mby); and poultry, meat; and by removing the "(N)" designation from the entry "milk" in the table under paragraph (a).

#### § 180.215 [Amended]

4. Section 180.215 is amended by removing from the table in paragraph (a)(1), the entries for cattle, fat; cattle, mby; cattle, meat; eggs; goats, fat; goats, mby; goats, meat; hogs, fat; hogs, mby; hogs, meat; horses, fat; horses, mby; horses, meat; milk; poultry, fat; poultry, mby; poultry, meat; sheep, fat; sheep, mby; and sheep, meat.

#### § 180.298 [Amended]

5. Section 180.298 is amended by redesignating paragraph (a)(1) as (a), and by removing the "(N)" designation wherever it appears in the "parts per million" column in the table under newly designated paragraph (a) and by removing paragraph (a)(2).

#### § 180.404 [Amended]

6. Section 180.404 is amended by removing the entries for poultry, fat; poultry, mby; poultry, meat; and eggs from the table in paragraph (a).

[FR Doc. 01-25020 Filed 10-4-01; 8:45 am]

BILLING CODE 6560-50-S

### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 271

[FRL-7074-2]

#### Idaho: Final Authorization of State Hazardous Waste Management Program Revision

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Withdrawal of immediate final rule.

**SUMMARY:** We are withdrawing the immediate final rule for Idaho: Final Authorization of State Hazardous Waste Management Program Revision published on August 22, 2001, 66 FR 44071, which approved revisions to Idaho's Hazardous Waste Regulations. We stated in the immediate final rule that if we received comments that oppose this authorization, we would publish a timely notice of withdrawal in the **Federal Register**. Subsequently, we received comments that oppose this action. We will address these comments in a subsequent final action based on the proposed rule also published on August 22, 2001, at 66 FR 44107.

**DATES:** As of October 5, 2001, we withdraw the immediate final rule published on August 22, 2001, 66 FR 44071.

**FOR FURTHER INFORMATION CONTACT:** Jeff Hunt, (206) 553-0256, US EPA Region 10, Mailstop WCM-122, 1201 Sixth Ave, Seattle, Washington 98101.

**SUPPLEMENTARY INFORMATION:** Because we received comments that oppose this authorization, we are withdrawing the immediate final rule for Idaho: Final Authorization of State Hazardous Waste Management Program Revisions published on August 22, 2001, at 66 FR 44071, which intended to grant authorization for the revisions to Idaho's Hazardous Waste Regulations. We stated in the immediate final rule that if we received comments that opposed this action, we would publish a timely notice of withdrawal in the **Federal Register**. We received comments that opposed this action. We will address all comments in a subsequent final action based on the proposed rule previously published on August 22, 2001, at 66 FR 44107, and will not provide for additional public comment during the final action.

Dated: September 24, 2001.

**Charles E. Findley,**

*Acting Regional Administrator, Region 10.*

[FR Doc. 01-24905 Filed 10-4-01; 8:45 am]

BILLING CODE 6560-50-P

### FEDERAL COMMUNICATIONS COMMISSION

#### 47 CFR Part 0

[DA 01-2255]

#### Change in Board on Contract Appeals

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This document amends the Commission's rules to reflect a change in the Board of Contract Appeals to which appeals of final decisions regarding procurement contracts will be referred. The Managing Director will refer such appeals to the Armed Services Board of Contract Appeals. Previously, such appeals were referred to the General Services Board of Contract Appeals. Appeals will be handled in accordance with the Rules of the Armed Services Board of Contract Appeals.

**DATES:** Effective October 1, 2001.

**FOR FURTHER INFORMATION CONTACT:** Sonna Stampone, Office of the Managing Director, (202) 418-0992.

#### SUPPLEMENTARY INFORMATION:

1. By this order, we amend 0.231(e) of the Commission's rules, 47 CFR 0.231(e), to reflect the change of Board of Contract Appeals to which contract appeals shall be referred. The Managing Director will refer all appeals of final decisions regarding procurement

contracts to the Armed Services Board of Contract Appeals.

2. Accordingly, pursuant to § 0.231(b) of the Commission's rules, 47 CFR 0.231(b), § 0.231(e) of the Commission's rules, 47 CFR 0.231(e), is *Amended* as rule changes and is effective October 1, 2001.

#### List of Subjects in 47 CFR Part 0

Organization and functions  
(Government Agencies).

Federal Communications Commission.

Magalie Roman Salas,

Secretary.

#### Rule Changes

Part 0, subpart B, of chapter 1 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, unless otherwise noted.

2. Section 0.231 is amended by revising paragraph (e) as follows:

#### § 0.231 Authority delegated.

\* \* \* \* \*

(e) The Managing Director is delegated authority to act as Head of the Procurement Activity and Contracting Officer for the Commission and to designate appropriate subordinate officials to act as Contracting Officers for the Commission. As Head of the Procurement Activity, the Managing Director will refer all appeals filed against final decisions regarding procurement contracts to the Armed Services Board of Contract Appeals for resolution. Appeals will be handled in accordance with the Rules of the Board of Contract Appeals.

\* \* \* \* \*

[FR Doc. 01-24956 Filed 10-4-01; 8:45 am]

BILLING CODE 6712-01-P

#### FEDERAL COMMUNICATIONS COMMISSION

#### 47 CFR Parts 1 and 2

[ET Docket No. 00-47; FCC 01-264]

#### Software Defined Radios

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** In this document we amend the Commission's rules to create a new

class of equipment for software defined radios (SDRs) with streamlined equipment authorization procedures. We anticipate that software defined radio technology will allow manufacturers to develop reconfigurable transmitters or transceivers that can be multi-service, multi-standard, multi-mode, and multi-band. Specifically, we are amending our equipment authorization rules to permit equipment manufacturers to make changes in the frequency, power and modulation parameters of such radios without the need to file a new equipment authorization application with the Commission. We will also permit electronic labeling so that a third party may modify a radio's technical parameters without having to return it to the manufacturer for re-labeling. These changes will facilitate the deployment and use of this promising new technology, which we believe will facilitate more efficient use of the spectrum.

**DATES:** Effective February 4, 2002.

**FOR FURTHER INFORMATION CONTACT:** Hugh Van Tuyl, Office of Engineering and Technology, (202) 418-7506.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's *First Report and Order* in ET Docket No. 00-47, FCC 01-264, adopted September 13, 2001, and released September 14, 2001. The full text of this Commission decision is available on the Commission's Internet site at [www.fcc.gov](http://www.fcc.gov). It is available for inspection and copying during normal business hours in the FCC Reference Information Center, Room CY-A257, 445 12th Street, SW., Washington, DC, and also may be purchased from the Commission's duplication contractor, Qualex International (202) 863-2893, Room CY-B402, 445 12th Street, S.W. Washington, D.C. 20554.

#### Summary of the First Report and Order

1. In this *First Report and Order* (FR&O), the Commission amends part 2 of its rules to create a new class of equipment for software defined radios (SDRs) with streamlined equipment authorization procedures. We anticipate that software defined radio technology will allow manufacturers to develop reconfigurable transmitters or transceivers that can be multi-service, multi-standard, multi-mode, and multi-band. Specifically, we are amending our equipment authorization rules to permit equipment manufacturers to make changes in the frequency, power and modulation parameters of such radios without the need to file a new equipment authorization application

with the Commission. We will also permit electronic labeling so that a third party may modify a radio's technical parameters without having to return it to the manufacturer for re-labeling. These changes will facilitate the deployment and use of this promising new technology, which we believe will facilitate more efficient use of the spectrum.

2. In March 2000, the Commission issued a *Notice of Inquiry*, 65 FR 17246, March 31, 2000, seeking information from the public on a number of issues raised by the development of software defined radios. Subsequently, in December 2000, the Commission issued a *Notice of Proposed Rule Making* (NPRM), 66 FR 341, January 3, 2001, that proposed to define software defined radios as a new class of equipment and to simplify the authorization requirements for such equipment.

3. Upon reviewing the record, we conclude that it is desirable to revise our equipment authorization rules to accommodate the flexibility offered by software defined radios. The ability of software defined radios to be reprogrammed to new operating parameters in the field could have far reaching implications for the way the Commission allocates and licenses spectrum and authorizes radio equipment. Software defined radios could allow more efficient use of spectrum by facilitating spectrum sharing and by allowing equipment to be reprogrammed to more efficient modulation types. Their ability to be programmed could also enhance interoperability between different radio services. We find that it is possible to provide this flexibility in a manner that will ensure that software defined radios operate in compliance with the rules for the service in which they will operate. We therefore are adopting a definition of software defined radio and a streamlined procedure for making changes to the operating parameters of software defined radios. We are also adopting rules to permit electronic labeling of software defined radios and to require manufacturers to take steps to prevent unauthorized software modifications. These changes will provide greater flexibility to manufacturers to facilitate the deployment of software defined radios while fulfilling our statutory requirement to protect the public from harmful interference. We will consider additional rule changes in the future as software defined radio technology advances.