

published a Notice of Proposed Rulemaking revising 31 CFR part 209 (57 FR 57400). That notice invited comments for a 30 day period ending January 4, 1993. No comments were received. A review of part 209 conducted independently of the formal notice and comment procedure determined that an additional revision to the language of part 209, not included in the December 4, 1992, notice, was necessary. Thus a Supplemental Proposed Rule was published on August 4, 1993 (58 FR 41449). That notice invited comments for a 30 day period ending September 3, 1993. No comments were received.

Since then, other actions have occurred which make 31 CFR part 209 obsolete. First, regulations implemented July 1, 1994, require that financial institutions receive Government ACH transactions through electronic means. (58 FR 21634). This regulatory change to 31 CFR part 210 made a separate part 209 regarding checks unnecessary. Second, revisions have been proposed for 31 CFR part 210, which define the responsibilities and liabilities of the Federal Government, Federal Reserve Banks, financial institutions, receivers, and originators doing business with the Government through the ACH system (59 FR 50112). The 3 revisions proposed for part 210 supersede the savings allotment provisions of part 209 because savings allotment and recurring benefit payments formerly made under the terms of part 209 are made by the ACH method under the terms of part 210.

Rulemaking Analysis

Treasury has determined that this regulation is not a significant regulatory action as defined in Executive Order 12866. Accordingly, a regulatory assessment is not required. It is hereby certified that this revision will not have a significant economic impact on a substantial number of small entities. Accordingly, a regulatory flexibility analysis is not required. The included changes are expected to result in improvements to the ACH process with advantages to institutions and recipients.

List of Subjects in 31 CFR Part 209

Automated Clearing House, Banks, Banking, Electronic funds transfer, Federal Reserve Banks, Financial institution, Government employees, Wages.

Accordingly, Part 209 of Title 31 of the Code of Federal Regulations is proposed to be removed.

Dated: October 5, 1994.

Russell D. Morris,

Commissioner.

[FR Doc. 95-53 Filed 1-3-95; 8:45 am]

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DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 169a

[DoD Instruction 4100.33]

Commercial Activities Program Procedures

AGENCY: Office of the Secretary of Defense, DoD.

ACTION: Proposed rule.

SUMMARY: This part proposes to remove the requirement to place every DoD employee in a comparable position prior to converting a function with 10 full time equivalents or less to contract and adjust minor administrative corrections. It also proposes to establish procedures and criteria for use by DoD Components to determine whether DoD commercial activities should be performed by DoD personnel in-house or by contract with commercial sources.

DATES: Comments must be received on or before March 6, 1995.

ADDRESSES: Send comments to the Office of the Assistant Secretary of Defense (Economic Security), Installations, 3300 Defense Pentagon, Room 3E808, Washington, DC 20301-3300.

FOR FURTHER INFORMATION CONTACT: Earl DeHart, Program Manager, 400 Army/Navy Drive, Suite 206, Arlington, Virginia 22202-2884, telephone (703) 604-5806.

SUPPLEMENTARY INFORMATION: On July 1, 1992, the Department of Defense published an amendment to 32 CFR part 169a in the **Federal Register** (57 FR 29207) bringing DoD guidance on commercial activities up-to-date. Comments will be available for public inspection by request. Because of the anticipated number of comments, the Department of Defense does not plan to acknowledge or respond to individual comments. However, the Department of Defense will respond to comments in the Supplementary Information of the final rule of this document. It has been certified that this proposed rule is not a significant regulation action.

The rule does not:

(1) Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy,

productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; planned by another agency;

(2) Create a serious inconsistency or otherwise interfere with an action taken or

(3) Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in Executive Order 12866. Further, it has been certified that this rule is not subject to the Regulatory Flexibility Act (5 U.S.C. 601) because the Services and Department agencies administering the rule will show a reduction in administrative costs and other burdens resulting from the simplification and clarification of direct conversion policies when this proposed rule is issued as a final rule. Finally, it has been certified that this proposed rule does not impose any additional reporting or record keeping requirements prohibited under the Paperwork Reduction Act of 1980.

List of Subjects in 32 CFR Part 169a

Armed forces, Government procurement.

Accordingly, 32 CFR Part 169a is proposed to be amended as follows:

PART 169a—COMMERCIAL ACTIVITIES PROGRAM PROCEDURES

1. The authority citation for Part 169a continues to read as follows:

Authority: 5 U.S.C. 301 and 552.

2. Section 169a.21 is proposed to be amended in paragraph (a) by removing "DD-P&L 1540" and adding in its place "DD-A&T(A) 1540", in paragraph (b) by removing "DD-P&L 1542" and adding in its place "DD-A&T(Q) 1542", in paragraph (c)(3) by removing "ASD(P&L)" adding in its place "ASD(ES)", by revising paragraph (c) introductory text, and by adding a sentence at the end of paragraph (c)(2) to read as follows:

§ 169a.21 Reporting requirements.

* * * * *

(c) Congressional Data Reports on CA (Report Control Symbol DD-A&T(A&AR) 1949) and Reports on savings on Costs from Increased Use of DoD Civilian Personnel (Report Control Symbol DD-A&T(AR) 1950). To insure consistent application of the requirements stated in 10 U.S.C. 2461 and 2463, the following guidance is provided:

(2) * * * 10 U.S.C. 2463 applies to conversions from contract to in-house involving 50 or more contractor employees.

* * * * *

3. Appendix B to Part 169a is proposed to be amended in section A.1 by removing "DD-P&L(A) 1540" and adding in its place "DD-A&T(A) 1540" and section A.5 is amended by removing the word "or" and adding in its place "of".

4. Appendix C to Part 169a is proposed to be amended in sections C.6. and C.7.a.(4) by removing "room 3E787" by adding in its place "room 3E813," section C.8. by removing "Public Law 102-172" and adding in its place "Public Law 103-139" and by revising section B.4 and adding a heading to section C.8. to read as follows:

APPENDIX C TO PART 169a— [AMENDED]

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B. * * *

4. The installation commander must attempt to place or retain displaced DoD civilian employees by:

- a. Placing or retraining employees in available permanent vacant positions, or
b. Assigning displaced employees to valid temporary or over-hire positions in similar activities for gainful employment until permanent vacancies are available. The type of employee appointment (e.g., career, career-conditional, etc., or change from competitive to excepted service or vice versa) must not change, or
c. Certifying where no vacancies exist or are not projected, that employees will be offered retraining opportunities under the Job Training Partnership Act or similar retraining programs for transitioning into the private sector.

C. * * *

8. Most Efficient and Cost-Effective Analysis for Contractor Performance of an Activity (Report Control Symbol DD-A&T(AR) 1951. * * *

5. Appendix D to Part 169a is proposed to be amended by adding a new entry at the end of each listing under the heading CAMIS ENTRY AND UPDATE INSTRUCTIONS, Part I, Section One, item [3] and under the heading CAMIS ENTRY AND UPDATE INSTRUCTION, Part II, Section One, item [3] to read as follows:

Appendix D to Part 169a—[Amended]

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Camis Entry and Update Instruction Part I * * *

Section One * * *
[3] * * *

4—Defense Technical Information Center (DTIC)

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Camis Entry and Update Instruction Part II * * *

Section One * * *
[3] * * *

4—Defense Technical Information Center (DTIC)

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Dated: December 16, 1994.

L.M. Bynum,

Alternate OSD Federal Register, Liaison Officer, Department of Defense.

[FR Doc. 95-174 Filed 1-3-95; 8:45 am]

BILLING CODE 5000-04-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Chapter I

[FRL-J132-2]

Open Meeting of the Negotiated Rulemaking Advisory Committee for Small Nonroad Engine Regulations

AGENCY: Environmental Protection Agency.

ACTION: FACA Committee Meeting—Negotiated Rulemaking on Small Nonroad Engine Regulations.

SUMMARY: As required by section 9(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), EPA is giving notice of the next meeting of the Advisory Committee to negotiate a rule to reduce air emissions from small nonroad engines. The meeting is open to the public without advance registration. Agenda items for the meeting include reports from the task groups and discussions of the draft "single text" strawman.

DATES: The committee will meet on January 23, 1995 from 10:00 a.m. to 6:00 p.m., and on January 24, 1995 from 8:00 a.m. to 4:00 p.m.

ADDRESSES: The location of the meeting will be the Courtyard by Marriott, 3205 Boardwalk, Ann Arbor, MI 48108; phone: (313) 995-5900.

FOR FURTHER INFORMATION CONTACT: Persons needing further information on the substantive matters of the rule should contact Lucie Audette, National Vehicle and fuel Emissions Laboratory, 2565 Plymouth Rd., Ann Arbor, Michigan 48105, (313) 741-7850. Persons needing further information on committee procedural matters should call Deborah Dalton, Consensus and Dispute Resolution Program, Environmental Protection Agency, 401

M Street SW., Washington, DC 20460, (202) 260-5495, or the Committee's facilitators, Lucy Moore or John Folk-Williams, Western Network, 616 Don Gaspar, Santa Fe, New Mexico, 87501 (505) 982-99805.

Dated: December 27, 1994.

Deborah Dalton,

Designated Federal Official.

[FR Doc. 95-83 Filed 1-3-95; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 52

[NE-6-1-6445b; FRL-5115-4]

Approval and Promulgation of Implementation Plans and Delegation of 112(l) Authority; State of Nebraska

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA proposes to approve the State Implementation Plan (SIP) revision submitted by the state of Nebraska. The state's request for a revision to the SIP includes the creation of a Class II operating permit program, Part D (nonattainment) new source review rule changes, SO2 rule corrections, and the use of enhanced monitoring. In the final rules section of the Federal Register, the EPA is approving the state's SIP revision as a direct-final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If the EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this document. Any parties interested in commenting on this document should do so at this time.

DATES: Comments must be received on or before February 3, 1995.

ADDRESSES: Comments may be mailed to Christopher D. Hess, Environmental Protection Agency, Air Branch, 726 Minnesota Avenue, Kansas City, Kansas 66101.

FOR FURTHER INFORMATION CONTACT: Christopher D. Hess at (913) 551-7213.

SUPPLEMENTARY INFORMATION: See the information provided in the direct final rule which is located in the rules section of the Federal Register.