

or outpatient clinic prior to any rating action denying monetary benefits.

Also, nonsubstantive changes are made to delete provisions that no longer apply and to simply and clarify other provisions.

Under 5 U.S.C. 553 there is a basis for dispensing with prior notice and comment and for dispensing with a 30-day delay of the effective date since the interim rule consists of VA policy and is interpretive in nature.

The Secretary hereby certifies that this interim final rule will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act (RFA), 5 U.S.C. 601–612. The interim final rule would not directly affect any small entities. Only VA beneficiaries could be directly affected. Therefore, pursuant to 5 U.S.C. 605(b), the interim final rule is exempt from the initial and final regulatory flexibility analysis requirements of sections 603 and 604.

The Catalog of Federal Domestic Assistance program numbers are 64.100, 64.104, 64.105, 64.106, 64.109, and 64.110.

#### List of Subjects in 38 CFR Part 3

Administrative practice and procedure, claims, Health care, Individuals with disabilities, Pensions, Veterans.

Approved: July 31, 1995.

**Jesse Brown,**

*Secretary, Veterans Affairs.*

For the reasons set forth in the preamble, 38 CFR part 3 is amended as follows:

### PART 3—ADJUDICATION

#### Subpart A—Pension, Compensation, and Dependency and Indemnity Compensation

1. The authority citation for part 3, subpart A continues to read as follows:

**Authority:** 38 U.S.C. 501(a), unless otherwise noted.

2. Section 3.326 is revised to read as follows:

##### **§ 3.326 Examinations.**

For purposes of this section, the term examination includes periods of hospital observation when required by VA.

(a) Where there is a well-grounded claim for disability compensation or pension but medical evidence accompanying the claim is not adequate for rating purposes, a Department of Veterans Affairs examination will be authorized. This paragraph applies to original and reopened claims as well as

claims for increase submitted by a veteran, surviving spouse, parent, or child. Individuals for whom an examination has been scheduled are required to report for the examination.

(b) Provided that it is otherwise adequate for rating purposes, any hospital report, or any examination report, from any government or private institution may be accepted for rating a claim without further examination. However, monetary benefits to a former prisoner of war will not be denied unless the claimant has been offered a complete physical examination conducted at a Department of Veterans Affairs hospital or outpatient clinic.

(c) Provided that it is otherwise adequate for rating purposes, a statement from a private physician may be accepted for rating a claim without further examination.

(Authority: 38 U.S.C. 5107(a))

[FR Doc. 95–25129 Filed 10–10–95; 8:45 am]

**BILLING CODE 8320–01–P**

### DEPARTMENT OF THE INTERIOR

#### Bureau of Land Management

#### 43 CFR Public Land Order 7164

[ID–943–1430–01; IDI–011668–02]

#### Partial Revocation of Public Land Order No. 3398; Idaho

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Public Land Order.

**SUMMARY:** This order revokes a public land order (PLO) insofar as it affects 1.42 acres of public land withdrawn for the Bureau of Land Management as a stock driveway. The land is no longer needed for this purpose, and the revocation is needed to permit disposal of land through public sale. This action will open the land to surface entry. The land has been and will remain open to mining and mineral leasing.

**EFFECTIVE DATE:** November 13, 1995.

#### **FOR FURTHER INFORMATION CONTACT:**

Larry R. Lievsay, BLM Idaho State Office, 3380 Americana Terrace, Boise, Idaho 83706–2500, 208–384–3166.

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (1988), it is ordered as follows:

1. Public Land Order No. 3398, which withdrew public land for the Bureau of Land Management as a stock driveway, is hereby revoked insofar as it affects the following described land:

#### **Boise Meridian**

T. 6 N., R. 3 W.,

Sec. 9, lots 8 and 9.

The area described contains 1.42 acres in Gem County.

2. At 9 a.m. on November 13, 1995, the land described above will be opened to the operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, other segregations of record, and the requirements of applicable law. All valid applications received at or prior to 9 a.m. on November 13, 1995, shall be considered as simultaneously filed at that time.

Dated: September 15, 1995.

**Bob Armstrong,**

*Assistant Secretary of the Interior.*

[FR Doc. 95–25137 Filed 10–10–95; 8:45 am]

**BILLING CODE 4310–GG–P**

#### 43 CFR Public Land Order 7165

[AK–932–1430–01; AA–65553]

#### Partial Revocation of Executive Order No. 4410, dated April 1, 1926; Alaska

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Public Land Order.

**SUMMARY:** This order revokes an Executive order insofar as it affects 41.25 acres of public land withdrawn for use by the Coast Guard, Department of Transportation, for the Wrangell Narrows Lighthouse Reserve. The land is no longer needed for the purpose for which it was withdrawn. Upon revocation, the land will be subject to the terms and conditions of Public Land Order No. 5180, as amended, and any other withdrawal of record. The land has been and will remain open to location and entry under the United States mining laws for metalliferous minerals.

**EFFECTIVE DATE:** October 11, 1995.

**FOR FURTHER INFORMATION CONTACT:** Sue A. Wolf, BLM Alaska State Office, 222 W. 7th Avenue, No. 13, Anchorage, Alaska 99513–7599, 907–271–5477.

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (1988), and by Section 17(d)(1) of the Alaska Native Claims Settlement Act, 43 U.S.C. 1616(d)(1) (1988), it is ordered as follows:

1. Executive Order No. 4410, dated April 1, 1926, as amended, which withdrew public land for lighthouse purposes, is hereby revoked insofar as it affects the following described land: