

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:

**Copper River Meridian**

T. 59 S., R. 79 E., partly unsurveyed  
Sec. 26, lot 3.

The area described contains 41.25 acres.

2. The land described above will be subject to Public Land Order No. 5180, as amended, and will remain withdrawn from all forms of appropriation under the public land laws and from location and entry under the mining laws except locations for metalliferous minerals.

Dated: September 15, 1995.

**Bob Armstrong,**

*Assistant Secretary of the Interior.*

[FR Doc. 95-25138 Filed 10-10-95; 8:45 am]

**BILLING CODE 4310-JA-P**

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**FEDERAL COMMUNICATIONS  
COMMISSION**
**47 CFR Part 1**
**Competitive Bidding Proceedings—  
Designated Entities; Correction**

**AGENCY:** Federal Communications  
Commission.

**ACTION:** Correcting Amendments.

**SUMMARY:** This document contains corrections to the final regulations, which were published August 26, 1994 (59 FR 44293). The regulations related to designated entity provisions in competitive bidding proceedings.

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

**FOR FURTHER INFORMATION CONTACT:**

Diane M. Law, Wireless  
Telecommunications Bureau, (202) 418-  
0660.

**SUPPLEMENTARY INFORMATION:**

**Background**

The final regulations that are the subject of these corrections defined "designated entities" for the purposes of competitive bidding proceedings and established preferences for which they are eligible.

**Need for Correction**

As published, the final regulations contain errors which may prove to be misleading and are in need of clarification.

**List of Subjects in 47 CFR Part 1**

Administrative practice and procedure, Reporting and recordkeeping requirements, Telecommunications.

Accordingly, 47 CFR Part 1 is corrected by making the following correcting amendments:

**PART 1—PRACTICE AND  
PROCEDURE**

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

**Authority:** 47 U.S.C. 151, 154, 303, and 309(j) unless otherwise noted.

**§ 1.2110 [Corrected]**

2. In § 1.2110, paragraph (b)(4)(x)(C) should be redesignated as paragraph (c).

3. In § 1.2110, paragraph (b)(4)(x)(D) should be redesignated as paragraph (d).

4. In § 1.2110, paragraph (b)(4)(x)(E) should be redesignated as paragraph (e).

Federal Communications Commission.

**William F. Caton,**

*Acting Secretary.*

[FR Doc. 95-25142 Filed 10-10-95; 8:45 am]

**BILLING CODE 6712-01-M**

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**47 CFR Parts 43 and 61**

[CC Docket No. 93-36; FCC 95-399]

**Tariff Filing Requirements for  
Nondominant Carriers**

**AGENCY:** Federal Communications  
Commission.

**ACTION:** Final rule.

**SUMMARY:** By this action, the Commission reinstates those tariff filing requirements adopted in the Nondominant Filing Order that were not addressed in the Court of Appeals' decision vacating that Order. In accordance with the court's decision, the Commission amends its rules to remove the provision that had permitted domestic, nondominant common carriers to file tariffs containing rates expressed in a manner of the carrier's choosing, including as a reasonable range of rates. The Commission also denies a petition for partial reconsideration of the Nondominant Filing Order and dismisses an application for stay of a portion of that Order as moot. Finally, by this action, the Commission amends its rules to delete references to the Commission's forbearance policy that are inconsistent with earlier court decisions vacating that policy and to implement changes to the Nondominant Filing Order, which were erroneously omitted from the Code of Federal Regulations.

**EFFECTIVE DATE:** March 11, 1996.

**FOR FURTHER INFORMATION CONTACT:**

Katherine Schroder, (202) 418-1530.

**SUPPLEMENTARY INFORMATION:** In 1993 the Commission adopted streamlined tariff filing requirements for domestic, nondominant common carriers in the Nondominant Filing Order, 58 FR 44457, August 23, 1993. On January 20,

1995, the United States Court of Appeals for the District of Columbia Circuit vacated the Commission's Nondominant Filing Order. The court concluded that the Commission's rule permitting domestic nondominant carriers to file tariffs containing rates expressed in any manner of the carrier's choosing, including as a reasonable range of rates violates the Communications Act of 1934. The Commission now interprets the court's decision as invalidating only the range of rates provisions adopted in the Nondominant Filing Order, and reinstates the other tariff filing rules for domestic, nondominant common carriers adopted in that Order.

The Commission denies a petition filed by Ad Hoc Telecommunications Users Committee seeking reconsideration of the one-day notice period established in the Nondominant Filing Order. The Commission dismisses as moot an application for stay, filed by AT&T Communications, pending appellate review of that portion of the Order that authorized domestic, nondominant common carriers to file ranges of rates in their tariffs. In light of the court's ruling on ranges of rates, the Commission dismisses as moot the application for stay. Because no further purpose would be served by keeping CC Docket No. 93-36 open, the Commission terminates this proceeding.

The Commission also amends Section 43.51(a) to incorporate changes to the rule made by an erratum to the Nondominant Filing Order, which were not reflected in the Code of Federal Regulations. Finally, the Commission takes this opportunity to delete references to forbearance in Section 43.51(b), thereby conforming that section with earlier court decisions invalidating the Commission's forbearance policy.

The full text of this item is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239) of the Federal Communications Commission, 1919 M Street, NW., Washington, DC 20554. The complete text of this decision may also be purchased from the Commission's duplicating contractor, International Transcription Service, Inc., 2100 M Street, NW., Suite 140, Washington, DC 20037, (202) 857-3800.

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