

PART 943—TEXAS

1. The authority citation for Part 943 continues to read as follows:

Authority: 30 U.S.C. 1201 *et seq.*

2. Section 943.15 is amended by adding paragraph (p) to read as follows:

§ 943.15 Approval of regulatory program amendments.

* * * * *

(p) With the exceptions noted below, the recodification of Article 5920–11, Vernon’s Texas Civil Statutes, Sections 1 through 38 to Chapter 134 of Title 4, Natural Resources Code, Sections 134.001 through 134.188, the revisions to and the addition of statutes to the Texas Surface Coal Mining and Reclamation Act as submitted to OSM on August 24, 1995, and supplemented with explanatory information on April 2 and July 30, 1996, are approved effective January 30, 1997.

(1) The Director is not approving Chapter 134, Section 134.022(c) which extends the date for valid existing rights to May 9, 1979, for the provisions relating to areas unsuitable for mining.

(2) The Director is not approving Chapter 134, Section 134.068, which requires an applicant to file a schedule listing only notices of violations of Chapter 134 or of a law, rule, or regulation of the United States or Texas pertaining to air or water environmental protection.

(3) The Director is approving Chapter 134, Section 134.176, except to the extent that the recodified statute does not include the previously approved provision that the person charged with a penalty waives all legal rights to contest the violation or amount of the penalty unless the proposed penalty is paid within 30 days.

3. Section 943.25 is revised to read as follows:

§ 943.25 Approval of abandoned mine land reclamation plan amendments.

(a) The amendment, as submitted by Texas on May 11 and 26, 1989, and clarified by it on April 13, 1992, certifying completion of reclamation on all lands adversely impacted by past coal mining, is approved effective August 19, 1992.

(b) The recodification of Article 5920–11, Vernon’s Texas Civil Statutes, Section 3(7) to Chapter 134 of Title 4, Natural Resources Code, Section 134.142 and revision to statutes of the Texas Surface Coal Mining and Reclamation Act concerning the Texas abandoned mine land reclamation plan as submitted to OSM on August 24,

1995, are approved effective January 30, 1997.

[FR Doc. 97–2329 Filed 1–29–97; 8:45 am]

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DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Parts 220 and 352

Third Party Collection Program and Comptroller of the Department of Defense Organizational Chart; Removal

AGENCY: Department of Defense.

ACTION: Final rule.

SUMMARY: This document removes the Department of Defense’s Third Party Collection (TPC) Program and the organizational charter on the Comptroller of the Department of Defense codified in the CFR. The parts have served the purpose for which they were intended and are no longer necessary in the CFR.

EFFECTIVE DATE: January 30, 1997.

FOR FURTHER INFORMATION CONTACT:

L. Bynum or P. Toppings, 703-697–4111.

SUPPLEMENTARY INFORMATION: DoD Instruction 6010.15, “Third Party Collection (TPC) Program” (32 CFR part 220) was replaced by DoD Instruction 6015.23. DoD Directive 5118.3, “Comptroller of the Department of Defense (C, DoD)” (32 CFR part 352) was revised by a January 6, 1997 version. Copies of the DoD Instruction 6015.23 and DoD Directive 5118.3 may be obtained from the National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, VA 22161.

List of Subjects

32 CFR Part 220

Claims, Health care, Health insurance, Military personnel.

32 CFR Part 352

Organization and functions.

PARTS 220 AND 352—[REMOVED]

Accordingly, by the authority of 10 U.S.C. 301, 32 CFR parts 220 and 352 are removed.

Dated: January 24, 1997.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 97–2249 Filed 1–29–97; 8:45 am]

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POSTAL SERVICE

39 CFR Part 7

Board of Governors Bylaws

AGENCY: Postal Service.

ACTION: Final rule.

SUMMARY: The Board of Governors of the United States Postal Service has approved amendments to its bylaws. The amendments repeal unnecessary provisions of the Board’s regulations concerning the Government in the Sunshine Act. One change removes a provision for publishing in the Federal Register a notice not required to be published there by the Act. The other change removes an unused provision concerning Sunshine Act practice by committees of the Board.

EFFECTIVE DATE: January 30, 1997.

FOR FURTHER INFORMATION CONTACT:

Thomas J. Koerber, (202) 268–4800.

SUPPLEMENTARY INFORMATION: The Board’s bylaws, in §§ 7.4(e) and 7.5(d), have required publication in the Federal Register of two separate notices for each closed meeting of the Board. These are first, under § 7.4(e), a notice of the vote to close the meeting, which is published immediately after the vote; and second, under § 7.5(d), a notice of the time, date, place, and subject of the meeting, which is published about 10 days before the meeting.

The amendment repeals § 7.4(e), in order to remove the bylaws’ requirement for Federal Register publication of the first of these notices, which goes beyond legal requirements and other agencies’ practice. The Government in the Sunshine Act requires that notice of votes to close a meeting be made available to the public immediately after such a vote, but does not require that this notice be published in the Federal Register. The Act does require Federal Register publication of the notice of time, date, place, and subject of the meeting, as provided for in bylaw § 7.5(d), which is not changed. Other federal agencies ordinarily publish only this latter notice. As required by the Sunshine Act, 5 U.S.C. 552b(d)(3), the notice of votes to close a future meeting will continue to be made publicly available through the office of the Secretary to the Board, although no longer published in the Federal Register.

The other amendment repeals § 7.4(d) of the bylaws. This provision has provided that a committee of the Board may determine to close all of its meetings if it finds that most of them fall under certain exemptions under the Government in the Sunshine Act. This