

[FR Doc. 95-18617 Filed 7-27-95; 8:45 am]  
BILLING CODE 6560-50-P

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

**46 CFR Parts 201, 206, 246, 253, 275, 276, 285, and 290**

[Docket No. R-160]

RIN 2133-AB20

### Removal of Obsolete Regulations

**AGENCY:** Maritime Administration, Department of Transportation.

**ACTION:** Final Rule.

**SUMMARY:** In connection with the President's Regulatory Reinvention Initiative, the Maritime Administration (MARAD) has reviewed all of its existing regulations. This review identified regulations in 46 CFR Chapter II, or portions thereof, that are being removed because they are obsolete and noncontroversial.

**DATES:** This final rule is effective on July 28, 1995.

**FOR FURTHER INFORMATION CONTACT:** Edmund T. Sommer, Jr. Chief, Division of Regulations and Administrative Law, Telephone: 202-366-5181.

**SUPPLEMENTARY INFORMATION:** On March 4, 1995, President Clinton directed the heads of Federal departments and agencies, as part of the Administration's ongoing Regulatory Reinvention Initiative, "to conduct a page-by-page review of all of your agency regulations now in force and eliminate or revise those that are outdated or otherwise in need of reform." As part of the Department of Transportation's effort, MARAD has conducted a page-by-page review of all of its regulations and has identified obsolete regulations for removal, by part, subpart, section or portion of a section, as follows:

#### **46 CFR Part 201—Rules of Practice and Procedure**

Sections 201.4. Inspection of records, 201.5 Searching, copying, and certification of record fees therefore, and 201.186 Charges for documents, are being removed since they cite sections in 46 CFR Part 380 that have been removed and/or concern fees that are covered by the Department's Freedom of Information Act regulations at 49 CFR Part 7, Subpart I—Fees.

Sections 201.21 and 201.23. Persons not attorneys at law and Hearings, respectively, are being removed since they cover the practice in MARAD proceedings by practitioners, other than

attorneys, who have actually never represented parties in these proceedings.

Section 201.25. Statement of interest relates to disclosures by practitioners before MARAD. The last sentence is obsolete and is being removed since it cites section 807 of the Merchant Marine Act, 1936, which has been repealed.

#### **46 CFR Part 206—Miscellaneous Fees**

This Part is being removed. The fee charged for special statistical data in Subpart A is covered by the Department's Freedom of Information Act regulations at 46 CFR Part 7, Subpart I—Fees. Subpart B—Charges for Copies of Regulations—relates to obtaining copies of orders that MARAD no longer issues. MARAD no longer processes applications covered by Subpart C, which requires a fee of \$400 to process applications by owners for the sale of subsidized vessels to a private party where appraisal is made for MARAD by an independent vessel appraiser.

#### **46 CFR Part 246—Formulae for Determining Sea Speed of Vessels**

This Part is being removed since MARAD no longer uses the procedure set forth.

#### **46 CFR Part 253—Requirements for Maintaining Boom Lifting Capacities and Other Features, and Part 275—Outfitting Material and Equipment for Construction-Differential Subsidy Vessels**

These Parts apply to the construction-differential subsidy (CDS) program. These Parts are being removed since CDS is no longer funded.

#### **46 CFR Part 276—Construction-Differential Subsidy Repayment**

Section 276.3. Total repayment is being removed since the regulation was time constrained and that time has expired (June 5, 1986).

#### **46 CFR Part 285—Determination of Profit in Contracts and Subcontracts for Construction, Reconditioning and Reconstruction of Ships**

This Part is being removed since MARAD no longer uses the procedure.

#### **46 CFR Part 290—Forms**

This Part is being removed since the construction-differential subsidy and operating-differential subsidy programs to which the forms relate are not subject to new contract awards.

## Rulemaking Analyses and Notices

### *Executive Order 12866 (Regulatory Planning and Review)*

This rulemaking has been reviewed under Executive Order 12866 and Department of Transportation Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). It is not considered to be an economically significant regulatory action under section 3(f) of E.O. 12866, since it has been determined that it is not likely to result in a rule that may have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities. It is not considered to be a significant rule under the Department's Regulatory Policies and Procedures.

MARAD has determined that this rulemaking presents no substantive issue which it could reasonably expect would produce meaningful public comment since it is merely removing, pursuant to a Presidential directive, regulations or portions thereof that are obsolete, retention of which could serve no useful purpose. Accordingly, pursuant to 5 U.S.C. 553(c) and (d), Administrative Procedure Act, MARAD finds that good cause exists to publish this as a final rule, without opportunity for public comment, and to make it effective on the date of publication.

This rule has not been reviewed by the Office of Management and Budget under Executive Order 12866.

### *Federalism*

The Maritime Administration has analyzed this rulemaking in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that it does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

### *Regulatory Flexibility Act*

The Maritime Administration certifies that this rulemaking will not have a significant economic impact on a substantial number of small entities.

### *Environmental Assessment*

The Maritime Administration has considered the environmental impact of this rulemaking and has concluded that an environmental impact statement is not required under the National Environmental Policy Act of 1969.

### *Paperwork Reduction Act*

This rulemaking contains no reporting requirement that is subject to OMB