

Office of Management and Budget (OMB). OMB approved the information collections (see OMB numbers 3060-0470 approved May 31, 2000; 3060-0370, 3060-0395, and 3060-0734 approved June 19, 2000; and 3060-0384 approved September 1, 2000). In 65 FR 16328 (March 28, 2000) we also stated that the Commission would publish a document in the **Federal Register** announcing the effective date of the rules. This publication satisfies our statement that the Commission would publish a document in the **Federal Register** announcing the effective date of the information collections and the new and/or modified sections of Parts 32 and 64 rules.

List of Subjects

47 CFR Part 32

Communications common carriers, Reporting and recordkeeping requirements, Telephone, Uniform System of Accounts.

47 CFR Part 64

Communications common carriers, Federal Communications Commission, Radio, Reporting and recordkeeping requirements, Telegraph, Telephone.

Federal Communications Commission.

Magalie Roman Salas,

Secretary.

[FR Doc. 00-25014 Filed 9-29-00; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 54

[CC Docket No. 96-45; FCC 00-332]

Federal-State Joint Board on Universal Service: Promoting Deployment and Subscribership in Unserved and Underserved Areas, Including Tribal and Insular Areas

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Commission stays, on its own motion, the implementation of recently adopted federal Lifeline and Link Up assistance rule amendments only to the extent that they apply to qualifying low-income consumers living near reservations.

DATES: Effective September 5, 2000.

FOR FURTHER INFORMATION CONTACT: Paul Garnett, Attorney, Common Carrier Bureau, Accounting Policy Division, (202) 418-7400.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Order

and Further Notice of Proposed Rulemaking in CC Docket No. 96-45 released on August 31, 2000. The full text of this document is available for public inspection during regular business hours in the FCC Reference Center, Room CY-A257, 445 Twelfth Street, S.W., Washington, D.C. 20554.

I. Introduction

1. In this Order, we stay, on our own motion, the implementation of recently adopted federal Lifeline and Link Up assistance rule amendments only to the extent that they apply to qualifying low-income consumers living near reservations. We emphasize that this Order does not affect the implementation of the enhanced Lifeline and Link Up support for qualifying low-income consumers living on reservations. Those rules are unaffected and became effective on schedule on September 5, 2000, as directed by the Commission. Finally, as described in greater detail below, we extend until September 22, 2000, the date by which carriers may file data in order to receive support during the calendar year 2000 for enhanced Lifeline and Link Up services provided during the fourth quarter 2000.

II. Discussion

2. Following the adoption of the definition of "tribal lands" in the *Twelfth Report and Order*, 65 FR 47941 (August 4, 2000), we became aware that the term "near reservation," as it is currently defined by the BIA, may include wide geographic areas that do not possess the characteristics that warranted the targeting of enhanced Lifeline and Link Up support to reservations, such as geographic isolation, high rates of poverty, and low telephone subscribership. Such an outcome may not further our goal, as described in the *Twelfth Report and Order*, of increasing telecommunications deployment and subscribership in the most historically isolated and underserved regions of our Nation. Therefore, on our own motion we stay the implementation of the above-described Lifeline and Link Up assistance rule amendments to the extent that they apply to qualifying low-income consumers located "near reservations," as that phrase is defined in section 20.1(r) of the BIA regulations. A notation is added to § 54.400(e) of the Commission's rules stating that we have stayed the implementation of enhanced Lifeline and Link Up support for eligible residents of tribal lands to the extent that such support applies to qualifying low-income consumers living "near" reservations. We do not stay the

application of enhanced Lifeline and Link Up programs to low-income individuals located on "reservations," including on lands conveyed pursuant to the Alaska Native Claims Settlement Act.

3. In the *Twelfth Report and Order*, we directed eligible carriers, interested in receiving enhanced Lifeline and Link Up support in the calendar year 2000 for services provided in the fourth quarter 2000, to submit to the Universal Service Administrative Company (USAC) by September 1, 2000, a letter from a corporate officer of the carrier containing detailed information and certifications regarding their provision of services to qualifying low-income consumers. In this Order, we extend until September 22, 2000, the date by which carriers may file data regarding their provision of eligible services to qualifying low-income consumers living on reservations, as defined by the BIA.

III. Ordering Clauses

4. Pursuant to the authority contained in sections 1-4, 201-205, 254, 303(r), and 403 of the Communications Act of 1934, as amended, and § 1.3 and § 1.429(k) of the Commission's rules, this Order is adopted.

5. Pursuant to sections 1 and 4(i) of the Communications Act, and § 1.3 and § 1.429(k) of the Commission's rules, the application of enhanced Lifeline and Link Up programs to qualified low-income consumers living near reservations is stayed pending further Commission action.

6. This order is effective upon release September 5, 2000.

7. The Commission's Consumer Information Bureau, Reference Information Center, shall send a copy of this Order, to the Chief Counsel for Advocacy of the Small Business Administration.

List of Subjects in 47 CFR Part 54

Reporting and recordkeeping requirements, Telecommunications, Telephone.

Federal Communications Commission.

Magalie Roman Salas,

Secretary.

Rule Changes

For the reasons set forth in the preamble, 47 CFR part 54 is amended as follows:

1. The authority citation for part 54 continues to read as follows:

Authority: 47 U.S.C. 1, 4(i), 201, 205, 214, and 254 unless otherwise noted.

2. A note is added to 47 CFR 54.400(e) to read as follows:

§ 54.400 Terms and Definitions.

* * * * *

(e) * * *

Note to paragraph (e): This paragraph (e) is stayed to the extent that it applies to qualifying low-income consumers living "near reservations" as that phrase is defined in 25 CFR 20.1(r).

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DEPARTMENT OF TRANSPORTATION**Federal Motor Carrier Safety Administration****49 CFR Parts 375 and 386**

RIN 2126-AA56

Transportation of Household Goods in Interstate or Foreign Commerce; Rules of Practice for Motor Carrier Safety and Hazardous Materials Proceedings

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Final rule; technical amendments.

SUMMARY: This document implements sections 208 and 209 of the Motor Carrier Safety Improvement Act (MCSIA) of 1999 by amending 49 CFR parts 386 and 375, respectively. Section 208 revised the definition of an imminent hazard in 49 U.S.C. 521(b)(5)(B), and section 209 amended the definition of household goods in 49 U.S.C. 13102(10). Other technical changes are also being made to part 386, as explained below.

EFFECTIVE DATE: November 1, 2000.

FOR FURTHER INFORMATION CONTACT: Mr. William C. Hill, Regulatory Development Division, Office of Policy and Program Development, FMCSA, (202) 366-4009, or Mr. Charles E. Medalen, Office of the Chief Counsel, (202) 366-1354, Federal Highway Administration (FHWA), 400 Seventh Street, SW., Washington, D.C. 20590. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:**Electronic Access**

An electronic copy of this document may be downloaded using a modem and suitable communications software from the Government Printing Office's Electronic Bulletin Board Service at (202) 512-1661. Internet users may reach the Office of the Federal Register's home page at: <http://www.nara.gov/fedreg> and the Government Printing

Office's database at: <http://www.access.gpo.gov/nara>.

Background

The MCSIA of 1999 [Pub. L. 106-159, 113 Stat. 1748, December 9, 1999] made a number of changes to title 49, United States Code. This document implements the amendments made by sections 208 and 209, and makes minor technical changes to 49 CFR 386.72(a).

Section 208 revised the definition of an imminent hazard in 49 U.S.C. 521(b)(5)(B) to cover "any condition of vehicle, employee, or commercial motor vehicle operations which substantially increases the likelihood of serious injury or death if not discontinued immediately." The previous definition was "any condition of vehicle, employee, or commercial motor vehicle operations which is likely to result in serious injury or death if not discontinued immediately." In order to implement the new standard, 49 CFR 386.72(b)(1) is being amended. In addition, references to Federal Highway Administration (FHWA) personnel in that paragraph are being changed to list the appropriate officials of the FMCSA.

Section 209 amended the definition of household goods by revising paragraph (A) of 49 U.S.C. 13102(10). The new version provides that "(10) Household goods.—The term 'household goods,' as used in connection with transportation, means personal effects and property used or to be used in a dwelling, when a part of the equipment or supply of such dwelling, and similar property if the transportation of such effects or property is—(A) arranged and paid for by the householder, except such term does not include property moving from a factory or store, other than property that the householder has purchased with the intent to use in his or her dwelling and is transported at the request of, and the transportation charges are paid to the carrier by, the householder." The previous text of paragraph (A) read: "(A) arranged and paid for by the householder, including transportation of property from a factory or store when the property is purchased by the householder with intent to use in his or her dwelling." To make the new definition applicable, 49 CFR 375.1(b)(1) is being amended.

Finally, 49 CFR 386.72(a) is being amended to substitute references to the appropriate FMCSA officials for the FHWA officials previously listed there, and to conform the language of the paragraph more closely to the applicable definition of imminent hazard [49 U.S.C. 5102(5)]. This definition is not identical to the imminent hazard

definition applicable to § 386.72(b) [*i.e.*, 49 U.S.C. 521(b)(5)(B)].

Rulemaking Analyses and Notices

These amendments make regulatory changes to implement two amendments enacted by Congress; to update references to FHWA functions now exercised by the FMCSA; and to conform the language of § 386.72(a) more closely to the underlying statute. Public comments are unnecessary and could not change the substance of these amendments, since all of the changes being made today are required by statute. The FMCSA therefore finds good cause pursuant to 5 U.S.C. 553(b) to promulgate these amendments without prior notice and opportunity for comment.

Executive Order 12866 (Regulatory Planning and Review) and DOT Regulatory Policies and Procedures

The FMCSA has determined that this action is not a significant regulatory action within the meaning of Executive Order 12866. The agency has also determined that this action is not a significant regulatory action under the DOT's regulatory policies and procedures. These technical amendments are ministerial in nature.

Regulatory Flexibility Act

In compliance with the Regulatory Flexibility Act (5 U.S.C. 601-612), the FMCSA has evaluated the effects of this rule on small entities and has determined that it will not have a significant economic impact on a substantial number of small entities.

Unfunded Mandates Reform Act of 1995

This rule does not impose a Federal mandate resulting in the expenditure by State, local and tribal governments, in the aggregate, or by the private sector, of \$100 million or more in any one year (2 U.S.C. 1531 *et seq.*).

Executive Order 12988 (Civil Justice Reform)

This action meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Executive Order 13045 (Protection of Children)

We have analyzed this action under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not concern an environmental risk